

**The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, December 5, 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:** None

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

**APPROVAL OF MINUTES:**

**Motion made by John Quenell to accept the minutes of the Regular Monthly Meeting for the Town of Brighton Board dated November 14, 2002, as written, second by Linda Dobson, Aye 4, Vacant 1(Supervisor)**

**Motion made by Alicia Bodmer to accept the minutes of the Public Hearing for the 2003 Preliminary Budget dated November 15, 2002, with the following changes: 1) Third Paragraph, last line: change "\$12 million to \$22 million" 2) Fourth Paragraph, second line: change "clean up" of the oil spill to "monitoring" of the oil spill and add after a year " and an unknown amount for oil remediation" 3) fourth line: add after Fund Balances "together with tax levies" and delete "already available" 4) fifth line: add after \$39,500 "in 2003 plus" and delete "and", 5) Fifth Paragraph, first line: change "2202" to "2002", second by Linda Dobson, Aye 4, Vacant 1(Supervisor)**

**Motion made by Alicia Bodmer to accept the minutes of the Special Meeting for the Town of Brighton Board dated November 18, 2002, as written, second by John Quenell, Aye 3, Abstain 1 (Dobson), Vacant 1(Supervisor)**

**TOWN CLERK REPORT**

Total Revenue to Supervisor as of November 30, 2002 was \$4.23

3 Dog Licenses  
1 FOIL Request

1. On November 21, 2002, faxed a notice to the Adirondack Daily Enterprise, Re: December Board Meeting changed to December 5, 2002, published on Tuesday, November 26, 2002 Notice posted in the three Post Offices, at local businesses, and on the Town Clerk Sign Board
2. Received new Dog Licensing Law changes for 2003.
  - a. All dogs four months and older must be licensed in the town where the dog resides. The Animal Population Control Fee of \$3.00 will be collected for dogs not spayed or neutered after 4 months of age.
  - b. The Town can now charge \$5.00 per dog identified as not licensed during an enumeration and use the fee for dog control in the town.
  - c. Service Dogs, Detection Dogs, and Therapy dogs are exempt from license fees.
3. Town Hall Schedule: Food Pantry-Dec 5, Jan 2 and 16, 2003
4. Park Use: No requests

**SUPERVISOR'S REPORT AND CORRESPONDENCE**

*FINANCIAL BUSINESS AT HAND:*

**BUDGET AMENDMENT**

**RESOLUTION #107**

**AUTHORIZATION FOR BUDGET AMENDMENT #9 FOR THE 2002 GENERAL FUND**

**Motion made by Alicia Bodmer to authorize Budget Amendment #9 for the 2002 General Fund to transfer \$357.26 of funds from A1990.0 (Contingency Account) as follows:**

\$ 8.09 to A1220.4 (Supervisor CE)  
\$ 106.42 to A1355.4 (Assessor CE)  
\$ 143.00 to A1420.4 (Attorney CE)  
\$ 99.75 to A1450.4 (Election CE)

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 #107 declared duly adopted.**

*NEW BUSINESS*

**1. TOWN WEBSITE/ADELPHIA-John Quenell:** Internet access by cable has been installed at the Town Hall. Waiting for a response from Adelphia to set up the Town Website. There are various addresses available for the site. "Brighton.org" is already taken; "Brighton.com" or ".net" or ".gov" will be considered.

**2. NYMIR INSURANCE-John Quenell:** Application for insurance renewal is ready for signature. One question is "Does the Town run a concession stand at the Park?" Steve Tucker said there is no longer a concession stand at the Park Field House.

**RESOLUTION #108**

**AUTHORIZATION FOR RENEWAL OF TOWN INSURANCE WITH NYMIR**

**Motion made by John Quenell to authorize Deputy Supervisor Alicia Bodmer to sign the application to renew coverage for Town Insurance with New York Municipal Insurance Reciprocal (NYMIR), 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 #108 declared duly adopted.**

**3. INVESTMENT POLICY/COLLATERAL AGREEMENT/NBT-Linda Dobson:** Received a contract for Collateral Agreement with NBT Bank. According to law deposits over \$100,000 have to be protected by the bank where the Town keeps its funds. The Investment Policy should be reviewed every year and updated as needed. This was the last piece needed for the Investment Policy and it is available for review and approval.

**RESOLUTION #109**

**AUTHORIZATION TO ADOPT AN INVESTMENT POLICY**

**WHEREAS,** during the 2000 Audit by the NY State Comptroller's Office it was recommended that the Town create and adopt an Investment Policy

**NOW THEREFORE BE IT RESOLVED, that the Town of Brighton Board adopts the attached Investment Policy**

**Motion made by Linda Dobson, 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 #109 declared duly adopted.**

**4. COUNTY REAPPORTIONMENT-John Quenell:** The Legislature of Franklin County passed Local Law #6-2002 for redistricting legislative areas. The Legislature did not follow the Local Law rules and had to recall the law. The law has been rewritten to include referendum information and allow for public input. Some citizens are proposing a different map than the Legislature. Information on the "Gervais Plan" has been passed out to the Board members to review. This will be tabled until more information is available.

*OLD BUSINESS:*

**1. INTERNAL REVENUE CODE SECTION 125:** Tom Willis as the Administrator of the Section 125 Plan prepared a plan for the board to review. The plan provides for employees who opt to take pre-tax deductions for certain benefits. This is an irrevocable choice unless there is a change in family status. Salary is reduced by the deductions before taxes and social security are assessed. Payments from employees for 2003 Health Insurance will be about \$336 for single and about \$836 for family (This is 10% of the estimated premium for Health Insurance.) The bookkeeper will have to track these payments.

**RESOLUTION #110**

**AUTHORIZATION TO ADOPT A FLEXIBLE BENEFIT PLAN (IRS SECTION 125)**

**Motion made by John Quenell to adopt the Flexible Benefits Plan for Internal Revenue Service Section 125 for pre-tax deductions from salary, 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 #110 declared duly adopted.**

**2. REQUEST FOR REIMBURSEMENT #3 FOR LANDFILL CLOSURE:**

Griffin International has prepared a reimbursement request #3 for landfill closure expenses and for the retainage fee of 10%.

**RESOLUTION #111**

**AUTHORIZATION TO SIGN FOR REIMBURSEMENT #3 - LANDFILL CLOSURE EXPENSES**

**Motion made by Alicia Bodmer to authorize her to sign the voucher for reimbursement #3 for landfill closure expenses of \$2,100 prepared by Griffin International, 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 #111 declared duly adopted.**

**3. HEALTH INSURANCE:** Letter to designate new insurance representative was sent out.

**4. HIGHWAY GARAGE PROJECT:** Capital Project Fund has not been set up yet; appraiser for ALPO building and land needs to be paid from this fund

**5. LANDFILL PROJECT FUNDS:** Approximately \$71,000 still needs to be transferred into the General Fund from the Landfill Loan. This was discovered during the 2000 Audit by the State Comptroller's Office and is owed to the Town General Fund.

*COMMITTEE REPORTS:*

**1. COURT- Nik Santagate:**

- a. Congratulations to Robert Tebbutt for being elected as Town Supervisor for 2003
- b. There were 63 Cases during November, \$2995.00 was sent to the Comptroller's Office
- c. The Small Claims Trial for December 13 may be cancelled

**2. HIGHWAY –John Quenell:**

- a. We have been doing a lot of plowing and sanding
- b. Advice received from Scott Goldie, Attorney for the Town, on changes to the proposed 10-year sand mine contract renewal received from Paul Smith College. A letter has been drafted with the changes for the Deputy Supervisor's signature.

**Motion made by John Quenell to authorize the Deputy Supervisor Alicia Bodmer to sign a letter to be sent to Paul Smith's College with the following changes to the Sand Mine Contract:**

- 1. Alteration of the groundwater testing requirements to conform to the quarterly testing program prescribed for us by the DEC**
- 2. Lengthening the notice period for cancellation by the college from 90 days to 180 days (we feel the additional time would make it easier for us to find an alternative san supply and to identify funds to pay for it)**
- 3. Changing the signer for the contract on behalf of the town from the highway superintendent to the supervisor**

**Second by Alicia Bodmer, Aye 4, Vacant 1 (Supervisor)**

- c. **New Highway Garage Project Status:** A group of Town employees (Don Oliver, Andy Crary, Glenn Perrino, Ed Lagree, and John Quenell) met to determine a detailed estimate of what costs the Town would incur by pursuing the ALPO Building land site. The total estimate is \$69,300 to upgrade and repair the ALPO Building. The building seems to be more a liability than an asset. The land is what is needed for a new garage. The appraisals of the land range from \$20,000 to \$40,400. The building has been appraised from between \$75,000 and \$121,000. We really don't need the building so the purchase of the land with a building is not being responsible to the Town. If the College would consider subdividing the land this might help. Other Board members said to look at other pieces of land or ask if there are other pieces of land the College would consider selling to the Town. A meeting is being held on Tuesday, December 10, 2002, with Paul Smith College to discuss this situation. Dr Miller, Steve McFarland and Jack Burke will attend from Paul Smith's College; Don Oliver and John Quenell will attend for the Town along with Alicia Bodmer if she can attend. Camp Gabriels is interested in the same property for a shooting range for Camp Gabriels only. Superintendent Taylor said the Department of Corrections could do whatever they want once they own the land. The Town could buy the land and allow the Camp to continue using the land as a shooting range. Amber McKernan objected to using the land as a shooting range because it is so close to a residential area and is very noisy.

**3. INSURANCE - John Quenell:** At the last monthly meeting a resolution was passed for Employee Dishonesty Insurance, asked insurance company to bind the Town effective January 1, 2003.

**4. INVESTMENTS – Linda Dobson:** Received a list of resources available from the State Comptroller's Office at a meeting with John Deierlein from NBT Bank; would like to purchase three tapes for the Town.

**RESOLUTION #112**

**AUTHORIZATION TO PURCHASE VIDEOTAPES FROM STATE COMPTROLLER**

**Motion made by Alicia Bodmer to authorize the Deputy Supervisor to purchase videotapes at \$15.00 each from the State Comptroller's Office for the Town Not To Exceed \$100.00 from Account A1010.4 (Town Board CE), 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 #112 declared duly adopted.**

**5. ASSESSOR-Doug Tichenor:** No Report

**6. TAX COLLECTOR- Amber McKernan:**

- a. November has been fairly quiet, ordered supplies and getting ready for the upcoming tax collection year
- b. October Bank Statement was received and balanced. Check #367 remained outstanding and since it is over 6 months old it is now void. A check #376 was issued in the amount of \$2.00 to the Deputy Supervisor, thereby bringing the balance in the account to \$0.00 for the start of the new tax year.
- c. Would like to compliment the Highway Department on the great roads. One can always tell when they hit the Town line because the roads are so well maintained.
- d. Thank you to the Paul Smiths-Gabriels Volunteer Fire Department for putting down the ice for skating at the Park; usually the ice is not down until later in December.

**7. CODE ENFORCEMENT-Ed Lagree:** No Report

**8. CEMETERY – Linda Dobson:** Stacy of Geomatics completed the Section 3 Cemetery map and invoice today; the map is available at the Town Hall.

**9. PARKS & RECREATION-Steve Tucker:** Ice is down, but still needs work. Snowmobiles have stayed off it so far.

*OTHER BUSINESS:*

**Motion made** by Alicia Bodmer **to hold the Organizational Meeting on January 9, 2003, at 6:30 pm,** second by John Quenell, Aye 4, Vacant 1 (Supervisor)

**CITIZENS COMMENTS:**

**Tracie Santagate-McColloms:**

- a. Talked with Superintendent Taylor of Camp Gabriels; they have storage space available to store salt and sand if the Town needs a place. A prefabricated storage shed could be built by the Camp Gabriels inmates
- b. It would be appropriate if correspondence from the Attorney for the Town were presented at Board meetings since the Town paid for the opinion and the public should hear the response

**Tom Willis-Garondah Road:**

- a. Have a draft of a Local Law to allow Town employees to get cash reimbursement for expenses in lieu of insurance, can be brought up at the January meeting
- b. The date the monument was installed in front of the Town Hall cannot be verified exactly. The October 1945 Town Board minutes show the funds were allowed and people remember a ceremony in the summer of 1946. There is no reference in the minutes when it was installed.
- c. Recommend the Town prepare an "Employee Handbook" with all the Town policies included

**Debbie Trim-Rainbow Lake:** The Town can adopt a Local Law to have the fees from fines generated in the Town Court to stay in the Town. Alicia Bodmer will look into this with the Judge.

**RESOLUTION #113**

**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 #12-General Fund: Voucher #284 through and including Voucher #302: \$5,703.59**

**ABSTRACT #12-Highway Fund: Voucher #135 through and including Voucher #142: \$3,839.87**

**ABSTRACT #7-Street Lighting Fund: Voucher #7: \$55.66**

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 #113 declared duly adopted.**

**Motion made** by Linda Dobson **to Adjourn the Regular Town Board Meeting at 8:59 p.m.,** second by Alicia Bodmer, Aye 4, Vacant 1 (Supervisor)

Respectfully submitted,

Elaine W. Sater  
Brighton Town Clerk