

REGULAR BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY
December 13, 2007

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The Regular Town Board Meeting of the Town of Brighton was held on Thursday, December 13, 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 Deputy Supervisor David Knapp at 7:15 p.m.

PRESENT: Deputy Supervisor David Knapp

Council Members: Sheila Delarm, Steve Tucker and Lydia Wright

ABSENT: Supervisor Peter Martin, Sr.

OTHERS PRESENT: Elaine Sater - Town Clerk, Amber McKernan - Tax Collector

RESIDENTS: Four residents attended

GUESTS: Rebecca Buerkett, FX Browne, Inc.

APPROVAL OF MINUTES

- Public Hearing for 2008 Budget November 8, 2007

Motion made by David Knapp, **second** by Steve Tucker, **to approve the minutes of the Public Hearing for the 2008 Budget held on November 8, 2007 as written.**

ROLL CALL VOTE: Aye 3 (Delarm, Knapp, and Tucker), Nay 0, Abstain 1 (Wright), Absent 1 (Martin)

- Regular Board November 8, 2007

Motion made by David Knapp, **second** by Steve Tucker, **to approve the minutes of the Regular Town Board meeting held on November 8, 2007 as edited to correct typographical error.**

ROLL CALL VOTE: Aye 3 (Delarm, Knapp, and Tucker), Nay 0, Abstain 1 (Wright), Absent 1 (Martin)

- Special Board November 14, 2007

Motion made by David Knapp, **second** by Steve Tucker, **to approve the minutes of the Special Town Board meeting held on November 14, 2007 as written.**

ROLL CALL VOTE: Aye 2 (Delarm and Tucker), Nay 0, Abstain 2 (Knapp and Wright), Absent 1 (Martin)

TOWN CLERK'S REPORT

Total Revenue to Supervisor as of November 30, 2007 was \$278.08

1 Sport Licenses

20 Dog Licenses Renewals

3 Building Permit (#07-40 to 42)

3 FOIL Requests

1. Received notice from the Franklin County Board of Elections, Re: Official Results of Election of November 6, 2007. Total votes counted was 298.
 - a. Supervisor: Peter Martin 159, Don Oliver 1, Bob Tebbutt 1, Caroline Handley 1, Roger Smith 1, John Quenell 26
 - b. Town Council members: Lydia Wright 208, Jeffrey Leavitt 176, David Knapp 5
 - c. Town Clerk: Elaine Sater 205, David Knapp 1, Don Oliver 1, Barb Marshall 1, Jean Robert 1
 - d. Superintendent of Highways: Andy Crary 152, Don Oliver 79, Bob Oliver 1, Blanchard 1, Oliver 5
 - e. Tax Collector: Amber McKernan 229, Don Oliver 1
 - f. Town Justice: Nik Santagate 238, Bob White 1
2. Dec 2 and 3: Attended a New York State Town Clerk's Association meeting and training session in Binghamton. The move is on to consolidate Town Tax Collectors to the County level and Town Justice Courts to a regional court with attorneys as judges. The State is also looking into consolidating Town Registrars at the county level for birth and death records. People need to let the State Representatives and Senators know their feelings on these matters. In the County of Tompkins the county already issues all the birth and death records.
3. Received notice that the DECALS (Department of Environmental Conservation Automated Licensing System) is

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converting to an internet based system in January or February 2008. The Town will have to provide internet access for the DECALS computer. The current computers owned by the Town do not have the capability to use the two different printers needed for the system so the DECALS computer will continue to be used for issuing licenses.

4. Received from the NYS Department of Labor a Notice of Issuance of Magazine Certificate for Explosives and Detonators for Peter Henry which expires in November 2008
5. Nik Santagate, Town Justice, filed a Certificate of Completion for Continuing Judicial Education Program for 2007
6. Received request from New York State Association of Town's to distribute information on "Newly Elected Town Officials" training. Town Officials have received the information.
7. REQUESTS FOR TOWN BUILDING USE:
 - a. TOWN HALL: Committee for Smart Growth Grant - Monday, December 10 from 3 to 5 p.m.
 - b. TOWN PARK: None
8. RECORDS MANAGEMENT:
 - a. Town records that people have at home from 2007 and before should be filed with the Records Management Officer for safe keeping.
 - b. A records storage room is going to have to be addressed as the Town Hall Restoration Project is about to get underway which will eliminate the current storage room. NYS Archives has grants available to convert an existing space, the deadline is February 1, 2008.

OLD BUSINESS (Continued on Page 5):

1. **SMART GROWTH ASSESSMENT GRANT PROJECT:** Rebecca Buerkett gave a briefing on what the Smart Growth Committee determined. She asked the Board to authorize the request for a grant for up to \$50,000 to look at "Sustainable Economic Development" in the Town. The Watershed Institute, Dan Kealting, is willing to help with this project. Other not-for-profit organizations are needed to help also. There will be 2 public hearings, one at the beginning to get information from people for the project and at the end to distribute the information discovered by the committee. Letters of support are needed from businesses and individuals to send with the grant; these should be forwarded to Rebecca Buerkett. She will draft a cover letter for the Supervisor to sign to go with the application.

RESOLUTION #86

AUTHORIZATION TO APPLY FOR A SMART GROWTH ASSESSMENT GRANT

Motion made by Sheila Delarm, **second** by Lydia Wright, **To Wit:**

WHEREAS, the Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Grant from municipalities located wholly or partially within the Adirondack Park, and **WHEREAS**, there are citizens in the Town interested in pursuing "sustainable economic development" in the Town, **NOW THEREFORE BE IT RESOLVED** that Peter Martin, as Supervisor, of the Town of Brighton, or such person's successor in office, is hereby authorized and directed to file an application for funds from the Adirondack Park Community Smart Growth Grants Program of the New York State Department of Environmental Conservation in an amount Not To Exceed \$50,000, and upon approval of said request to enter into and execute a project agreement with the Department of Environmental Conservation for such financial assistance to the Town of Brighton for the Brighton Smart Growth Project.

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

Resolution #86 declared duly adopted.

SUPERVISOR'S CORRESPONDENCE/FINANCIAL REPORT

1. Financial Report:

- a. Supervisor distributed the Financial Report as of November 30, 2007 to Board members. Total cash on hand in CLASS as of November 30 is \$364,142.87. Interest from CLASS investments for November 2007 was \$1,272.72; total for year-to-date is \$20,771.37.

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b. Budget Amendments to 2007 Town Budget

i. Highway Fund:

HIGHWAY FUND BUDGET AMENDMENT #2-2007

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

RESOLVED that the following amounts be and the same hereby are transferred:

\$1,500.00 from Account No. DA5130.4 (Machinery CE)

as follows:

\$1,500.00 to Account No. DA5110.4 (General Repairs CE)

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

Highway Fund Budget Amendment #2 declared duly adopted.

ii. General Fund:

GENERAL FUND BUDGET AMENDMENT #4-2007

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

RESOLVED that the following amounts be and the same hereby are transferred:

\$100.00 from Account No. A1110.2 (Justice Equipment CE)

\$ 69.00 from Account No. A1990.4 (Contingency)

as follows:

\$100.00 to Account No. A1110.4 (Justice CE)

\$ 69.00 to Account No. A3310.2 (Traffic Control - Signs)

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

General Fund Budget Amendment #4 declared duly adopted.

- 2. Correspondence:** Received a letter requesting a HUD mortgage be discharged for HUD Project #94-07 also know by 94-T5

RESOLUTION #87

AUTHORIZATION TO DISCHARGE A MORTGAGE FOR HUD PROJECT #94-07

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

WHEREAS, the Town of Brighton secured by mortgage dated March 24, 1995, for a Town of Brighton Housing Rehabilitation Program loan in the amount of twelve thousand five hundred dollars, \$12,500.00, and such mortgage was recorded in Liber 463 of Mortgages at pages 253 through 258 in the Office of the Clerk of the County of Franklin, and **WHEREAS**, the mortgage contains a provision that the mortgagor will abide by all terms of the Note, and **WHEREAS**, the terms of the Note have been met including the completion of five years after the date of the Mortgage on March 24, 2000 to end without repayment of the principal or accrued interest,

NOW THEREFORE BE IT RESOLVED that the Supervisor of the Town is authorized to sign and issue a Discharge of Mortgage for HUD Project 94-07 (also know by 94-T5) a mortgage dated March 24, 1995, in the amount of \$12,500.00 as recorded in Liber 463 of Mortgages at pages 253 through 258 in the Office of the Clerk of the County of Franklin.

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

Resolution #87 declared duly adopted.

DEPARTMENT REPORTS

1. ANIMAL CONTROL OFFICER (Tri-Lakes Humane Society): No Report

The Town Clerk reported that the president has changed and letters are being to sent to people who already have renewed dog licenses. The Tri-Lake Humane Society gets a monthly report from the Clerk concerning the dog licenses.

2. ASSESSOR (Doug Tichenor): Distributed an article from the NYS Office of Real Property Services "The Uniform Standard" dated July 06, called "What if NYS was no loner taxed for forests?" for the Town Board's information concerning this issue.

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- 3. CODE ENFORCEMENT OFFICER (CEO) (Ed Lagree):** Report submitted prior to meeting
- 42 building permits have been issued for 2007; 13 permits are completed, 29 permits are still open
 - 15 permits are still open from 2006, 11 permits are completed, 1 is closed
 - 6 permits are still open from 2005, 5 permits are completed
 - 5 permits are still open from 2004, 1 permit is completed, 3 are closed
 - 1 permit is still open from 2003, 1 is closed

RESOLUTION #88

AUTHORIZATION TO EXTEND CONTRACT WITH TOWN OF SANTA CLARA FOR CODE ENFORCEMENT OFFICER SERVICES

Motion made by Lydia Wright, **Second** by Deputy Supervisor David Knapp, **To Wit:**

WHEREAS, the Town of Santa Clara has notified the Town that they will no longer provide Code Enforcement Officer Services after December 31, 2007, and

WHEREAS, the Town of Santa Clara has offered to continue on a per diem basis until April 1, 2008, while the Town is looking for a replacement,

NOW THEREFORE BE IT RESOLVED that the Town Board accepts the offer by the Town of Santa Clara to retain the services of the Code Enforcement Officer until March 31, 2008 on a per diem basis as per the current contract.

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

Resolution #88 declared duly adopted.

- 4. TAX COLLECTOR (Amber McKernan):** Read report
- Received 6 phone calls regarding tax matters
 - Received request lists for tax bills from all of the mortgage holding institutions
 - Office supplies and stamps have been ordered
 - Spoke with the Office of Real Property regarding the release of tax bills and signing of the warrant to collect taxes by the County Legislature. The bills and warrant should be available for pickup late in the week between December 25, 2007 and January 1, 2008.
- 5. TOWN JUSTICE (Nik Santagate):** Report submitted prior to meeting
Issued a check in the amount of \$3,907.50 to the Supervisor for November revenues
- 6. HISTORIAN - Mary Ellen Salls:** No Report

COMMITTEE REPORTS

- 1. HIGHWAY DEPARTMENT - David Knapp and Steve Tucker:**
- Report from Don Oliver, Superintendent of Highways**, submitted prior to the meeting
 - Routine plowing and sanding
 - Snows everyday
 - Installed speed signs on Vosburgh Rd
 - Christmas party at Town of Harriestown Highway Department December 20 for local town highway crews
 - Merry Christmas to all
 - Town Sign: David Knapp** has a call into NYS DOT to obtain a permit, sent pictures and dimensions of sign
 - White Pine Road Bridge:** Nothing to report
 - Decals for Trucks:** Waiting to determine if the title of the department will change to DPW
 - DPW:** Need jobs descriptions for MEO and laborer, waiting for answer from the County Office
 - CSEA Contract:** Waiting for Brain Paige to return calls to set up a meeting for the new 2008 contract
 - Town Roads:**
 - Slush Pond Road:** No new information
 - McCulloms Road:** Sheila Delarm asked if Andy Crary can find out who has right-of-way on road to clear trees overhead
 - Split Rock Road:** No new information

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2. PARK & RECREATION - Steve Tucker and Lydia Wright

- a. Boards are up for ice rink, when it stops snowing water can be put down
- b. Snow blower had to be repaired as it would not start

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

- a. Have contacted Burnham about adding Jeff Leavitt for health insurance, application form will be given to him to fill out. David Knapp has opted out of COBRA. Waiting to hear from Don Oliver.
- b. Sheila Delarm and Lydia Wright will meet to complete the renewal applications for NYMIR and Mang
- c. Increase of deductible to \$2,500 was based on the total amount of coverage requested. When policy was audited by Mang they noticed the deductible was out of alignment, thus the adjustment.
- d. Unable to contact the Highway Department by phone, would like an email address if they have one. Need more information to update new vehicles added for liability insurance to NYMIR - are all vehicles licensed and are they being driven on the road.
- e. Lydia Wright met with Burnham Financial, health insurance plan for Highway employees will not be available for 2009, need to discuss with CSEA representative to change policy and have attorney review.
- f. Nothing to report for investments

4. CEMETERY - Steve Tucker and David Knapp: Closed for winter

5. TOWN BUILDINGS - Steve Tucker and David Knapp

- a. **Town Hall Maintenance: Sheila Delarm asked for the following issues to be addressed**
 - i. Snow removal for stairs and front parking lot with Highway Department
 - ii. Grant for Town Hall generator through Senator Betty Little's office with Supervisor Peter Martin
 - iii. Water needs to be tested at both garage and town hall, ask Andy Cray to address
- b. **Town Hall Project: David Knapp** contacted Cate Blakemore of Crawford and Stearns concerning the bid package, it should be ready to go out to bid at the beginning of January 2008. A bid package needs to accompany the grant application for Betty Little funds. A question came up about the shingles being painted or stained, due to the age shingles are probably stained.

OLD BUSINESS (Continued from page 2)

2. FIRE ADVISORY BOARD (FAB) UPDATE(David Knapp):

- a. No meeting was held in December
- b. Received a job description for an Emergency Medical Technician (EMT) for review and return to the Town of Harriestown Supervisor Larry Miller with comments, he will forward to the Village for their use. There were no changes to the EMT job description from this board.

3. PAUL SMITHS GABRIELS VOLUNTEER FIRE DEPARTMENT BASIC LIFE SUPPORT-FIRST RESPONDER STATUS: Sheila Delarm asked where the letter of support was for the Paul Smiths Gabriels Volunteer Fire Department Basic Life Support-First Responder agency status. The Supervisor was waiting for a letter from the PSGVFD to ask for a letter of support. Steve Tucker provided a letter of request for support for the Board.

RESOLUTION #89

AUTHORIZATION TO SUPPORT THE PSGVFD PURSUIT OF BLS-FR AGENCY STATUS

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

WHEREAS, the Paul Smiths Gabriels Volunteer Fire Department (PSGVFD) is interested in pursuing Basic Life Support - First Responder (BLS-FR) agency status, and

WHEREAS, the PSGVFD needs a letter of support from the Town to obtain an agency code number to participate in the local Emergency Medical System as a BLS-FR agency,

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to write a letter of support for the Paul Smiths Gabriels Volunteer Fire Department to obtain an agency code number to become a participating Basic Life Support - First Responder agency in the local Emergency Medical System at no cost to the Town.

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

Resolution #89 declared duly adopted.

4. TIME WARNER CABLE (TWC): No further information

5. POST OFFICE IN GABRIELS: Only one person called to sign up to speak at the Public Hearing, Town Clerk notified her that the meeting was cancelled by Post Office. Sheila Delarm said the Supervisor and Post Office rescheduled for Thursday, January 17th at 6 p.m. at the Town Hall. Discussion was held concerning people signing up to speak before or at the meeting. It was determined that the Town Clerk would post another notice for the hearing for the Post Office and people will just be allowed to speak at the hearing without signing up.

NEW BUSINESS:

EMERGENCY RESCUE CONTRACT FOR 2008: Received copy of a contract from the Village of Saranac Lake for 2008 Rescue Services. When compared to the Town of Harriestown contract there are some changes that need to be made: the contract is for one year not three and the addendums from 2007 were not included in the contract. After discussion it was decided that a separate meeting would be held to review this contract before approving.

Motion made by Deputy Supervisor David Knapp, second by Steve Tucker, to hold a Special Meeting on Monday, December 17, at 6:30 p.m. to discuss the Rescue Contract for 2008.

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

CITIZENS COMMENTS:

Amber McKernan - Gabriels: Said it was a pleasure watching outgoing Council Member David Knapp grow and work over the four years as a Council Member. It has been a pleasure to watch the Board work together over the past year also.

AUDIT OF VOUCHERS

RESOLUTION #90

AUTHORIZATION TO PAY AUDITED VOUCHERS AS LISTED ON THE ABSTRACTS

Motion made by Lydia Wright, second by Steve Tucker, To Wit:

RESOLVED that the Supervisor be authorized to pay the audited vouchers as listed on the abstracts as follows:
PRE-PAID: Abstract #12 for Vouchers #12A through #12D for 2007 General Funds in the amount of \$1,679.38, Voucher #12C for 2007 Street Light Funds in the amount of \$69.82

GENERAL FUND: Abstract #12 for Voucher #293 through and including #315 for 2007 funds in the amount of \$12,741.85

HIGHWAY FUND: Abstract #12 for Vouchers #124 through and including #133 for 2007 funds in the amount of \$6,407.37

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

Resolution #90 declared duly adopted.

ADJOURNMENT

Motion to Adjourn at 10:15 p.m. made by Lydia Wright, second by Deputy Supervisor David Knapp, Aye 4, Nay 0, Absent 1 (Martin)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk