

SPECIAL BOARD MEETING - TOWN OF BRIGHTON - FRANKLIN COUNTY, NY

January 13, 2009

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A Special Meeting of the Town Board of the Town of Brighton was held Tuesday, January 13, 2009 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

CALL TO ORDER:

Meeting was Called to Order by Supervisor David Knapp at 7:15 p.m.

ROLL CALL OF OFFICERS

PRESENT: Supervisor David Knapp

Council Members: Sheila Delarm., Steve Tucker and Lydia Wright

ABSENT: Council Member Jeffrey Leavitt

OTHERS PRESENT: Elaine Sater - Town Clerk

RESIDENTS: There were no residents present, a representative of the media was present

GUESTS: None

NOTICE OF MEETING: Notice of this meeting was faxed to the Adirondack Daily Enterprise on January 9, 2009. Notice was posted on January 9 on the Town Clerk's Sign Board and at local post offices and businesses.

AVOIDABLE ALARM PROPOSE LOCAL LAW #2 FOR THE YEAR 2008: Discussion was held on proposed changes to the Avoidable Alarm Law. Sheila Delarm spoke with North Elba Fire Department who had the town implement an avoidable alarm, the Fire Department collected the fines, the number of alarms dropped a lot and they don't use the penalties any more. The number of calls allowed before charging the penalty is not something the Town Board should decide, but the College and Fire Department should come to an agreement. The Board would like to see the people with avoidable alarms use the money toward fixing the problem instead of having to pay a penalty to the Town. Some form of documentation will have to be available at the scene so all three parties (Fire Department, owner or representative, and Town) have a copy of the same form, like the chimney fire form.

Changes were made as follows:

1. Section II. Purpose: Remove the word "false" from first sentence.
2. Section III. Definitions: "Avoidable Alarm" Changed to "Any audible alarm and/or an electronically transmitted alarm to which the Fire Department responds when an emergency situation does not exist. An alarm caused by power outages or severe weather conditions when no emergency situation exists is not an avoidable alarm as defined herein. The transmitting of a message or signal due to an equipment malfunction or maintenance activity shall be deemed to be an avoidable alarm and not an emergency situation."
3. Section III. Definitions: "Alarm": Delete duplicate definition
4. Section III. Definitions: Add "Group Living Quarters" with a definition from the US Census Bureau.
5. Section V. Civil Penalties: Remove reference to number of receptors by changing Para "A" and "B" as follows:
"An alarm user with an alarm system shall be liable for the following civil penalties for avoidable alarms in each calendar year:
 - A. Group Living Quarters
 - 1st to 12th avoidable alarms... No Charge, Warning letter for each incident
 - 13th to 25th avoidable alarm... \$250 Fine for each incident
 - 26th and subsequent ...\$500 Fine for each incident
 - B. All other properties:
 - 1st to 3rd avoidable alarm...No Charge, warning letter for each incident
 - 4th and subsequent avoidable alarm.... \$500 for each incident"
6. Section VII. "Hearing Provisions" Delete "9" in first sentence.
7. Add "Section XI. Modifications, Changes to civil penalties shall be made by resolution of the Town Board".

Sheila Delarm will make the changes to the law and sent it to Scott Goldie, Attorney for the Town, for his review and

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opinion.

ADJOURNMENT

Motion to Adjourn at 8:21 p.m. made by Supervisor David Knapp, **Second** by Lydia Wright, **Aye 4 (Delarm, Knapp, Tucker, Wright), Nay 0, Absent 1 (Leavitt)**

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk