

Special Meeting of the Town Board of the Town of Brighton was held on Monday, March 22, 2004, at 5:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Robert Tebbutt and Council Members: David Knapp, John Quenell, and Steve Tucker

ABSENT: Council Member Lydia Wright

OTHERS PRESENT: Elaine Sater - Town Clerk, Don Oliver - Superintendent of Highways, Amber McKernan - Tax Collector, Nik Santagate – Justice, and Bob Byno - Maintenance

RESIDENTS: There were five residents present.

Meeting was Called to Order by Supervisor Robert Tebbutt at 5:02 p.m. The purpose of the meeting is to continue the discussion on the Highway Garage Project from the meeting of March 18, 2004.

Notice of the Meeting was faxed to the Adirondack Daily Enterprise on Thursday, March 18, 2004, and posted on the Town Clerk's Sign Board. On Friday, March 19, notice was posted in the three post offices and at local businesses in the Town.

1. HIGHWAY GARAGE PROJECT (David Knapp and Steve Tucker): David Knapp and Steve Tucker met with Joe Garso, PE, of North Woods Engineering, on March 22, 2004, to discuss options for the Highway Garage Project and the following is a summary of that meeting:

Comparisons to previous garage projects were made. Looked at a breakdown of the previous bids by different areas to determine costs for each area. Costs can be reduced in concrete, footings, and steel. A figure cannot be put on this until it is engineered and put on the architect plan. The cost for the Village of Saranac Lake garage was \$50 per square foot for 10 bays. The last bid for Brighton's garage was \$75 per square foot for 5 bays. The cost reduction is not linear. There is not an economy for reduced scale. This measure of cost may not be the best comparison. The heating systems comparison includes "living cost" after installation. Forced air heating is cheaper to install but more expensive over time. In-floor heating is more expensive to install but cheaper to use over time. Drastic measures would be to eliminate a bay. For future planning the footprint could be left the same size but reduce the size of the building. By building in the systems for future expansion the Town could save costs now. The administrative part of the building doesn't have to be in 20' increments if the footers are changed. The records storage room is planned for 12' X 12'. All the room sizes should be evaluated to determine if they are the appropriated size. Heating zones could be changed to control how each area is heated.

Joe Garso was invited to the Public Hearing on April 1, 2004, to answer questions.

RESOLUTION #60

AUTHORIZATION TO COMPENSATE JOE GARSO, PE, FOR PUBLIC HEARING APRIL 1, 2004

Motion made by John Quenell, **second** by David Knapp, **to wit:**

WHEREAS, the Town Board anticipates questions will be asked at the Public Hearing that an engineer will have to answer concerning the Highway Garage Project,

RESOLVED that compensation will be paid to Joe Garso, PE, of North Woods Engineering, if required, for his attendance at the Public Hearing on April 1,2004, to answer questions on the Highway Garage Project

Roll Call Vote: Aye 4 (Tebbutt, Knapp, Quenell, Tucker), Abstain 0, Nay 0, Absent 1(Wright)

Resolution #60 declared duly adopted.

2. COST OF BOND – John Quenell: An average increase of \$30 per taxpayer has been used for the cost of the Bond of \$500,000. This is not a very good average to use since it is based on the average assessment. The median assessment of \$55,000 is a better number to use. The current Town's taxable assessment is \$117,578,354. There are 1,031 taxed parcels in the Town. The State pays for 148 of them; the other 883 are private lands. Out of 883 parcels 296 parcels are assessed at \$25,000 or below. These taxpayers would pay \$2.77 more per parcel to service the debt of \$33,458 per year. (\$500,000 debt at 5.25% interest rate over 30 years is \$33,458 per year). The tax increase per thousand of assessed value

would be \$.2846 (\$33,458 divided by \$117,578,354). Forty seven percent of the parcels are assessed at \$50,000 or below. The tax increase for this would be \$10.83 or less per year. Over time the shore owners property values would be assessed upwards.

Supervisor Robert Tebbutt asked why we were having a discussion over \$10 increase per year. He said this was not a public forum but he would take a few comments from the citizens.

CITIZENS COMMENTS:

Jim Marshall – Garondah Road: What is the tax increase for an assessed value of \$100,000? \$28.46 per year would be the increase.

Supervisor Robert Tebbutt had a phone call from a citizen and he would like to propose the question to the Board. Was the salt shed and land separated from the Bond Issue and if not, why not? The Town is trying to obtain 2 pieces of land. There may be a sub-division permit involved for the land. The Adirondack Park Agency recommends keeping the land purchase with the project because it is easier to handle. Paul Smith College's land has a conservation easement on it.

John Quenell: Should a letter be sent out to the people to invite them to the Public Hearing?

David Knapp: Sending anything should be sent to petition signers, town voters, and residents.

Supervisor Robert Tebbutt lets wait and see how many turn out at the Public Hearing first before sending any more letters. Another Public Hearing can be set up then if it's needed.

David Knapp said he would like to see an agenda created so people know what is going to be discussed and that Joe Garso is going to be available to answer questions. What format will be used at the Hearing?

John Quenell said a presentation format would be made.

Steve Tucker said people would want to know the answer to Jim Marshall's question: "How much is it going to cost me?"

Amber McKernan – County Route 60: The Board could post the agenda around Town.

Supervisor Robert Tebbutt said the press was here and Laurie Besancency could write an article about this discussion.

Laurie Besancency – Adirondack Daily Enterprise: She said she planned to write an article. John Quenell gave her his notes on the cost to taxpayers.

The Town Clerk requested a copy of the same information to be available for the public at the Town Hall.

3. WICKS LAW AND PREVAILING WAGE - John Quenell:

- a. The Wicks Law was created in 1914 and requires municipalities to contract with multiple contractors for capital building and infrastructure projects. For the highway garage the Town must provide specifications, bid, and deal with four separate contractors: General, Electrical, Plumbing, and HVAC (heating and air conditioning). The extra expense for the project compared to dealing with just one contractor is estimated at 15 to 30%. The Fire Hall was not subject to this law because public funds were not used to build it.
- b. The prevailing wage is from Section 220 of the New York State Labor Law and when municipalities hire private contractors to do work like building a garage the contractor has to pay prevailing wage, i.e., wages and fringe benefits dictated by the state's Department of Labor, based on collective bargaining agreements. An electrician must charge a minimum of \$37 per hour, a plumber \$33 per hour, a sheet metal worker \$35 per hour, and an ironworker \$36 per hour.

David Knapp pointed out that the contractor could charge more and only pay out this much. The complete bidding process keeps their costs in check, the more competitive the bids the better the price.

- c. The consequence of the Wicks Law and the prevailing wage is an estimate 30 to 50% increase in cost over the "true" cost, or cost to a private corporation would have to pay for the project. If the bid cost of the building were \$500,000, the "true" cost would be between \$333,000 and \$385,000.

- d. The New York State Association of Towns and other organizations have lobbied for reform of the WICKS Law and the prevailing wage for years, but there is little hope that anything will be done in the foreseeable future.

Supervisor Robert Tebbutt has information from credible sources that the cost of the steel is up over 40% from last year. Fuel has gone up and interest rates will probably go up also. The cost to build is going up every year and if the project is put off another year it will go up more.

CITIZENS COMMENTS:

Jim Marshall asked if the Town would consider a wood structure.

Supervisor Robert Tebbutt said the building has to remain as a Class C (steel) structure for the financing to be kept at 30 years. Anything less would reduce the financing time to 5 or 10 years.

Art Robertson – Split Rock Road: Have you talked to the people who signed the petition to find out if they know what is happening? You should invite them to the meeting and tell them this information.

Supervisor Robert Tebbutt sees the problem as people are signing petitions or voting against the bond without the information that people here are getting today. People who signed the petition are opposed to the cost of the bond not building a garage.

David Knapp said people realize there is going to be an increase of cost.

Supervisor Robert Tebbutt said he doesn't think people realize the size of the increase of cost.

If the bond is approved does the Board think that construction could be started by August? The time line is the same as last year. The building could be enclosed by December so some of the costs to heat during construction would not be as high.

David Knapp said the engineer is the one who can answer that question. The bids would be lower if the bids were let in December when contractors are lining up work for the spring. Joe Garso needs to have a copy of the agenda so he can answer these questions. The timeline on getting the permits needed from APA, DEC, etc. will be the deciding factor as to when construction can start.

John Quenell said he was optimistic about the permits getting approved quickly.

Supervisor Robert Tebbutt said the permits are on hold and just need to be completed. The barrier of trees along the road needs to be addressed.

David Knapp asked about the septic system and the well. Are they addressed on the previous bids?

Supervisor Robert Tebbutt said the current well could be used. The septic system will have to be added since the ground level has to be raised.

Robert Byno-Split Rock Road: Contractors are already working on projects for this summer; they won't be available until next year.

Art Robertson asked what the Board would do if the bids come in at \$700,000. Can the Town accept gifts? There are people who have given large gifts to area projects such as the Saranac Lake Free Library.

Supervisor Robert Tebbutt said they would have to go back and revise the bond amount and start all over again. The Board cannot ask for gifts but if people want to donate funds the Town could use it.

Jim Marshall asked how long does the permit process take. Can the current footprint be use?

Supervisor Robert Tebbutt said it depends on what evolves during the permit process. As things come up delays have happened such as the ground water level. If the bond issue passes then the APA will pick up the permit process again. The old building cannot be used because the ground has to be built up. The current building will be needed until the new garage is completed, then it has to be torn down. Only one building can exist on the land.

Motion made by John Quenell **to Adjourn the Special Board Meeting at 6:02 p.m.**, second by David Knapp, Aye 4 (Tebbutt, Knapp, Quenell, Tucker,) Abstain 0, Nay 0, Absent 1(Wright)

Respectfully submitted,

Elaine W. Sater, Brighton Town Clerk