

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

**March 25, 2008**

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**A Special Meeting of the Town Board of the Town of Brighton was held Tuesday, March 25, 2008 at 6:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:**

**CALL TO ORDER:**

**Meeting was Called to Order** by Supervisor Peter Martin at 6:10 p.m.

**ROLL CALL OF OFFICERS**

**PRESENT:** Supervisor Peter Martin, Sr.

Council Members: Sheila Delarm, Jeffrey Leavitt (entered meeting at 6:20 p.m.), Steve Tucker (entered meeting at 6:22 p.m.) and Lydia Wright

**ABSENT:** None

**OTHERS PRESENT:** Elaine Sater - Town Clerk

**RESIDENTS:** There were no residents present

**NOTICE OF MEETING:** Notice of this meeting was faxed to the Adirondack Daily Enterprise on Saturday, March 15, and notice was posted on the Town Clerk's Sign Board. Notices were posted in the three local post offices and businesses in the Town on Tuesday, March 18, 2008.

***SUPERVISOR'S FINANCIAL REPORT***

- 1. Budget Amendment:** The insurance funds for the Paul Smiths Gabriels Volunteer Fire Department (PSGVFD) were still in the Special District fund balance for the fire contract when the 2008 Budget was calculated, showing an incorrect balance of \$2,300 more than was available. The insurance funds were paid to the PSGVFD in December 2007 leaving a deficit of \$2,300 in the Special Fund. An appropriation of General Funds to the Special Fund in necessary to pay PSGVFD their total contact amount.

**GENERAL FUND 2008 BUDGET AMENDMENT #1**

**Motion made** by Supervisor Peter Martin, **second** by Sheila Delarm, **To Wit:**

**WHEREAS**, the insurance funds for the Paul Smiths Gabriels Volunteer Fire Department (PSGVFD) had not been paid to them when the 2008 Budget for the Special Fund for the Fire District was calculated, and

**WHEREAS**, the insurance funds were paid to the PSGVFD in December 2007, and

**WHEREAS**, there are not enough funds in the Special Fund for the Fire District to pay the Paul Smiths Gabriels Volunteer Fire Department for their 2008 contract,

**NOW THEREFORE BE IT RESOLVED that the following amount be and the same hereby is appropriated \$2,300 from Account No. A1990 (Contingency)**

**as follows:**

**\$2,300 to SPECIAL FUND FIRE DISTRICT Account SF3410.4 (Fire Contract)**

**Roll Call Vote: Aye 3 (Delarm, Martin, Wright), Nay 0, Absent 2 (Leavitt, Tucker)**

**GENERAL FUND 2008 BUDGET AMENDMENT #1 declared duly adopted.**

- 2. Audit of Financial Records:** The Supervisor's financial records were available for audit; however due to the time limit of the meeting, the audit is postponed to Tuesday, April 1 at 5 p.m.

***OLD BUSINESS***

- 1. CSEA Contract:** Supervisor Peter Martin finally spoke with Brian Paige, after months of phone calls back and forth. He will be here on April 10 to meet with the Board at 6 p.m. at a Special Meeting to negotiate the contract with the Highway employees.
- 2. Town Roads:**
  - a. Slush Pond Road** - Supervisor Peter Martin spoke with an attorney from DEC who said he was sending information on the Slush Pond Road tree cutting, nothing has been received as of today.
  - b. Split Rock Road** - Supervisor Peter Martin will talk with Andy Crary, Superintendent of Highways, to discuss the guardrails for the April 10<sup>th</sup> meeting

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- c. **White Pine Road Bridge** - Supervisor Peter Martin will call Robert Curtis before the April 10<sup>th</sup> meeting to determine when the assessment will be done
3. **Camp Gabriels:** Sheila Delarm read in the paper that county officials were having a meeting at Camp Gabriels for a tour and discussion on alternative uses for the facility. She asked if the Town was included in this visit. **Supervisor Peter Martin** said he spoke with County Legislature Tim Burpoe and this is a tentative meeting. The Commissioner of Corrections, Brian Fischer, will be making a visit. Senator Betty Little and other officials will also be present. This group is looking at ways to keep the camp open. He will let the Board know when he knows the exact date of this meeting.
4. **Smart Growth Assessment Grant Application:** Sheila Delarm and Jeffrey Leavitt attended the DEC luncheon today with Rebecca Buerkette of F. X. Browne and Dan Kelting of the Adirondack Watershed Institute today and received notification of the awarding of the Adirondack Park Smart Growth Grants. The town received a grant for \$46,400. Sheila Delarm will issue a press release written by Rebecca Buerkette to thank the people who supported this grant.
5. **Town Hall Project Bids (Lydia Wright & Jeffrey Leavitt):** Bids were received and reviewed.

**RESOLUTION #37**

**AUTHORIZATION TO REJECT ALL BIDS FOR THE TOWN HALL PROJECT**

**Motion made** by Jeffrey Leavitt, **second** by Lydia Wright, **To Wit:**

**WHEREAS**, a bid opening was held on March 11 at 4:00 p.m. with Sheila Delarm and Lydia Wright in attendance, and **WHEREAS**, the following bids were received for General Construction, Electrical, Plumbing, and Heating, excluding alternatives:

- a. General Contractors: Brandon Construction for \$333,675.00, Rabideau Corp \$184,759, JFP Enterprises \$199,022, and JT Erectors \$190,427.
- b. Electrical: Dow Electric \$51,000, Rabideau Corp \$34,979
- c. Plumbing: JT Erectors \$19,700
- d. Heating: JT Erectors \$23,875, and an additional \$5,700 for new boiler

and

**WHEREAS**, the bids, excluding alternatives, are higher than the amount budgeted for this project of \$200,000, **NOW THEREFORE BE IT RESOLVED that all the bids be rejected due to the amounts of the bids and the lack of funds to cover this project, and BE IT FURTHER RESOLVED that the Citizens Committee be notified that the project will not go forward due to lack of funds.**

**Roll Call Vote: Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

**RESOLUTION #37 duly adopted.**

6. **SALT SHED GRANT:** Supervisor Peter Martin said he has the information from Fred Dunlap of DEC and will complete the paper work to get the Salt Shed Grant funds by March 31.
7. **CODE ENFORCEMENT OFFICER:** A notice for applications was published in the Adirondack Daily Enterprise. Supervisor Peter Martin will call Supervisor Mickey Webb by March 27 to discuss Ed Lagree's final day.
8. **TIME WARNER CABLE:**
  - a. **McColloms Survey:** Supervisor Peter Martin will contact Nancy Riche to discuss her progress with the project for the April 10<sup>th</sup> meeting.
  - b. **Franchise Agreement:** There has been no further information on the franchise agreement. Lydia Wright will provide Supervisor Peter Martin with Public Service Commission contact information obtained at the Association of Towns Conference in February.
9. **LETTER TO REQUEST PSGVFD BUDGET AND AUDIT REPORT:** Sheila Delarm asked Supervisor Peter Martin to send another letter to the Paul Smiths Gabriels Volunteer Fire Department to request a detailed budget and an audit and the reason for the request, following Resolution #24 approved at the Regular Board meeting on January 10, 2008. She suggested he apologize for the first letter he sent. The letter should be sent to the Fire

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Department before their next meeting on April 4. The Board would like a copy of the letter.

- 10. RESCUE CONTRACT WITH VILLAGE OF SARANAC LAKE:** Lydia Wright said that the Town's insurance provider, NYMIR, responded to the Attorney for the Town's comments and suggested that the Town add a sentence to Paragraph "Fourth" of the contract. A signed contract still has not been received from the Village. Supervisor Peter Martin will call Marty Murphy at the Village to discuss this contract.

**RESOLUTION #38**

**AUTHORIZATION TO AMEND THE RESCUE CONTRACT WITH THE VILLAGE OF SARANAC LAKE**

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

**WHEREAS**, the Attorney for the Town recommended that the Town's insurance provider review the rescue contract, and

**WHEREAS**, New York Municipal Insurance Reciprocal reviewed the contract and recommended adding a sentence to the "Fourth" paragraph of the contract,

**NOW THEREFORE BE IT RESOLVED** that the Town Board approve an amendment to be made to the Rescue Contract with the Village of Saranac Lake as follows: Add to the last sentence in Paragraph "FOURTH" the following statement, "...but only if caused by the negligence of the Town."

**Roll Call Vote: Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

**RESOLUTION #38 duly adopted.**

***CITIZENS COMMENTS: None***

***EXECUTIVE SESSION***

**Motion made by Lydia Wright, second by Jeffrey Leavitt, to GO INTO EXECUTIVE SESSION at 7:00 p.m. for the purpose of discussing the employment history of a particular person in accordance with the Public Officers Law, Article 7, Open Meeting Law, Section 105, Para 1(f), and that the Town Clerk remain for the Executive Session, Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

**Motion made by Lydia Wright, second by Steve Tucker, to GO OUT OF EXECUTIVE SESSION at 7:17 p.m., Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

***AUDIT OF VOUCHERS***

**RESOLUTION #39**

**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 for the Franklin County Self Insurance and for Justice Nik Santagate's mileage, as follows:

**GENERAL FUND: Abstract #4 for Voucher #93 and #94 for 2008 funds in the amount of \$7,288.21**

**HIGHWAY FUND: Abstract #4 for Voucher #42 for 2008 funds in the amount of \$7,167.00**

**ROLL CALL VOTE: Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

**Resolution #39 declared duly adopted.**

**ADJOURNMENT: Motion to Adjourn at 7:45 a.m. made by Lydia Wright, Second by Sheila Delarm, Aye 5 (Delarm, Leavitt, Martin, Tucker, Wright), Nay 0**

Respectfully Submitted

Elaine Sater  
Brighton Town Clerk