

The Special Meeting of the Town Board of the Town of Brighton was held on Monday, May 9, 2005 at 6:00 p.m. at the new Brighton Town Garage, Paul Smiths, NY, with the following:

PRESENT: Supervisor Robert Tebbutt

Council Members: David Knapp, John Quenell, Steve Tucker and Lydia Wright

ABSENT: None

OTHERS PRESENT: Elaine Sater - Town Clerk, Donald Oliver - Superintendent of Highways, and Nik Santagate -Justice

GUESTS: None

RESIDENTS: There were four residents present

Meeting was Called to Order by Supervisor Robert Tebbutt at 6:00 p.m. The purpose of the meeting was to discuss a problem with the contractor for the new highway garage furnace.

Public Notice was posted on the Town Clerk's signboard on Thursday, May 5, 2005 and faxed to the Adirondack Daily Enterprise. Notices were posted at the three post offices and at local businesses on Friday May 6.

1. TOWN GARAGE PROJECT

Supervisor Robert Tebbutt told the Town Board that the contractor for the furnace in the new garage was finished with his contract and wanted payment but the project engineer did not agree that contractor had completed his part of the contract and would not issue a certification of substantial completion. He asked the board to review the problem and decide what to do. The new garage is fully completed except for bringing fresh air to the furnace. The Highway Department has moved from the old garage. Discussion was held concerning what could be done to address this issue so the furnace will work properly. The Attorney for the Town needs to be consulted to determine the next step.

RESOLUTION #54

AUTHORIZATION TO CONTACT THE ATTORNEY FOR THE TOWN-HIGHWAY GARAGE

Motion made by Supervisor Robert Tebbutt, **second** by David Knapp, **To Wit:**

WHEREAS, the contractor for the furnace system in the new town highway garage considers that he has fulfilled his obligation for installing the furnace according to the engineer's plans and should be paid the \$2,800 retainage fee held by the Town or he will sue the Town, and

WHEREAS, the engineer for the project considers that the contractor has not fulfilled his obligation to install a substitute furnace according to manufacturer's directions and the building code and advises the Town to use the \$2,800 to hire another contractor to complete the project, and

WHEREAS, the Code Enforcement Officer said the furnace room does not need to be fireproof and holes could be put in the door to allow air into the room, and

WHEREAS, the Town Board has determined that the Attorney for the Town should be consulted,

THEREFORE, BE IT RESOLVED, that the Supervisor be authorized to contact the Attorney for the Town, Scott Goldie, and ask his advice to resolve the fresh air for the garage furnace issue.

Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

Resolution #54 declared duly adopted.

2. MOVING ST. GABRIEL'S CHURCH TO PAUL SMITH'S COLLEGE CAMPUS

Supervisor Robert Tebbutt said he was contacted by Paul Smith's College concerning the sale of St. Gabriel's Church and the buyer moving it to the college campus. The college would like a letter of support from the Town to keep the church where it is after it is sold.

RESOLUTION #55

LETTER OF SUPPORT TO LEAVE CHURCH WHERE IT IS

Motion made by Supervisor Robert Tebbutt, **second** by John Quenell, **To Wit:**

WHEREAS, the Roman Catholic Diocese of Ogdensburg is selling St. Gabriel's Church, and

WHEREAS, the buyer wants to move the Church to the Paul Smiths College Campus, and

WHEREAS, Paul Smiths College has asked the Town for a letter of support for leaving the Church where it is,

NOW, THEREFORE, BE IT RESOLVED, that **Supervisor Robert Tebbutt is authorized to write a letter of support to Paul Smith's College for the purchase of St. Gabriel's Church but to leave the Church where it is currently located and not move it to Paul Smith's College campus.**

Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

Resolution #55 declared duly adopted.

Motion to Adjourn at 6:30 p.m. made by John Quenell, second by Supervisor Robert Tebbutt, Aye 5

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk