

**Special Meeting of the Town Board of the Town of Brighton was held on Wednesday, November 10, 2004, at 6:00 p.m. at the 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

**GUESTS:** None

**RESIDENTS:** There were no residents present

The meeting was **Called to Order** at 5:57 p.m. by Supervisor Robert Tebbutt. The purpose of the meeting was to discuss the 2005 Preliminary Budget.

**Notice of Meeting** was posted on the Town Clerk's Sign Board, at three post offices and local businesses in the Town on November 10, 2004. Faxed a notice to the Adirondack Daily Enterprise on November 9, 2004.

**1. 2005 PRELIMINARY BUDGET – REVIEW:** John Quenell distributed an updated 2005 Preliminary Budget based on comments made during the Public Hearing. Discussion was held on the following topics:

- a. **COMLINKS Gleaning Request:** John Quenell called the Comptroller's Office for more information. The Comptroller's Office said if it is not a Town function the Town should not be providing funding for it. John Quenell said the Food Pantry is not a function of the Town. David Knapp said the Town currently provides space, electricity, and heating for the Food Pantry. Lydia Wright asked about the other organizations the Town provides with funding like the snowmobile club. John Quenell said because it is a recreational activity it is a function of the Town. David Knapp asked about the Civic Center. John Quenell said it also is a recreational activity. Steve Tucker said a lot of churches sponsor food pantries. The request from COMLINKS was not included in the budget.
- b. **Liability Insurance:** John Quenell received a quote of \$13,099.54 from NYMIR for liability insurance and a quote of \$775 from Mang Agency for the theft policy. The General Fund A1910.4 was increased by \$400 to \$13,900.
- c. **Medical and Health Insurance:** John Quenell received a quote from Medical Insurance that is 15% higher not 12% as used for the Preliminary Budget. CSEA Insurance for Dental and Optical averages \$82.26 per person for 2005. General Fund A9060.8 was increased to \$57,100 and Highway Fund DA9060.8 decreased to \$45,500. Superintendent of Highways insurance should be paid from the General Fund not the Highway Fund. This is an overall increase of \$1,915 in the tax levy from the Preliminary Budget.
- d. **Additional Town Hall Funds:** Lydia Wright asked about the request by Kevan Moss (by letter, dated 2 November 2004, read at the Public Hearing) to increase the Town Hall maintenance account. She requested a dollar-for-dollar match (\$44,500) from the Town to the two grants already received from NYS Council on the Arts (\$12,500) and Senator Betty Little (\$40,000). David Knapp said the maintenance on the buildings is a responsibility of the Town Board. Some examples of maintenance are the front stairs on the Town Hall and the piers under the building that need shoring up. The Town should bear some of the burden of the maintenance; it should not depend on grants for maintenance. Supervisor Robert Tebbutt said he thought the funding for the stairs and piers was already included in the project; the Town provided \$7,500 for the project. David Knapp said he attended the last Citizens Committee for the Town Hall. He asked for specific answers for recommendations from the architect so the stairs could be replaced now and not be redone when the restoration phase of the project starts. The stairs need to be built to building code standards while trying to preserve the historic look; a handrail needs to be installed for people to use when on the stairs. Lydia Wright said a person fell on the stairs at the last food party. The Town Clerk said the person sat down instead of pitching forward because there was no railing to grab.

Supervisor Robert Tebbutt said he spoke to Agway concerning the leaky furnace. The power vent needs to be covered on the outside of the building to prevent back draft. He is waiting for them to provide information about it. As for budgeting \$44,500, the Town Board has not approved the project so he cannot support funding it now. Lydia Wright said the part of the project not approved consists of restoration and an addition, not the maintenance of the building. John Quenell said a fund transfer could be done to a capital project when the time comes. Lydia Wright suggested adding \$10,000 to the Budget for maintenance on the Town Hall for 2005. In Kevan Moss's letter she states that 2/3 of the people in the Town do not benefit from the Highway Department yet their taxes go to pay for the Town Garage. All the people get a direct benefit from the Town Hall and they would like their tax dollars used on the Town Hall instead of highway equipment. John Quenell said the correct fact was 3/4 of the Town's people live on Town or County Roads. Lydia Wright said the County pays the Town for plowing the County Roads. If the Town didn't plow them then someone else would get paid to do it. Supervisor Robert Tebbutt said the Board should not be comparing the Town Hall funds to the Highway Department. The Town Hall stands on its own merit and does not need to be tied to who is driving on Town or County Roads. He said the fund raising could raise enough money for this project and he doesn't want to add to the budget. David Knapp said he couldn't support a large increase, but if a fund transfer would take care of the maintenance he would be satisfied. Supervisor Robert Tebbutt said the maintenance would be covered, as it is needed. The handicapped lift is a good example, as it needs maintenance.

David Knapp said he is having trouble finding someone to replace the stairs and do other small maintenance jobs that Mr. Byno used to handle. The Highway Department used millings from the Airport runway at the bottom of the stairs to level it where the stones were broken. David Knapp said the food pantry trucks delivering the food currently use the walkway leading to the stairs. When the food pantry moves to the new Highway Garage the traffic will be reduced on this walkway and it can be leveled.

Supervisor Robert Tebbutt said he would like a consensus on the letter received from Kevan Moss. Steve Tucker asked if the \$7,500 has been used yet. Lydia Wright said no because it is being held to show the Town has made a good faith effort to match grants. David Knapp asked if there should be an annual donation made to the building fund to show the residents the Board supports maintaining its buildings. John Quenell said they should wait to see how much the grants would bring in. Lydia Wright said the Board did not wait for any grants on the Highway Garage except for the salt shed. John Quenell said he tried to find grants for the Town Garage and there were none. Lydia Wright suggested the Board put \$7,500 in the budget to match last year's budget. David Knapp said \$1000 has been budget for maintenance in General Fund Account A1620.4. Steve Tucker said that Crawford and Stearns have not yet finished their report on the Town Hall. Once this report is final then the Board will be able to make a determination. Supervisor Robert Tebbutt said the project would likely be a capital project and subject to a referendum vote and the Board has not approved it yet. Lydia Wright said she did not understand the capital project part, the addition might be considered a capital project, but the first and second phases of the project addresses the building itself such as upkeep and deferred maintenance, upgrading the electrical and heating, and restoring the inside back to its original look. John Quenell said phase two, the upgrade of electrical and heating, was not approved. Supervisor Robert Tebbutt said he did not want to tax the people more for a project that was not yet approved by the Board. David Knapp said he did not want to tax people more either; he would like to take a more proactive approach to the current maintenance items that need to be addressed. Lydia Wright said she did not want to tax people more but would like to know that the funds will be available when they are needed. Steve Tucker said that is why the Contingency Fund is so large; funds are there to cover items but were not used in the past. Supervisor Robert Tebbutt said he would like to respond to Kevan Moss's letter with the Board's support. David Knapp said he doesn't see a dollar-for-dollar match. Lydia Wright said she could support this as long as the funds will be available when they are needed. Nothing was added to the budget.

- e. **Budget Process:** David Knapp asked what the process was after adopting the budget. Supervisor Robert Tebbutt said he files it with the Town Clerk after it is adopted. He will file a certified copy with the County and the Comptroller's Office. Lydia Wright asked if she could look at the budget line-by-line before a vote was taken since she was just handed an updated copy. John Quenell said the budget was exactly the same as the Preliminary Budget except for the three

changes mentioned at this meeting. Supervisor Robert Tebbutt said he wanted to get the budget out of the way at this meeting. David Knapp asked if it would be fiscally prudent to offset the Town's budget based on the County's tentative budget increase of 24%. Supervisor Robert Tebbutt said he thought the Town had a responsible budget and had kept it in line with others. David Knapp said he looked at the numbers and about the only place where expenses could be changed was in the Highway Budget for paving and equipment purchases. Most of the other expenses are fixed. The Highway Department has a plan to pave the roads and CHIPS funding covers most of this expense. He asked if CHIPS funds could be used to repair the shoulders of the Keese Mills Road near the St. Regis Church. The shoulders were not completed when the road was paved because there were no funds in the budget. Supervisor Robert Tebbutt said David Knapp should contact Don Oliver, Superintendent of Highways, and let him know about the shoulder problem. Supervisor Robert Tebbutt said that the budget could be changed after the budget is approved. John Quenell said the Board could amend the budget. David Knapp said all the funds allocated for the tractor were not spent. From information he received during the budget sessions it seems these funds and more like them could be appropriated toward the tax levy instead of increasing the taxes. Supervisor Robert Tebbutt said he did not see any errors in the Budget and he would like to approve it at this meeting.

**RESOLUTION #111**

**AUTHORIZATION TO ADOPT THE 2005 ANNUAL TOWN BUDGET**

**Motion made by John Quenell, second by Steve Tucker, To Wit:**

**RESOLVED that the Town of Brighton Board adopt the 2005 Annual Town Budget (attached) with the following changes: General Fund: Insurance A1910.4 increase to \$13,900, Medical Insurance A9060.8 increase to \$57,100 and Highway Fund Medical Insurance DA9060.8 decrease to \$45,500, for a net increase of \$1,915 to the total Tax Levy from the 2005 Preliminary Budget and a total Tax Levy increase of \$2,935 from the 2004 Annual Budget.**

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

**Resolution #111 declared duly adopted.**

**2. PAYMENT OF END-OF-YEAR SALARIES AND INSURANCE BUYOUTS:**

**RESOLUTION #112**

**AUTHORIZATION TO MAKE ONE TIME END-OF-YEAR PAYMENTS**

**Motion made by Supervisor Robert Tebbutt, second by Steve Tucker, To Wit:**

**WHEREAS, the Town of Brighton has budgeted payments to various positions in its 2004 budget which are not paid on a regular basis throughout the year but instead are paid as a lump sum at the end-of-year, THEREFORE, BE IT RESOLVED that the Town Supervisor is authorized to make the following one-time payments for the year 2004:**

<b>DEPUTY SUPERVISOR (A1220.1A)</b>	<b>\$ 250</b>
<b>BUDGET OFFICER (A1340.1)</b>	<b>\$ 250</b>
<b>REGISTRAR OF VITAL STATISTICS (A4020.1)</b>	<b>\$ 200</b>
<b>DEPUTY HIGHWAY SUPERINTENDENT (A5010.1)</b>	<b>\$ 570</b>
<b>TWO HEALTH INSURANCE BUYOUTS (A9060.8)</b>	<b>\$1,602</b>

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

**Resolution #112 declared duly adopted.**

**3. 2004 BUDGET AMENDMENTS**

**a. General Fund Budget Amendment #5:**

**RESOLUTION #113**

**AUTHORIZATION FOR GENERAL FUND 2004 BUDGET AMENDMENT#5**

**Motion made by Supervisor Robert Tebbutt, second by Steve Tucker, To Wit:**

**GENERAL FUND 2004 BUDGET AMENDMENT #5,**

**RESOLVED that the following amount be and the same hereby is transferred: \$400.00 from General Fund Account A1010.4 (Town Board Contractual Expenses) as follows: \$400.00 to General Fund Account A1450.4 (Elections Contractual Expenses) to cover the cost of the 2004 General Election that were in the budget but used for the Special Election in May 2004.**

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0  
**Resolution #113 declared duly adopted.**

**b. Highway Fund Budget Amendment #1**

**RESOLUTION #114**

**AUTHORIZATION FOR HIGHWAY FUND 2004 BUDGET AMENDMENT#1**

**Motion made** by Supervisor Robert Tebbutt, **second** by Steve Tucker, **To Wit:**

**HIGHWAY FUND 2004 BUDGET AMENDMENT #1**

**RESOLVED** that the following amount be and the same hereby is transferred: **\$3,000.00** from Highway Fund Account DA5130.4 (Machinery-Contractual Expenses) as follows: **\$3,000.00** to Highway Fund Account DA5142.4 (Snow Removal-Contractual Expenses).

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

**Resolution #114 declared duly adopted.**

- 4. CODE ENFORCEMENT OFFICER CONTRACT:** Renewal of contract with Town of Santa Clara for Code Enforcement Officer (CEO) services. Lydia Wright spoke with the CEO and he said it was not part of his duties to attend board meetings so he could spend his time doing his job. Lydia Wright asked if it could be written into the contract for him to attend at least one meeting per year. Supervisor Robert Tebbutt said the CEO is available at the Town Hall on Wednesdays from 8 am to 12 noon for questions. It is not necessary to make him attend meetings. Directing him to attend meetings may cause him to not renew his contract with the Town of Brighton.

**RESOLUTION #115**

**AUTHORIZATION TO EXTEND THE CEO CONTRACT WITH SANTA CLARA FOR 1 YEAR**

**Motion made** by Supervisor Robert Tebbutt, **second** by Steve Tucker, **To Wit:**

**RESOLVED**, that the Supervisor be authorized to sign the Inter-municipal Agreement for code enforcement to extend the period of the contract signed by Michael Adams, Supervisor Town of Santa Clara, and Chris Leifheit, Supervisor Town of Brighton, on May 30, 2001, and previously extended through 2004, for 1 year through December 31, 2005.

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker, Wright), Nay 0

**Resolution #115 declared duly adopted.**

**5. LOCAL LAW VIOLATIONS UPDATE:**

- a. **Chris Godfrey:** Has a business permit.
- b. **Al Fuller:** Has an attorney who sent a letter to the Judge saying he doesn't really represent Mr. Fuller because he cannot afford an attorney, but he tries to give him advice. He doesn't think the Town has a case against him. The Justice sent a letter to the Attorney for the Town, Scott Goldie, advising him of this letter. The Justice is waiting a reply. David Knapp and Lydia Wright sat in on two court sessions and were confused about the violations; the details of the violations were not very specific.

**Supervisor Robert Tebbutt** said people are asking why there is no zoning in the Town. **David Knapp** said there are several houses that are borderline compliance with the Property Maintenance Code. There are no set backs in the Town or commercial and residential areas. Lighted signs are in violation of the APA sign law. **Supervisor Robert Tebbutt** said he spoke to someone from the fire department and they had to respond to an emergency call on Easy Street and they could not remove a patient quickly due to clutter in the way. Safety may be an issue. He spoke to the owner when he first became supervisor and was told it would get cleaned up.

- 6. MAINTENANCE FOR TOWN HALL AND CEMETERIES:** David Knapp asked about the number of hours spent by Dan Spencer mowing the cemeteries. He has a person interested in taking the lawn-mowing job but would like more information. He would like to create a package to use to propose for bids. The Town of Franklin has an ad in the paper asking for a part time maintenance person; perhaps the Town could use them also. He is waiting to hear back from them for more details. Insurance is an issue also.

- 7. PARK – HOLIDAY TREE:** Supervisor Robert Tebbutt would like to see some holiday spirit in the Town. He instituted a tree at the Park last year. The Brighton Ladies of the Evening volunteered to

decorate it. He would like a tree to be placed at the end of the Park near the road at the corner of State Route 86 and County Route 60. The problem is getting electricity to light it. Asplin Tree Farm will donate a live tree for this purpose. He would like to dedicate the tree to Paul Smith's College for their generosity to the Town. Discussion was held on how this could be accomplished. Dave Knapp said he would look at the situation and see what he could do.

8. **HUMANE SOCIETY:** Lydia Wright said Sara Besaw called her and said the Humane Society board was meeting on Nov 11 and they would discuss sending a proposal to the Town for Animal Control Officer services. They have answered calls in the Town over the past year; they picked up a litter that was dumped on the side of the road in McCollom's. They follow up with people who do not renew their dog's license. Supervisor Robert Tebbutt asked about licensing dogs. The Town Clerk said dogs were licensed once a year; the fee is \$2.50 for neutered/spayed dogs and \$7.50 for un-neutered/un-sprayed dogs. There is a \$3.00 fee assessed for the Spayed/Neutered Program on un-neutered/un-sprayed dogs over 6 months old. Lydia Wright said the Humane Society does not perform the enumeration of the dogs in towns. However, the Town can hire someone to do this and collect \$5 from any dog licensed under this program. The Town's Animal Control Officer is up for certification this year by the Department of Agriculture and Markets. John Quenell talked to Mitch Crevar from the Comptroller's Office about how to budget for this. He said to just use the same figures; they can be re-allotted from salary (.1) to contractual expenses (.4) if the Town contracts this service out during the year.

**Motion to Adjourn made at 7:51 p.m.** by David Knapp, second by Lydia Wright

**Roll Call Vote:** Aye 5 (Knapp, Quenell, Tebbutt, Tucker and Wright), Nay 0

Respectfully Submitted,

Elaine Sater  
Brighton Town Clerk