

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, April 13, 2000 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Debra Meyer
Council Members: Linda Dobson
John Quenell
Wilhelmina Sheridan

ABSENT: Council Member Roger Smith

OTHERS PRESENT: Elaine Sater-Town Clerk, Don Oliver-Superintendent of Highways, Tom & Pat Willis-Historian, and Nik Santagate – Justice

RESIDENTS: There were several residents present.

GUESTS: None

Meeting was Called to Order by Supervisor Meyer at **7:05 p.m.**

APPROVAL OF MINUTES:

Motion made by Linda Dobson **to accept the minutes of the Regular Town of Brighton Meeting on March 9, 2000**, as written, second by John Quenell; Aye 3, Abstain 1 (Meyer), Absent 1 (Smith)

Motion made by Linda Dobson **to accept the minutes of the Public Hearing (Land Sale) on March 9, 2000 as written**, second by Wilhelmina Sheridan; Aye 3, Abstain 1 (Meyer), Absent 1 (Smith)

TOWN CLERK REPORT

Total Revenue Collected as of March 31, 2000 was \$26.65 for:

2 Dog Licenses Renewed

1 Certified Copy

1 DEC Sport License (Credit Due to Town \$13.00)

1. March 14, sent copy of Resolution #85-1999 to the Unified Court System for the grant application
2. Attended the NYSTCA Executive Committee Meeting in Buffalo, NY, March 26 & 27
3. Received letter dated April 6, 2000 from Wilhelmina Sheridan, Re: Resignation from the Town Board effective April 14, 2000. Sent notice to Board of Elections notifying them an open office for a three-year un-expired term for the November election. Received a letter dated April 13, 2000 from Wilhelmina Sheridan, Re: Reconsidering her decision to resign until further notice. Town Clerk will send a letter to the Board of Elections to notify them of the change.
4. Town Hall Schedule: Thursday April 27, 2000, Brighton Architectural Heritage Committee has reserved the Town Hall from 1 to 3 p.m. and on Friday, June 9th the court has reserved the building for a trial from 9 a.m. to 6 p.m.

CITIZENS COMMENTS (2 Minutes): None

HUD REPORT

1. STATUS OF PROGRESS 1994 HUD GRANT: Thirteen applications were completed, thirteen were approved, six are under construction and seven are closed out.
2. Received letter dated April 4, 2000 from Friends of the North Country, Re: Response to letter dated March 23, 2000 from Town Of Brighton requesting updates on projects. Board will go into Executive Session at end of meeting to discuss details.
3. Request for payment for Friends of the North Country Administrative Costs for March 2000

RESOLUTION #37

AUTHORIZATION TO EXPEND FUNDS OF \$816.20 TO FRIENDS OF THE NORTH COUNTRY

Motion made by Wilhelmina Sheridan **to approve the expenditure of HUD CDBG Funds in the amount of \$816.20 to Friends of the North Country for administrative expenses for March 2000 on the Brighton HUD '94 program**, second by Supervisor Meyer; Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

RESOLUTION #37 declared duly adopted.

SUPERVISOR'S REPORT AND CORRESPONDENCE:

1. **Balances of Accounts as of March 31, 2000 were not available.** Bookkeeper will mail to Board when available.
2. The books are not closed for 1999, bookkeeper requested an extension and is working on it now.
3. Revenues for General Fund March 2000 under Clerk Fees (A1255) is incorrect, it should read \$31.00. The bookkeeper did not yet receive the fees for March from the Town Clerk.
4. Received letter dated March 16, 2000 from NYS Office of Real Property, Re: Utility Restructuring and Property Tax Issues, letter will be sent to Assessor Doug Tichenor for his input
5. Received Proclamation from George Pataki, Re: US Census 2000
6. Received MEMORANDUM dated March 15, 2000 from NYS Department of State, Re: 2nd Annual Smart Growth Conference on May 4, 2000 in Albany for anyone interested

7. Received Notice of Application dated April 4, 2000 from the Office of the Comptroller, Re: Application for Certificate of the State Comptroller, approves the Original Issuance of Obligations in the amount of \$518,250 for the purpose of financing the closure of the Town's former landfill
8. Sent letter dated March 21, 2000 to Camp Gabriel's, Re: Request for an inmate crew for Spring Clean-up and Maintenance
9. Sent letter dated March 21, 2000 to NYS Department of Transportation (DOT) to request a waiver form TE232B/Chips Operation & Maintenance Worksheet. Town's request exceeds the \$5,000 minimum by \$33.90 so a waiver has been requested.
10. Received letter dated March 9, 2000 from Franklin County Solid Waste Management Authority, Re: Request for resolution opposing or supporting privatization of the FC Landfill; no action by Board
11. Received information from Smith & Mahoney PC Engineers, Re: Landfill post closure monitor services, will retain information for future
12. Received letter dated February 22, 2000 from NYS Department of Environmental Conservation, Re: Updating snowmobile trail map, Don Oliver highlighted Town Roads on map and returned it to DEC. **All Town Roads** are open to snowmobiles, **NO Town Roads** are open to ATV use.
13. Received Notice dated March 20, 2000 from the Franklin County Legislature, Re: Notice of a 30-day period for public review of an Agricultural District pursuant to the eight-year review of Agricultural District #2 for the Town Of Brighton and Harrietstown, notice posted in Town Hall
14. Sent letter dated March 17, 2000 to the Office of Franklin County Self-Insurance Plan requesting full disclosure, received reply dated March 28, 2000. John Quenell will forward package to Wright Risk and get a professional opinion on the assessment before the bill is paid. He expects a reply within the week.
15. Sent letter dated 3/21/00 to Janet Bliss, Re: Two files from HUD Program for lien release, each homeowner was notified in writing that the release of lien was at the attorney
16. Received notice dated March 2000 from Niagara Mohawk, Re: Customer Briefing to be held April 13, 2000 in Canton
17. Received notice dated March 30, 2000 from NYS State Board of Real Property Services (ORPS), Re: Notice of Tentative Special Franchise Assessments, sent to Assessor for review and comment
18. Received letter dated March 29, 2000 from the NYS Assembly, Betty Little, Re: Commentary on Unemployment Reform and Modifications
19. Received letter from Adirondack Association of Towns & Villages, Re: Membership Participation, not put in budget, no need for Town to join
20. Received NYMIR Quarterly Report- No losses
21. Received letter dated March 28, 2000 from NYS Federation of Lake Associations, Inc., Re: Annual Conference to be held in Hamilton, May 5-7
22. Received letter from ANCA in partnership with DEC, Re: Funds available in ICE STORM Phase II Grant, not needed by Town
23. Received letter dated April 2, 2000 from Low-Income Forum on Energy (LIFE), Re: Meetings to be held in area for information sharing on energy needs of low-income customers
24. Received MEMO from Ed Randig, Re: Building Permits; Assessor received Building Permits for 1999
25. Received letter dated April 6, 2000 from Diane Leifheit, Re: Trees in Park; Randall Swanson, Paul Smith College, contacted her to start project of cleaning up trees in Brighton Park. They would like to start April 19, 2000 with Town approval. Supervisor Meyer is to be point of contact for Town.

RESOLUTION #38

AUTHORIZATION TO ALLOW PAUL SMITH COLLEGE TO CLEANUP BRIGHTON PARK TREES

Motion made by Linda Dobson to allow Paul Smiths College's Tree Management Class under the auspice of Randall Swanson to clean up Brighton Park of the dead trees, limbs, undergrowth, and pruning. This will be in conjunction with the Highway Department and Camp Gabriel's Work Crews. Paul Smith College will remove a limited amount of the debris and logs, and chip what they can. The class will cut and stack what they will not be able to haul away (i.e., brush in piles and logs in four foot sections). The Highway Department will arrange for the removal of the remainder. Second by Supervisor Meyer, Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

RESOLUTION #38 declared duly adopted.

26. Received APA Notice 2000-54, Re: Adrien Girouard, Gravel Extraction Pit; no action by Board. John Quenell noted a letter was sent to NYS DEC regarding sale of land to DEC, copies were sent to Legislature also requesting help with funding for DEC
27. Received MEMO dated March 20, 2000 from Franklin County, Industrial Development Agency, Re: Adrien Griouard Gravel Pit, would like to be notified of any problems or conflicts
28. Received APA Notice 2000-74, Re: Paul Smiths College/Jim Burtis, Campground on Keese Mills Road, John Quenell looked at the application and it is not complete, lower St. Regis Lake could be affected

Motion made by John Quenell for the Town Board to ask DEC to send APA Notices to the residents on Keese Mills Road who will be affected by the Campground, second by Supervisor Meyer, Aye 4, Absent 1 (Smith)

29. Received APA Notification of Availability for Review, dated March 22, 2000, Re: Paul Smith College Storm Water Outfalls/Fire Suppression Intake; John Quenell looked into this, also, the residents along the lake will be affected. He showed the Board pictures of the difference in the algae on the lake from Upper to Lower St. Regis

Motion made by John Quenell to modify the previous motion to add “and residents of shoreline property along St. Regis Lake of the Paul Smith College Storm Water Outfall/Fire Suppression Intake Project”, second by Debra Meyer, Aye 4, Absent 1 (Smith)

30. Letter of resignation by Wilhelmina Sheridan has been withdrawn
31. Received copy of a letter dated March 30, 2000 addressed to Nik Santagate from Roger Smith, Chief, Paul Smiths-Gabriels Volunteer Fire Department, Inc. (PSGVFD), Re: Fire Drill at the Town Garage. Supervisor Meyer read the letter and a copy is attached to these minutes. In reply Nik Santagate, Town Justice read a letter addressed to the “Town Board of the Town of Brighton” dated April 10, 2000 that is also attached to these minutes. He also submitted a letter to the Board dated April 10, 2000 from Sonya Franciamone, Court Clerk. A discussion took place as to what the Town Board should do in reply to Justice Santagate’s request for the Board: “1) To write a letter to the Paul Smiths-Gabriels Fire Department to insure that future drills take into account the court schedule...and to request a letter of apology to me. 2) To request that this board resolve this issue regarding attitude immediately as it only seeks to undermine the good that this board is capable of doing.” John Quenell, Council Member, stated that he checked with the Association of Towns and was told the Fire Department cannot train anywhere they want without permission. Tom Tucker, Training Officer PSGVFD spoke about the Fire Drill. The fire department trains two nights a month. Tom scheduled a Fire Drill for 7:00 pm at the Town Garage without realizing that Court would be in session. He received permission from Don Oliver, Superintendent of Highways to have the Fire Drill at the Town Garage. He notified Roger Smith, Fire Chief, at 6:40 p.m. of the location of the drill. He stated that the trucks were very loud and the radios used are also very loud. Two trucks were filling up from the dry hydrant on the right side of the Town Hall and the control vehicle was set up on the left side of the Town Hall. It should have been impossible to hear inside the courtroom. Nik Santagate called the fire station after the drill was over and spoke to Tom Tucker about scheduling fire drills near the courtroom on Wednesday nights. Tom apologized for disrupting court and said he would try to remember court night in the future. He reported to the fire drill critique that they had disrupted court. He was surprised to hear that a letter, written by Fire Chief Roger Smith, was sent to Nik Santagate concerning this issue he thought he had resolved. Linda Dobson, council Member, asked Tom Tucker if the Executive Committee of the PSGVFD was aware of the letter the Fire Chief wrote. Tom was unable to answer for the Executive Committee. Shelia DeLarm stated that the Executive Committee was not aware of the letter, nor was the membership at large. Tracie Santagate spoke about how this letter has disrupted her household as well as the other disruptions of court night and how the attitude of the board toward interruptions on Court night has to be changed. Art Robertson stated that the Town Hall is a Court Room on Wednesday nights and should be treated as such.

RESOLUTION #39

KEEPING COURT TIME FREE OF DISRUPTIONS FROM NON-COURT BUSINESS

Motion made by Wilhelmina Sheridan to show due respect to the Court and to keep the time used by the Town Court free of disruptions by non-court business from people including Town Board Members, second by Linda Dobson; Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution # 39 declared duly adopted

RESOLUTION #40

PERMISSION TO USE TOWN FACILITIES BY PSGVFD

Motion made by John Quenell to notify the Paul Smiths/Gabriel’s Volunteer Fire Department in writing that they must obtain written permission in advance from the Town Board to use the Town Facilities for fire drills and training exercises, second by Linda Dobson, Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution # 40 declared duly adopted

32. Received letter from Robert Byno, Sr., Re: Board of Assessment Review (BAR) will have a training on Thursday, April 13, 2000 in Malone from 6:30 to 9:30 p.m.; Robert Byno, Jerome Sandburg, and Phil DeLarm will attend
33. Mr. Byno requested permission to purchase flags for the cemeteries, Supervisor Meyer will contact he for more information
34. Rug Installation at Park-Roger Smith is unable to obtain any other quotes on the installation of the rug, will go with the one quote he received
35. Received letter dated April 7, 2000 from Rainbow Lake Association, Re: Request for Grant Funds, the Rainbow Lake Association needs a conduit for accepting a grant to protect Rainbow Lake from the invasion of Eurasian Water milfoil

RESOLUTION #41

AUTHORIZATION TO ACT AS CONDUIT FOR THE RAINBOW LAKE ASSOCIATION FOR GRANT

Motion made by Supervisor Meyer to authorize the Town Of Brighton to act as conduit for the Rainbow Lake Association for the purpose of applying for a grant of \$975.00 from the Lake Champlain Basin Program to pay for a professional survey by Adirondack Ecologists of Crown Point to detect if there is any Eurasian Water milfoil in Rainbow Lake, second by Wilhelmina Sheridan, Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution # 41 declared duly adopted

RESOLUTION #42

AUTHORIZATION TO SIGN CONTRACT, RECEIVE AND HOLD GRANT, AND DISPENSE FUNDS

Motion made by John Quenell to authorize Supervisor Debra Meyer to sign the contract with the Lake Champlain Basin Program, receive and hold grant funds, and disperse grant funds for the Rainbow Lake Association upon approval of a grant for \$975 to pay for a professional survey by Adirondack Ecologists of Crown Point to detect if there is any Eurasian Water milfoil in Rainbow Lake. The Town is not responsible for any monetary obligations by the Rainbow Lake Association. Second by Supervisor Meyer; Aye 4, Absent 1.

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution # 42 declared duly adopted

36. LANDFILL UPDATE

- a. Received letter dated April 10, 2000 from Griffin International, Re: Status of Landfill Closure Process, the funding application is now before the State Environmental Facilities Corporation (EFC), preliminary review has been performed and the following items are still needed: 1) Access verification 2) Local Attorney’s contract for services 3) an executed construction contract and notice to proceed. Town needs to contact attorney and push the issue of access, if this is not resolved soon the construction could be pushed into 2001 and this could result in adverse reaction from the DEC regulators. The construction bid documents are complete and the job can be warned once financing of the project is confirmed and a delivery date for funds is established by the EFC. There is no executed construction contract or notice to proceed because the project has not been advertised.
- b. Supervisor Meyer will contact Janet Bliss, Town Attorney and take care of the documentation still needed by EFC; waiting for Land owners attorney to respond to access request
- 37. Received a phone complaint for flooding on the Keese Mills Road. The problem is on private property and the Town is not responsible for private property. Told person to write a letter to the Board, none received
- 38. Sent letter dated March 21, 2000 to Friends of Mt. Pisgah, Michael Hannon, Re: Budget request, resubmit in September for 2001 Budget consideration
- 39. Linda Dobson thanked John Quenell for publishing the Brighton Bulletin in March
- 40. Received letter from CSEA to waive the 28-day waiting period for new enrollees to the Fund coverage

RESOLUTION #43

AUTHORIZATION TO WAIVE THE 28-DAY WAITING PERIOD FOR THE CSEA EB FUND

Motion made by Supervisor Meyer to sign the letter from CSEA waiving the 28-day waiting period for new enrollees to the Employee Benefit Fund coverage effective 4/13/2000, second by Wilhelmina Sheridan, Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution #43 declared duly adopted.

CITIZENS COMMENTS:

Jay Schwartz - Keese Mills Road: Will the guardrails by Barnum Brook Access be repaired? Don Oliver said yes they would be repaired

Tom Willis-Rainbow Lake:

- a. Does the Town have any other “muscle” to move the access issue along, it’s been over a year since this issue has been discussed. Supervisor Meyer will contact the attorney asking if a letter from the board would help. Chris Leifheit asked if the town could use “descriptive rights” or “users rights” to get on the land.
- b. What is the status of the “Noise Ordinance”? Waiting for better weather for a public hearing to perform noise level test. John Quenell has not had any residents pursuing the issue.
- c. What happened to the alternative source of Rescue Services; doesn’t contract end this year? There might be another source but waiting for final approval from Health Department
- d. There is a lot of junk in this Town and abandoned houses, can there be a clean-up day or weekend for the town? Board will look into this issue.

- e. What is the Franklin County Industrial Development Agency? Another group who want information about conflicts and problems with APA applications.
- f. Where will the Semi-Public Campground be located? On Lower St. Regis Lake and Keese Mills Road, information will be published in the Brighton Bulletin

Pat Willis-Rainbow Lake:

- a. Brighton Year 2000 Project is underway; please submit pictures and stories to the Willis
- b. Private Boat Launches should be posted with a sign about washing boats before putting them in the water to prevent the spread of Eurasian Water milfoil, especially communal boat launches. State Launches will have signs, there are signs available at DEC Region 5 in Ray Brook

COMMITTEE REPORTS:

1. ASSESSOR- Doug Tichenor:

- a. Received a list and copies of Building Permits from Code Enforcement Officer for 1999
- b. Proceeded with work on the Tentative Assessment to be filed May 1, 2000

2. COURT- Nik Santagate: Reviewed 31 cases and sent \$1,735 to the State Comptroller

3. HIGHWAY – Don Oliver:

- a. Routine plowing and putting sand on roadways
- b. Snow plow got stuck a few times during last storm
- c. New snow plow/truck fully equipped would be \$93,000 to \$97,000
- d. Trade in on old truck is estimated at \$17,000
- e. Cost to repair present truck is approximately \$9,000: new radiator \$1,378, new clutch \$1,054 and new brakes \$2,550, labor \$42.00 per hour (40 to 50 hours)

4. INSURANCE - John Quenell:

- a. Workers Compensation Insurance: Received response, See Supervisor's Report, Para 14
- b. Liability Insurance: A correction was made to the List of Town Vehicles a 190 vehicle should have been listed as 2000, this caused an increase in the insurance premium (\$374.00)
- c. Health Insurance: Received a letter explaining the drug insurance program and a listing of drugs that fall into the three categories, generic, preferred, and non-preferred. A complete listing is available on the website www.bcbsuw.com

Motion made by Supervisor Meyer **to go IN TO EXECUTIVE SESSION at 8:50 p.m. to discuss Confidential Matters pertaining to HUD and HOME property owners per Public Officer Law, Section 105(f)**, second by Wilhelmina Sheridan, Aye 4, Absent 1 (Smith)

Motion made by Supervisor Meyer **to go OUT OF EXECUTIVE SESSION at 8:55 p.m.**, second by Wilhelmina Sheridan, Aye 4, Absent 1 (Smith)

Motion made by Supervisor Meyer **to go IN TO EXECUTIVE SESSION at 8:56 p.m. to discuss the employment of a particular person per Public Officers Law, Section 105 (f)**, second by John Quenell, Aye 4, Absent 1 (Smith)

Motion made by Supervisor Meyer **to GO OUT OF EXECUTIVE SESSION at 9:08 p.m.**, second by Wilhelmina Sheridan, Aye 4, Absent 1 (Smith)

RESOLUTION #44

AUTHORIZATION TO PAY ALL BILLS LISTED ON ABSTRACTS

Motion made by Supervisor Meyer **to pay all the bills as listed on the abstracts attached to these minutes as follows:**

ABSTRACT #4 - All Funds: Pre-Paid Voucher #4A through and including Voucher #40 as follows: \$5,308.62 General Fund, \$872.37 Highway Fund 1999, \$6,432.34 Highway Fund 2000

ABSTRACT #4 - General Fund: Voucher #73 through and including Voucher #89 as follows: \$321.50 for 1999 and \$1,723.69 for 2000

ABSTRACT #4 - Highway Fund: Voucher #45 through and including Voucher #54 as follows: \$662.86

ABSTRACT #3 – Street Lighting District: Voucher #3 for \$58.56

ABSTRACT #2 – HUD CDBG Fund: Voucher #2 for \$816.20

Second by Wilhelmina Sheridan; Aye 4, Absent 1

Roll Call Vote:

Supervisor Debra Meyer	Aye
Council Members: Linda Dobson	Aye
John Quenell	Aye
Wilhelmina Sheridan	Aye
Roger Smith	Absent

Resolution #44 declared duly adopted.

Motion made by Supervisor Meyer **to adjourn the Regular Town Board Meeting at 9:23 p.m.**, second by Linda Dobson; Aye 4, Absent 1 (Smith)

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk