

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, June 15, 2000 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Deputy Supervisor Roger Smith
Council Members: Linda Dobson
John Quenell
Wilhelmina Sheridan

ABSENT: None

OTHERS PRESENT: Elaine Sater-Town Clerk, Arlene Hogan-Tax Collector, Don Oliver-Superintendent of Highways, Tom & Pat Willis-Historians, and Nik Santagate – Justice

RESIDENTS: There were several residents present.

GUESTS: Scott Campbell-Friends of the North Country HUD Administrator

Meeting was Called to Order by Deputy Supervisor Smith **at 7:04 p.m.**

APPROVAL OF MINUTES:

Motion made by Wilhelmina Sheridan **to accept the minutes of the Regular Town of Brighton Meeting on May 11, 2000**, as written; second by Linda Dobson; Aye 4, Vacancy 1.

TOWN CLERK REPORT

Total Revenue Collected as of May 31, 2000 was \$127.18 for:

3 DEC Sport Licenses
6 Certified Copies
9 Dog License Renewed
3 Building Permits (BRI2000-10 through 12)
1 Park Donation
1 Copier Use
1 FOIL Request

1. Received letter dated May 16, 2000 from Franklin County Public Health Services, Re: Thank You for use of building for a dinner held on May 9, 2000
2. Received letter dated May 2000 from North Brook Lodge, Re: Renewal of Liquor License for the summer
3. Received information from NYS Office of the State Comptroller, Re: Teleconference being held on June 15, 2000 in Malone, sent copies to Town Officials and Employees, no one attended due to Board meeting.
4. June 2, faxed Public Notice to Adirondack Daily Enterprise, Re: Change of Town Board Meeting to June 15, published Tuesday, June 6; also posted in three Post Offices and local businesses
5. Received information dated June 2000 from Saranac Lake Area Chamber of Commerce, Re: Information about what is going on in businesses in the area, complimentary issue
6. Sent out copies of "Town Topics" to board members, Re: Information on Voting by Phone and Filling Vacancies for Elective Office, also included copy of Town Law on vacancy of elected position
7. June 8, 2000, sent letters to Franklin County Board of Elections, Re: Resignation of Debra Meyer as Supervisor and Notice of Opening for Supervisor for November election to fill a one-year un-expired term
8. Received letter dated June 12, 2000 from FC Board of Elections, Re: Local Registration Days, to be held in October on Saturday the 7th from 2 to 9 p.m. and Wednesday the 11th from 5 to 9 p.m. (Court was notified), only one election inspector each from the Republican and Democrat Party is needed
9. June 13, received MEMO from Debra Meyer, Re: Contact Roger Smith, Deputy Supervisor, for all Town business after June 11
10. June 13, attended NYS Department of Environmental Conservation Sport License Issuing Seminar. DEC is planning on going to an electronic system for issuing sport licenses and will be implementing it in August 2001. Each Town Clerk will receive a computer with phone hook-up to DEC (paid for by DEC), this system will not be loaded onto existing computers. Space will be needed for this system.

Town Hall Schedule: Change of Court Date: delayed again, no date available; Rainbow Lake Water Control Commission Tuesday, June 20 at 7:30 p.m.

HUD REPORT-Scott Campbell, Friends of the North Country

1. STATUS OF PROGRESS 1994 HUD GRANT: Thirteen applications were completed, thirteen were approved, six are under construction and seven are closed out.
2. Three projects are almost complete, Certificate of Occupancies have been issued. Friends is conducting final inspections, bills will be paid from Friends' money.
3. Final Project consisting of 3 units has not met National Objective (minimum of 1 unit ready). Spoke with Nancy Lesakowski of HUD Buffalo (field representative for Town of Brighton HUD Program) and she gave the option of paying back grant funds invested in the project (\$42,500) or continuing to pay Friends of the North Country administration fees (approximately \$5,000). Town needs to decide what to do, should consult Town Attorney before deciding.
4. Town Board asked Scott Campbell to write up a summary of the history of this project. Deputy Supervisor Roger Smith will contact Friends and Janet Bliss, Attorney, to set up a meeting with Town Board to discuss this issue.

CITIZEN COMMENTS: (Two minutes)

Al Fuller – Easy Street: Asked permission to put a bottle drop box for the Girl Scouts at the Town Hall. He also offered to fix the cement at the bottom of the Town Hall steps. Roger Smith asked him to send a letter addressed to the board concerning the bottle box.

RESOLUTION # 50

AUTHORIZATION TO ALLOW A BOTTLE DROP AT TOWN HALL

Motion made by John Quenell to authorize the Girl Scouts to have a bottle drop box at the Town Hall. Al Fuller from Easy Street (PH: 327-3408) will be responsible for keeping the area around the box cleaned and the box emptied. The Board reserves the right to ask for the box to be removed at any time, second by Wilhelmina Sheridan; Aye 4, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION # 50 declared duly adopted.

LANDFILL UPDATE

1. Received letter dated May 17, 2000 from NYS Environmental Facilities Corporation (EFC), Re: Approval of Clean Water State Revolving Fund (CWSRF) for Landfill Closure M/WBE-EEO Program
2. Received letter from Alan Liptak to Janet Bliss, Re: Drawing of the Town Landfill Easement Plan to send to client's attorney for lease agreement for access to landfill
3. Received letter dated May 26, 2000 from William Cantwell to Janet Bliss, Attorney, Re: Lease Agreement with client for landfill access; read and is attached to these minutes
4. Received letter dated June 12, 2000 from Janet Bliss to William Cantwell, Re: Terms of Proposed Agreement; read and is attached to these minutes.
5. Received letter from Al Liptak to Janet Bliss, Re: Stipulations, a road already exists around the Landfill
6. Received fax dated May 11 and June 13, 2000 from NYS EFC, Re: "Estimated Project Costs", need approval of Board

RESOLUTION # 51

AUTHORIZATION TO APPROVE ESTIMATED PROJECT COSTS FOR LANDFILL LOAN

Motion made by Wilhelmina Sheridan to authorize Deputy Supervisor Roger Smith to approve the "Estimated Project Costs" (Exhibit C of Project Financing and Loan Agreement (PFLA) for the Landfill Closure) totaling \$518,250.00 after checking the costs with Griffin International, second by John Quenell; Aye 4, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION # 51 declared duly adopted.

SUPERVISOR'S REPORT AND CORRESPONDENCE:

1. **Balances of Accounts as of May 31, 2000 were read and are attached to these minutes.** Veteran's Account needs to be reduced by amount paid for flags, \$286.00 (Resolution 47-2000)
2. Sent letter to Department of Transportation, Re: No zoning in the Town of Brighton
3. Sent letter on 5/21/2000 to Janice Mock, Re: Self-Insurance Plan, re-admitting the Town Of Brighton to the Plan, Deputy Supervisor Roger Smith met with the Franklin County Legislature to discuss options. Legislature met again on June 15, 2000 to discuss options and sent fax regarding answer. See Insurance Report for more information.
4. Dedication Celebration at Adirondack Museum in Blue Mountain Lake on Saturday, July 8, 2000
5. Received Certification of Insurance from Ron Gill Well Drilling, Town Clerk gave copy to Code Officer
6. Received letter dated 5/25/2000 from Department of Transportation, Re: CHIPS Funding for 2000/01 for Brighton, will receive \$18,612.17 for Capital Improvements and \$5,022.20 for Operations & Maintenance for a total of \$23,634.37 to be dispersed quarterly March 25 (to be dispersed now), June 25, September 25, and November 25, 2000.
7. Received notice from Franklin County Public Health, Re: Rabies Clinic was held June 12, 2000 at Town Of Brighton Garage
8. Received letter from Office of Franklin County Manager, Re: Transportation Study Meeting , no action
9. Received Association of Towns Annual Report of NYMIR 1999, copy to all Board Members
10. Received letter from State of New York, Re: Quality Committee Task Force for Economic Development Round Table was held on June 13, 2000, no action
11. Received letter dated May 31, 2000 from Town of Santa Clara, Re: Intent to issue a Cable Television Franchise, would like other towns to join them to present a more attractive opportunity to obtain a better system, **John Quenell will follow up on Cable Franchise Agreement for Town**
12. Received letter dated June 2, 2000 from Betty Little, Assemblywomen, Re: CHIPS Allocation for 2000-01, see Para 6 for more details
13. Received Employer Brief from Employee Assistance Service
14. Received letter from DEC, Re: NYS Solid Waste Management Plan Update is available for review

15. Received letter from Office of the State Comptroller (OSC), Re: Proposed Rules & Regulations for Service Awards Program for volunteer Ambulance Workers, no action
16. Received letter from Office of Technology, Re: Education Day on June 28, 2000
17. Received information from OSC, Re: Electronic Filing for Court Funds; asked Nik Santagate if he is interested in program, he would rather let OSC figure Town's portion so he does not appear to set fines based on knowing Town's share of fine
18. Received check from Franklin County Mortgage Tax for \$7,347.56
19. Received information on Department of Health Workshops, no action
20. Received letter dated June 5, 2000 from NYS Division of Housing and Community Renewal, Re: Adirondack North Country Community Enhancement Program Application, money for Municipal Abandoned Vehicle and Appliance Removal Initiative and Rural Development/Community Infrastructure Assistance Initiative, deadline July 21, 2000, **Deputy Supervisor Smith will look into further.**
21. Received letter dated June 9, 2000 from Edwin Randig to Mr. & Mrs. Callaghan of Port Leyden, NY, Re: Complaint of Garbage at Route 86 Property in Gabriel's; several violations pursuant to the NYS Fire Prevention and Building Code, given fourteen days to comply with violations. John Quenell noted the Town Board is responsible for Public Health issues since there is no separate Board of Public Health in Town Of Brighton.
22. Received copy of 1999 Saranac Lake Free Library contract, need approval to pay for services. Agreement for 2000 already paid.

RESOLUTION #52-2000

AUTHORIZATION TO EXPEND FUNDS OF \$500.00 TO SARANAC LAKE FREE LIBRARY

Motion made by Wilhelmina Sheridan to authorize an agreement with the Saranac Lake Free Library for 1999 and expend General Funds in the amount of \$500 for library services and facilities for the people residing in the Town of Brighton from January 1, 1999 to December 31, 1999, second by Roger Smith; Aye 3, Abstain 1, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|---------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Abstain |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION #52 declared duly adopted.

23. The fire contract was returned by Janet Bliss, Attorney. Another Public Hearing must be held for the Fire Contract since the first hearing was not held properly. A public notice must be posted 10 days before hearing and contents of Fire Contract must be included in the notice.

Motion made by Deputy Supervisor Roger Smith to hold a Public Hearing on Thursday, July 13 at 6:30 p.m. for the purpose of discussing the Fire Contract between the Paul Smiths-Gabriel's Volunteer Fire Department and the Town Of Brighton the Regular Town Of Brighton Board meeting will follow afterwards, second by Linda Dobson, Aye 4, Vacancy 1 (Supervisor)

24. Received a petition from the residents on Split Rock Road, no date, Re: Reducing the speed on the Town Road of Split Rock to 30 m.p.h. **Deputy Supervisor Roger Smith will fill out form and submit to Franklin County Department of Transportation**

RESOLUTION #53-2000

AUTHORIZATION TO REQUEST SPEED REDUCTION ON SPLIT ROCK ROAD

WHERE AS, the residents of Split Rock Road in the Town Of Brighton submitted a petition signed by 14 individuals to the Town Board requesting the speed on Split Rock Road be reduced to 30 m.p.h. to avoid injury to children who live on the road,

THEREFORE a motion was made by Wilhelmina Sheridan to authorize Deputy Supervisor Roger Smith to send a request along with the petition to the Franklin County Highway Superintendent asking for a reduction to the speed limit on the Split Rock Road (a Town Road) from 55m.p.h. to 30 m.p.h. to avoid injury to children who live on the road, second by John Quenell; Aye 4, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION #53 declared duly adopted.

25. Received letter dated May 10, 2000 from the OSC, Re: Second Notice for Overdue 1999 Annual Financial Report; Roger Smith spoke with Peter Duquette, Peter spoken with OSC and received another extension and is working on report. He has the computer software program to complete the report.
26. John Quenell brought forth a letter dated June 9, 2000 from the Lake Champlain Basin Program, Re: Letter of Agreement for LCBP Partnership Grant Program (LC-IM-00-N) 098-005-001 for the "Survey of Rainbow Lake, NY for Eurasian Water Milfoil". This agreement needs to be signed by the Town Of Brighton so the first payment of \$487.50 can be received, second payment of \$390 will be received upon receipt of itemized invoices, and final payment of \$97.50 will be received upon submission of final report.

RESOLUTION #54-2000

AUTHORIZATION TO SIGN AGREEMENT FOR GRANT MONEY FOR RAINBOW LAKE SURVEY

WHERE AS, the Town Board agreed to act an the recipient under the Local Implementation Partnership Grant Program (Resolution #41-2000)

THEREFORE a motion was made by John Quenell to authorize Deputy Supervisor Roger Smith to sign the agreement (attached) between the New England Interstate Water Pollution Control Commission (NEIWPCC) on behalf of the Lake Champlain Basin Program (LCBP) and the Town Of Brighton, a recipient of \$975.00 under the Local Implementation Partnership Grant Program for a “Survey of Rainbow Lake, NY for Eurasian Water Milfoil” by the Rainbow Lake Associates, Inc., second by Wilhelmina Sheridan; Aye 3, Nay 1, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Nay |

RESOLUTION #54 declared duly adopted.

COMMITTEE REPORTS:

1. HIGHWAY – Don Oliver:

- a. Cut brush and three trees and chipped on Hull Road
- b. Put crusher run on soft spots on Hull Road and black topped with 425 tons
- c. Gave cemetery black dirt from stock pile at Garage
- d. Used road rake on dirt roads
- e. Finished sweeping sand on Town Roads
- f. Purchase Vs. Repairs for snowplow; \$9 to \$11 thousand for repair of truck, another \$5K for plow, L9000 Ford is eleven years old. Three or more bids will be needed for purchasing a new truck, approximately \$90,000. Board needs to know amount in Equipment Reserve for Highway. It will take 3 months to receive truck once it is ordered. Town Board asked Don to start on truck bids specifications

2. COURT- Nik Santagate: Reviewed 36 cases during May and sent \$2,735.00 to the State Comptroller

3. TAX COLLECTOR- Arlene Hogan:

- a. Made bank deposits of \$25,769.14
- b. Payments made to Supervisor Meyer: \$979.80 (Penalty and 2nd Billing Collection)
- c. Payments made to County Treasurer: \$26,641.01
- d. Returned Tax Roll to County Treasurer on June 5, 2000

4. INSURANCE - John Quenell:

- a. Health Insurance – New cards are being mailed to people with health insurance for new pharmacy coverage, no change in policy
- b. Worker’s Compensation (Self-Insurance Plan): Volunteer Fire Fighters were not covered under new Town Insurance Policy with Comp Alliance for Worker’s Compensation, Roger Smith attended a meeting with Franklin County Legislatures and asked what are options to re-join Franklin County Self-Insurance Plan. They will let the Town rejoin on July 1, 2000 and pay no penalty but the assessment of \$7,500 to \$8,000. If the Town waits until January 1, 2001 to join then the Town will have to pay the withdrawal penalty of \$18,177.85 plus the annual assessment for 2001. It will cost \$6,309 per year for coverage by Comp Alliance.

RESOLUTION #55

AUTHORIZATION TO REJOIN FRANKLIN COUNTY SELF-INSURANCE PLAN AS OF JULY 1, 2000

WHEREAS, the Town of Brighton withdrew from the Franklin County Self-Insurance Plan on December 31, 1999, and

WHEREAS, it has been determined that it would be advantageous for the Town to rejoin the Plan, and

WHEREAS, the Franklin County legislature has agreed to readmit the Town to the Plan effective July 1, 2000 and that the premium charged to the Town for the remaining six months of 2000 will be based on one-half of the average of the annual premiums paid by the Town during the last three years of its participation in the Plan, and that the Town will also reimburse the Plan for any payments made in connection with claims paid on behalf of the Town so far during 2000, and

WHEREAS, the Franklin County legislature has agreed to waive an \$18,177.85 withdrawal assessment against the town as its pro-rata share of outstanding Plan liabilities as of December 31, 1999,

THEREFORE LET IT BE RESOLVED on a motion made by John Quenell **that the Town of Brighton accepts the offer of Franklin County to rejoin the Plan effective July 1, 2000 and hereby authorizes the expenditure of funds related thereto (between \$7,500 and \$8,000) with the understanding that the Town will not be liable for the \$18,177.85 withdrawal assessment**, second by Wilhelmina Sheridan; Aye 4, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION #55 declared duly adopted.

- c. Cost of insurance for Volunteer Fire Fighters from May 15 to June 30, 2000 until new policy is in place is \$813. For the next six months it would be \$3,155.

RESOLUTION #56

AUTHORIZATION TO EXPEND FUNDS TO COVER VOLUNTEER FIRE FIGHTERS

WHERE AS, the current Worker’s Compensation Insurance does not cover the Volunteer Fire Fighters, **THEREFORE LET IT BE RESOLVED on a motion** by John Quenell **that the expenditure of General Funds of \$813 be authorized to cover the Volunteer Fire Fighters from May 15 to June 30, 2000**, second by Linda Dobson, Aye 4, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION #56 declared duly adopted.

VACANCY OF SUPERVISOR POSITION:

- Roger Smith stated he was not interested in resigning as a Board Member and chance the Board appointing him as Supervisor just to end up sitting in the audience. John Quenell spoke about the need to fill the vacancy due to several issues in front of the Board. He spoke about the added duty of Supervisor as Chief Financial Officer of the Town and the qualifications needed for the job. John said he heard many good things about Chris Leifheit and would like to see him appointed as Supervisor since he is well aware of the issues the Town is facing.

RESOLUTION #57

APPOINTMENT TO FILL VACANCY OF ELECTED POSITION OF SUPERVISOR

Motion made by John Quenell **for the Town Of Brighton Board to appoint Christopher Leifheit who meets the eligibility criteria to hold the office of Supervisor of the Town Of Brighton from June 15, 2000 to December 31, 2000**, second by Wilhelmina Sheridan, Aye 3, Nay 1, Vacancy 1

Roll Call Vote:

| | |
|-------------------------------|--------|
| Supervisor | Vacant |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Nay |

RESOLUTION #57 declared duly adopted.

RESOLUTION #58

AUTHORIZATION TO EXPEND \$1,401.10 OF HUD HOME FUNDS

Motion made by Deputy Supervisor Roger Smith **to authorize the expenditure of \$1,401.10 of HUD HOME FUNDS for Administrative Expenses incurred by Friends of the North Country for May 2000 to administer the HUD Program for the Town Of Brighton**, second by Linda Dobson, Aye 4, Abstain 1

Roll Call Vote:

| | |
|---------------------------------|---------|
| Supervisor Christopher Leifheit | Abstain |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

RESOLUTION #58 declared duly adopted.

CITIZENS COMMENTS:

Nik Santagate – Town Justice: Thanks to the Board for appointing Chris Leifheit to the Office of Supervisor

Tracy Santagate – McCollums: “Dito” and asked if a draft Agenda for meetings could be made available a week ahead for people to review, would like to recommend limiting the length of correspondence to items the Board will be acting on at the meeting, but make available other correspondence to attendees if they want to comment on it. Supervisor Leifheit said he would like to look at current procedures before making changes.

Tom Willis – Rainbow Lake:

- a. Brighton History Day will be held on July 23, 2000 and he would like to use the copier for mailings
- b. What is Town doing for Ambulance Contract? A new company is being formed and was mentioned in the local paper. Willie Sheridan is looking into this but could not contact the LifeFlight people to confirm.
- c. Is Adirondack North Country Community Enhancement Program going to be looked into further? **New Supervisor will look into it;** see Para 20.

Pat Willis – Rainbow Lake:

- a. History Day will have many events, including Fire Department BBQ and children’s games
- b. Brighton 2000 Project – need pictures from residents and stories, took pictures of the Board

Deputy Supervisor Roger Smith declared a short recess while Christopher Leifheit took his Oath of Office as Supervisor from Justice Nik Santagate.

Motion made by Supervisor Christopher Leifheit **to authorize him to contact Friends of the North Country, the HUD client, and Janet Bliss, Attorney for the Town, to set up a special meeting to discuss HUD Project BRI T6-94 with the Town Of Brighton Board**, second by Linda Dobson, All Aye

RESOLUTION #59-2000

AUTHORIZATION TO PAY ALL VOUCHERS LISTED ON ABSTRACTS

Motion made by Linda Dobson to pay all the vouchers listed on the abstracts attached to these minutes as follows:

ABSTRACT #6 - All Funds: Pre-Paid Voucher #6A through and including Voucher #6L as follows:

General Fund 2000-\$1,488.23, General Fund 1999-\$500.00, Highway Fund 2000-\$1,778.04

ABSTRACT #6 - General Fund: Voucher #109 through and including Voucher #136 as follows: \$7,402.93

ABSTRACT #6 - Highway Fund: Voucher #72 through and including Voucher #83 as follows: \$4,228.06

ABSTRACT #3 – HUD DHCR HOME Fund: Voucher #3 as follows: \$1,401.10

Second by Supervisor Leifheit; All Aye

Roll Call Vote:

| | |
|---------------------------------|-----|
| Supervisor Christopher Leifheit | Aye |
| Council Members: Linda Dobson | Aye |
| John Quenell | Aye |
| Wilhelmina Sheridan | Aye |
| Roger Smith | Aye |

Resolution #59 declared duly adopted.

Motion made by Linda Dobson to adjourn the Regular Town Board Meeting at 9:50 p.m., second by Supervisor Leifheit; All Aye

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk