

The Regular Meeting of the Town Board of the Town of Brighton was held Thursday, October 11, 2001 at 7:00 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Supervisor Christopher Leifheit
Council Members: Alicia Bodmer
Linda Dobson
John Quenell
Roger Smith

ABSENT: None

OTHERS PRESENT: Elaine Sater-Town Clerk, Don Oliver–Superintendent of Highways, Amber McKernan- Tax Collector, Justice Nik Santagate, and Tom Willis-Historian

GUESTS: Brian Paige, CSEA Union Representative

RESIDENTS: There were 8 residents present

Meeting was **Called to Order** by Supervisor Christopher Leifheit at **7:02 p.m.**

APPROVAL OF MINUTES:

Motion made by Supervisor Christopher Leifheit **to accept the minutes of the Regular Town of Brighton Board Meeting September 13, 2001, with the following change: Page 5, CITIZENS COMMENTS, Council Member Alicia Bodmer, last sentence add “with the exception of local deliveries” to the end of the sentence,** second by Linda Dobson, All Aye

Motion made by Supervisor Christopher Leifheit **to accept the minutes of the Special Town of Brighton Board Meeting September 28, 2001, as written,** second by Alicia Bodmer, All Aye

TOWN CLERK REPORT

Total Revenue to Supervisor as of September 30, 2001 was \$958.38 from:

- 16 DEC Sport Licenses
- 5 Certified Copy
- 1 Genealogical Search
- 25 Dog Licenses
- 5 Building Permits (BRI2000-30 through 37)
- 1 Donation for Park Use
- 10 FOIL Requests and Copier Use

1. Faxed Public Notice to the Adirondack Daily Enterprise September 27, 2001, Re: Closure of Keese Mills Road on Oct 8, Published three times on October 1, 3 and 5. Posted notices in the three Post Offices and in local business
2. Faxed Public Notice to WNBZ Radio Station on Oct 2, 2001 Re: Closure of Keese Mills Road on October 8.
3. Attended Local Government Conference, October 10, 2001 at SUNY Potsdam, Registration fee was \$25, voucher is submitted.
4. Request a resolution to establish a Returned Check Policy for the Town of Brighton
5. Determination needed on the excess equipment in the Town Hall, i.e., cash register, word processor, typewriters, tape decks, answering machines, and file cabinets.

Supervisor Christopher Leifheit authorizes the Town Clerk to submit a request for bids on the Surplus Equipment

6. October 5, 2001, mailed remaining Sport License Stamps to the Department of Environmental Conservation from the 2000-2001 Sport License Year and filed the October 15 Report.
7. Town Hall Schedule: Thursday October 25, Brighton Architectural Heritage Committee, 1 to 3 pm

RESOLUTION #85

AUTHORIZATION TO IMPOSE A \$15.00 FEE ON RETURNED CHECKS

WHERE AS, the Town of Brighton Board is authorized to impose a fee for returned checks for insufficient funds from individuals or organizations according to General Municipal Law, Article 5, Section 85, THEREFORE Be It Resolved That the Town of Brighton authorizes the following Returned Check Policy

RETURNED CHECK POLICY & PROCEDURES

If a check accepted by the Town of Brighton is returned from the bank for insufficient funds the following procedures will be followed:

1. Call the bank where the check is issued from and determine if funds are available to resubmit the check for deposit.
2. If funds are available resubmit the check for deposit.
3. If funds are not available contact the individual or organization that wrote the check and determine if funds will be available within the next five (5) days.
4. If funds will be available within five (5) days resubmit the check for deposit.
5. If funds will not be available in five (5) days than return the check to the individual.
6. Cancel any transaction that the funds were to cover and notify the individual or organization of the cancellation.
7. The Town of Brighton Board will impose a \$15.00 fee for returned checks with insufficient funds on the individual or organization issuing the check according to General Municipal Law, Article 5, Section 85.

The following policy will apply to checks written to the Town Clerk, Code Enforcement Officer, Tax Collector, and Town Supervisor.

1. The individual or organization issuing the returned check will not be allowed to write checks to the Town of Brighton in the future. Only cash or money order transactions will be accepted.
2. Any transaction that was covered by the check is to be cancelled and the individual or organization notified in writing of the cancellation.
3. Any further transaction made by the individual must be paid in full to include the returned check fee imposed by the Town Board before it is a valid transaction.

MOTION made by Supervisor Christopher Leifheit, Second by Linda Dobson, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution # 85 declared duly adopted.

SUPERVISOR'S REPORT AND CORRESPONDENCE:

BUSINESS AT HAND:

1. **BALANCES OF ACCOUNTS** as of September 30, 2001 were available and are attached to these minutes
2. **LANDFILL CLOSURE:** Payments from Capital Project Fund

RESOLUTION #86

AUTHORIZATION TO EXPENSE CAPITAL PROJECT FUNDS OF \$193,306.00 FOR LANDFILL

Motion made by Supervisor Christopher Leifheit to authorize expenditure of \$193,306.00 from Capital Project Funds to J. Hutchins Construction for Landfill Closure expenses (Cap Construction), second by Roger Smith, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #86 declared duly adopted.

RESOLUTION #87

AUTHORIZATION TO EXPENSE CAPITAL PROJECT FUNDS OF \$10,131.92 FOR LANDFILL

Motion made by Supervisor Christopher Leifheit to authorize expenditure of \$10,131.92 from Capital Project Funds to Griffin International for Landfill Closure expenses (Cap Construction), second by Linda Dobson, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #87 declared duly adopted.

3. HIGHWAY CONTRACT WITH FRANKLIN COUNTY

RESOLUTION #88

AUTHORIZATION TO SIGN CONTRACT WITH FRANKLIN COUNTY HIGHWAY DEPARTMENT

Motion made by Supervisor Christopher Leifheit to accept a three-year Agreement with the Franklin County Highway Department to pay the Town of Brighton for maintenance of the county roads in the Town of Brighton by the Town of Brighton Highway Department, second by Alicia Bodmer, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #88 declared duly adopted.

4. BUDGET AMENDMENTS: #8-2001 for General Fund and #2-2001 for Highway Fund

RESOLUTION #89

AUTHORIZATION FOR BUDGET AMENDMENT #8 GENERAL FUND FOR \$83.84 (A1990.4)

Motion made by Supervisor Christopher Leifheit to authorize Budget Amendment #8-2001 to General Fund to transfer funds of \$83.84 from A1990.4 (Contingent) as follows: \$28.38 to A1355.4 (Assessor CE), \$28.94 to A3620.4 (Safety inspector CE) and \$26.52 to A5010.4 (Hwy and St Admin CC), second by John Quenell, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Aye
Linda Dobson	Aye

John Quenell Aye
Roger Smith Aye

Resolution #89 declared duly adopted.

RESOLUTION #90

AUTHORIZATION FOR BUDGET AMENDMENT #2 HIGHWAY FUND FOR \$380.62 (DA5148.1)

Motion made by Supervisor Christopher Leifheit to authorize Budget Amendment #2-2001 to Highway Fund to transfer funds of \$380.62 from DA5148.1 (Services Other Gov't Salary) as follows: \$121.60 to DA5110.1 (General Repairs PS) and \$259.02 DA5112.2 (Capital Improvements), second by John Quenell, All Aye

Roll Call Vote:

Supervisor Christopher Leifheit Aye
Council Members: Alicia Bodmer Aye
 Linda Dobson Aye
 John Quenell Aye
 Roger Smith Aye

Resolution #90 declared duly adopted.

NEW BUSINESS:

1. WARDNER PROPERTY OFFER: Received letter dated October 4, 2001 from Joan Wardner Allen, Re: Donation of Land to the Town of Brighton. This piece of property is of no use to the owner since the Town Highway changed the road. Town Board declined this offer in 1996 and 1998 saying it had no use for the land. The property is used for the current town road.

Motion made by John Quenell to authorize Supervisor Christopher Leifheit to notify Joan Wardner Allen of the Town of Brighton's intent to accept in principal the property at the end of the Clark Wardner Road until fees to transfer the land can be determined, second by Linda Dobson, All Aye

2. TENTATIVE BUDGET 2002: Gave copies of Tentative Budget 2002 to Board Members and Town Clerk
Motion made by Supervisor Christopher Leifheit to hold a Special Meeting of the Town Board for the Purpose of Reviewing the Tentative Budget 2002 on Thursday, October 18, 2001 at 7:00 pm in the Town Hall, second by John Quenell, All Aye

3. ST. REGIS CANOE AREA: Received letter dated September 28, 2001 from the NYS Department of Environmental Conservation, Re: **Meeting at Paul Smith College to hear public opinion concerning the St. Regis Canoe Area** on October 23, 2001 in the Freer Science Building Auditorium from 5 to 7 p.m. as part of the Unit Management Plan (UMP) process. Information on how to comment on the UMP was attached.

4. LIGHTING DISTRICTS: Received letters dated September 13, 2001 from Niagara Mohawk, Re: **The lighting districts in Gabriels and on Easy Street (Route 86), rates for 2002 to be increased by \$12 in Gabriels and \$20 on Easy Street**

5. COUNCIL MEMBERS:

a. John Quenell

1. HIGHWAY GARAGE STATUS –Visited Jeffords Steel in Plattsburgh on October 9, 2001. Mr Larry Jeffords outlined structural concepts for a new garage and made recommendations. The next step is to hire an architect for \$20,000 to \$30,000 for a 60' X 120' building, needs to be included in the 2002 Budget. Total cost of the project may be on the order of \$400,000 to \$500,000. Perhaps \$150,000 initially can be paid from unallocated balances. The remainder could be financed through bonds. At 4% per annum repayments could be \$20,000 to \$30,000 per year depending on the length of time the project it finances, such as 20, 25, or 30 years. Will have a brainstorming meeting in November over the details of the next step.

2. EVERGREEN TRAILER PARK UPDATE: Boil Order was lifted on September 25, 2001. It may be re-imposed soon since the owners appear not to be operating in compliance with the Department of Health (DOH) September 17 Order. An Administrative Tribunal was scheduled for October 16. On October 10 the tribunal was postponed for medical reasons concerning the hearing examiner. It has not been rescheduled yet. An Order of the Town of Brighton adopted on September 13, was mailed to the park owners on September 14. The order directed the owners' to effect repair or removal of three abandoned trailers at the park. A hearing was held on September 28 for the owners, but they did not appear. The order provides that the owners must correct the problem within 60 days of the service of the notice, which, allowing for the customary 5 days between mailing and receipt would be November 18. At that time the town will become authorized to provide for the repair or removal of the structures, and assess all costs to the owners.

b. Alicia Bodmer - **SNOWMOBILE CROSSING SIGNS ON RAINBOW LAKE ROAD:** The new signs on the Rainbow Lake Road show ATV as well as Snowmobile Crossing. The ATVs do not have Niagara Mohawk permission to use the power line and the sign makes it appear that they do. Can the county be contacted to change the signs? Supervisor Christopher Leifheit will contact Jeff Smith at the County Department of Transportation to correct this situation.

Council Member Alicia Bodmer left the meeting at 8:00 p.m.

COMMITTEE REPORTS:

1. **JUSTICE- Nik Santagate:** Disposed 15 cases during September; check to the Comptroller's for \$450.00

2. **HIGHWAY – Don Oliver:**

- a. Snow plows are ready for winter
- b. Sand is screened and salt has arrived
- c. Would like to put new truck out to bid; February delivery possible
- d. Would like to keep the 1989 Ford for backup and sell the Oshkosh that is 25 years old

RESOLUTION #91-2001

AUTHORIZATION TO REQUEST BIDS FOR A 2002 SNOW PLOW

Motion made by Supervisor Christopher Leifheit **to authorize Superintendent of Highways, Don Oliver, to request bids for a 2002 Snow Plow**, second by John Quenell, Aye 4, Absent 1 (Bodmer)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #91 declared duly adopted.

3. **INSURANCE - John Quenell:** Nothing to report

4. **ASSESSOR- Doug Tichenor:** Would like to change rewarding dog damage payments to the Animal Control Officer, has nothing to do with the Assessors duties and is already in the Animal Control Officers duties

RESOLUTION #92-2001

AUTHORIZATION TO REMOVE REWARDING DOG DAMAGE PAYMENTS FROM ASSESSOR DUTIES

Motion made by Supervisor Christopher Leifheit **to remove the responsibility of rewarding Dog Damage payments from the Assessor duties**, second by John Quenell, Aye 4, Absent 1 (Bodmer)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #92 declared duly adopted.

5. **TAX COLLECTOR- Amber McKernan:**

- a. Replied to requests for receipted tax bills.
- b. Organizing files and supplies for 2002 tax year
- c. Presented a package for collecting taxes by credit card. No cost to the Town but a fee to the Taxpayer. Corporation would have access to bank account for deposits.

6. **CODE ENFORCEMENT OFFICER-Ed Lagree:** No Report, mileage reports are available from Supervisor Christopher Leifheit. Sent letters to residents for building code issues.

7. **CEMETERY-Linda Dobson:** Nothing to report

8. **PARK-Alicia Bodmer:** Supervisor Christopher Leifheit ordered 500' of cedar rail fencing from the Community Enhancement Program grant for the park.

CITIZENS COMMENTS:

Tom Willis-Garondah Road: What is the status of the audit by the Comptroller's Office? The report is not ready for the town yet but should be in the next couple of weeks.

Who is the Town Attorney? There is no Town Attorney, there is an attorney selected by the Town in January, Janet Bliss.

The town seems to be also using another attorney, Scott Goldie.

The local chapter of the Adirondack Mountain Club will attend the meeting at Paul Smiths College for the St Regis Canoe Area

Brighton Year 2000 Project: Show in December for pictures that have been framed. Show will be at the Saranac Lake Library in February.

OTHER BUSINESS:

Motion made by Supervisor Christopher Leifheit **to GO INTO Executive Session at 8:21 p.m. for the purpose of collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law) (Public Officers Law, Article 7, Section 105(e))**, second by Linda Dobson, Aye 4, Absent 1 (Bodmer)

Motion made by Supervisor Christopher Leifheit **to GO OUT OF Executive Session at 8:28 p.m.**, second by Roger Smith, Aye 4, Absent 1 (Bodmer)

HIGHWAY CSEA CONTRACT: Brain Paige, CSEA Union Representative, was told the Board had no counter proposal at this time but would get back with him next week.

RESOLUTION #93-2001

AUTHORIZATION TO PAY ALL BILLS LISTED ON ABSTRACTS

Motion made by Supervisor Christopher Leifheit **to pay the vouchers as listed on the abstracts attached to these minutes as follows:**

ABSTRACT #10–All Funds: Pre-Paid Voucher #10A though and including 10C as follows: General Funds \$6,152.92

ABSTRACT #10-General Fund: Voucher #180 through and including Voucher #196 as follows: \$2,849.35

ABSTRACT #10-Highway Fund: Voucher #122 through and including Voucher #131 as follows: \$3,375.46

ABSTRACT #10–Street Lighting District: Voucher #10 for \$50.08

ABSTRACT #1-Captial Project: Voucher #1 through and including Voucher #2 as follows: \$203,437.92

Second by Linda Dobson, Aye 4, Absent 1 (Bodmer)

Roll Call Vote:

Supervisor Christopher Leifheit	Aye
Council Members: Alicia Bodmer	Absent
Linda Dobson	Aye
John Quenell	Aye
Roger Smith	Aye

Resolution #93 declared duly adopted.

Motion made by Council Member Linda Dobson **to adjourn the Regular Town Board Meeting at 8:35 p.m.**, second by Supervisor Christopher Leifheit, All Aye

Respectfully submitted,

Elaine W. Sater
Brighton Town Clerk