



The Town of Franklin

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Town of Franklin Board Meeting

June 12, 2006

The Town Board of the Town of Franklin held a regularly-scheduled Board meeting on Monday, June 12, 2006 at 7:00 pm at the Vermontville Town Hall.

Board members present:

Supervisor Mary Ellen Keith
Councilman Gene Goff
Councilman Tim Goff
Councilman Walt Kretser
Councilwoman Janet Ordway

Others present:

Highway Superintendent James Rascoe
Town Clerk Sandra Oliver
Ellen Beberman, member Scholarship Committee
Shir Fuller, member Scholarship Committee
Al Berg, member Scholarship Committee
Mark, Ruth and Amber Stankus
Cliff, Doe and Amber Smalley
Gretchen Moore
Suzanne Fitzsimmons
Helena Hough
Robin and Brittany Oliver
Dick Jarvis, resident
Dirk Bryant, The Nature Conservancy
Jean Baltzly, resident
Jacque, Elizabeth and Soleil Bacque

The Pledge of Allegiance was recited; the Town Clerk called the roll and announced the full board was present.

PRESENTATION OF SCHOLARSHIP AWARDS

The members of the Town of Franklin Scholarship Committee, a privately-supported organization, announced awards of \$500 scholarships to the following students:

- Gretchen Moore
- Amber Stankus
- Amber Smalley
- Helena Hough
- Forest Fitzsimmons
- Brittany Oliver
- Larry Parker
- Soleil Bacque

Members of the committee, which also includes Lorrie Rumble, asked for a volunteer to organize the committee's primary fundraiser, the fall lasagna dinner.

The Town Board congratulated the students and thanked the Scholarship Committee for its hard work and success.

PAYMENT OF BILLS

The following bills were presented for payment on Abstract No. 6:

General	Claims 99-135	\$9,730.73
Highway	Claims 66-84	\$36,949.51
Prepay General	Claims 39-40	\$1,361.95

Motion to approve bills (J.Ordway-W.Kretser m/s/p) ALL AYE

SUPERVISOR'S REPORT

Balances as of May 1, 2006

General Fund	CK	\$25,758.25
	SV	\$34,375.58
	CLASS	\$259,785.35
Highway Fund	CK	\$38,814.11
	SV	\$5,151.26
	CLASS	\$372,737.16
	Cap Proj Hwy	56,716.97
Landfill	CK	\$4,180.55
	CLASS	\$65,249.89
Fire	CK	\$835.48
	CLASS	\$65,249.8
Cap. Building	CLASS	\$118,573.26

Motion to accept Supervisor's Report (G.Goff-T.Goff m/s/p) ALL AYE

MINUTES

The minutes of the May 8, 2006 meeting were amended as follows: Supervisor's Report. In response to Jean Bal5zly's query concerning funds received from the sale of surplus equipment, Supervisor Keith responded that the monies received for the surplus Highway Equipment were deposited into the Highway Fund and were used to offset the cost of the 2007 pickup truck. Dollars received from sale of the General Fund truck were deposited into the General Fund to offset purchase of that pickup.

Motion to approve minutes as amended (M.Keith-W.Kretser m/s/p) ALL AYE

RESOLUTION CONCERNING PROPOSED CONSERVATION EASEMENT Supv. Keith introduced the resolution:

In June 2005 NYS DEC and The Nature Conservancy presented proposed plans for a conservation easement of the former Domtar Paper lands situated in the Town of Franklin.

Following this presentation the Town Board researched and discussed the proposed easement and issued a report containing concerns with respect to the proposed easement. These concerns included:

- (a) The proposed easement would reduce the tax base,
- (b) There would be further restrictions on hunting camps,
- (c) NYS DEC does not maintain its existing sites in the Town, although its usage fees continue to be increased
- (d) The proposed easement did not include increased ATV trails.

A further consideration was that NYS DEC was not adequately monitoring timber management with respect to the Fisher Act.

In October 2005 the Town Board adopted a resolution opposing the proposed conservation easement and sent copies of same to all interested parties.

Since then, representatives of the Town Board, NYS DEC, The Nature Conservancy and Lyme Timber (current owner of the Domtar lands) have held many frank and open discussions addressing the Town's concerns.

The following resolution clarifies the Town's initial opposition to the proposed conservation easement, describes the ensuing discussions and confirms the ultimate goal of the discussions - a partnership among all interested parties for State stewardship of a unique region of the world - the Adirondacks.

Motion for resolution (M.Keith-T.Goff m/s/p) ALL AYE

Coun. Janet Ordway read the resolution into the record:

RESOLUTION NO. 31: ENDORSEMENT OF PROPOSED CONSERVATION BY NYS DEC AND THE NATURE CONSERVANCY Supv. Keith introduced the resolution:

WHEREAS, on October 10, 2005, the Town Board of the Town of Franklin adopted Resolution No. 45 in opposition to the proposed conservation easement by NYS Dept. of Environmental Conservation and The Nature Conservancy relative to the former Domtar Paper lands, currently owned by Lyme Timber Co.; and

WHEREAS, the decision to oppose was based on presumed factors that (a) development of land to increase the tax base of the Town would be curtailed, (b) further restrictions would be placed on existing hunting camps, (c) existing NYS sites and future plans for recreation accessibility in the Town of Franklin had not been forthcoming, (d) plans for recreational purposes was not specified so as to accommodate all Town residents regardless of age or physical capability for (e) a variety of recreation opportunities including hiking, motorized access, camping, leisure observation, hunting, fishing, boating, etc.; and

WHEREAS, on October 27, 2005, said Resolution 45 was thus forwarded to all appropriate agencies, personnel and landowners;

WHEREAS, since October 2005 responses from NYS DEC, The Nature Conservancy and landowners were forthcoming, asserting willingness to discuss and review the Town's concerns; and

WHEREAS, several frank and open discussions were held between representatives of the Town Board, NYS DEC, The Nature Conservancy and Lyme Timber to discuss satisfactory answers to the Town's concerns. Two field trips were conducted, and on May 17, 2006, a public information meeting was conducted for the residents of the Town to clarify the ultimate plan for the proposed Conservation Easement; and

WHEREAS, the Town of Franklin Town Board, recognizes the need for consideration by all parties that the Town of Franklin, located in the Adirondack region, has natural beauty which has been enhanced and preserved by residents in the past and will continue to be enhanced and preserved in the future, has thus attracted worldwide attention as to its future; and

WHEREAS, the Town Board of the Town of Franklin affirm that the future of our section of the Adirondacks deserves the input of all citizens - professional or otherwise - and requires the experienced, common-sense approach of all the Town's residents; and

WHEREAS, the concerns expressed in Resolution 45 of 2005 having been addressed by all interested agencies and parties, the Town Board commends said interested agencies and parties for their responses. Further, the Town Board confirms the due process of acquiring land for governmental stewardship to be the beginning of a new era for dual participation of the public the State agencies and interested parties working together toward the ultimate goal of including every person's or party's interest as to the future of their environment; and

WHEREAS, the Town Board will continue to monitor the plans for the proposed conservation easement as they progress and continue to address all issues with the State agencies and interested parties; and

WHEREAS, bearing in mind the efforts and ultimate goal of the above factors, NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Franklin duly accepts and approves the Interim Plan for the Sable Highlands Recreation Area on the former Domtar property. The Town Board of the Town of Franklin will continue to work with all agencies and interested parties until the final recreation plan is completed.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Gene Goff
 Councilman Tim Goff
 Councilman Walter Kretser
 Councilwoman Janet Ordway

Those Voting nay:

None

Coun. Kretser indicated the news media was interested in the action taken by the Board.

Dick Jarvis, resident, complimented the Board on its action, and Dirk Bryant of The Nature Conservancy, indicated he was pleased with the manner in which the meetings between the Town and interested parties had been conducted. In response to Ellen Beberman's query concerning availability of copies of the Plan for the public, Mr. Bryant indicated the preliminary plan for the proposed easement was almost complete.

HIGHWAY REPORT

1. **Current Projects.** Highway Superintendent James Rascoe reported the Department had been busy, as follows:

- a. All roads have been swept.
- b. 200,000 2,000 [change per 07-10-2006 meeting] tons of fine crusher run have been stocked for work on the Tyler and Leo Collins Roads
- c. Shoulders on Garden Road have been done; the Department also widened the road and have received favorable comments from the residents
- d. Trees have been cut in preparation for cleaning the ditches
- e. New culverts have been installed near Ken Simpson's house on Cold Brook Rd., at Leo Law's on Alder Brook Rd and another at Todd Law's driveway [change per 07-10-2006 meeting].
- f. Grading and raking have been performed on Goldsmith and Merrill Roads.
- g. At the Tyler Rd intersection all the brush and trees have been cut and entire road has been chipped.
- h. Pine Grove Lane will be chipped this week and then shoulder and culvert work will be done on the Leo Collins Road.

2. **Fire on Unit 11; Warranty and Repair by M.A. Jerry.** Unit 11 caught fire because of a bare wire installed by the Department. The vehicle has been transported to M.A. Jerry for repair. The

1999 and 2005 International vehicles are also at M.A. Jerry for warranty work. MAJ suggested the other two vehicles with Highway Dept. wiring be brought in for repair. Supt. Rascoe requested Board permission to do this. Coun. Kretser asked if the rewiring was covered by warranty, and Supt. Rascoe said it was not because the wiring had been installed by the Department. The Board will agree to the M.A. Jerry work providing the insurance company accepts M.A. Jerry as certified to perform the work. Supv. Keith reported the insurance company also denied the claim with respect to the fire.

Motion to employ M.A. Jerry for wiring repair (providing insurance company concurs) (M.Keith-J.Ordway m/s/p) ALL AYE

3. FEMA Workshop on Disaster Preparedness. Highway Supt. Rascoe and Deputy Highway Supt. Merrill attended at workshop in Tupper Lake and found it very interested. Supervisor Keith reported that workshop was in relation to the Franklin County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan. She and Coun. Gene Goff will be certified and have also attended workshops will attend workshops online [change per 07-10-2006 meeting]. She explained that Friends of the North Country had drafted the Plan, which should be in place in the event of a disaster. The Town of Franklin must take part in this plan, otherwise FEMA might not be responsive to the Town's needs in an emergency.

4. Highway School. Supt. Rascoe and Deputy Supt. Merrill attended the Cornell Highway School and found it very useful. Written reports will be submitted before the next Board meeting.

5. Questions and Comments re Highway

a. Culverts. Culverts. Cliff Smalley asked about Town policy on culvert installation. He asked who owned the property for which Todd Law Leo Law [change per 07-10-2006 meeting] caretakes. Supt. Rascoe responded that the Highway Dept. had never - in the 20 years he has been there - refused a culvert to anyone who needed one. Coun. Tim Goff stated because he lives on County Route 60 the Town would not pay for the installation of his culvert. Coun. Kretser acknowledged Mr. Smalley had made a good point, and Supv. Keith indicated the matter needed to be studied further. Coun. Janet Ordway stated several years ago Attorney Ed Murphy had researched the matter but the Board had not taken any action on it. Supv. Keith stated the Town needed a policy for installation of culverts and the Board will clarify the matter.

UNION NEGOTIATIONS

Supv. Keith stated she had received a certified letter from the Teamsters Union requesting a meeting to discuss the contract with the Town. Coun. Ordway will join Supv. Keith in the discussions with the Union, and Supv. Keith requested Board permission to utilize the services of Dan McKillip, North Country Labor Relations, in the negotiations. The Board concurred.

Motion to employ North Country Labor Relations (W.Kretser-T.Goff m/s/p) ALL AYE

INFRASTRUCTURE

1. Update on Yellow Wood. Supervisor Keith reviewed the progress made by Yellow Wood Associates in its survey of the Town's infrastructure. She explained the Town contracted with Yellow Wood which is in process of evaluating the needs of all the Town's buildings and will make recommendations for improvements utilizing environmentally friendly technology. Yellow Wood will also research and locate grant funds.

2. Grant Source. Ann Holland, who was formerly with Friends of the North Country and now contracts with Yellow Wood, has located a potential source of funding for the Town for infrastructure improvement. Supv. Keith requested permission from the Board to contract with Ms. Holland to write a grant application and submit it, as the deadline is in September or October. The cost will be approximately \$1,500.

Motion to contract with Ann Holland for grant proposal. (W.Kretser-J.Ordway m/s/p) ALL AYE

FRANKLIN COUNTY PRE-DISASTER MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN DRAFT

Supv. Keith presented the proposed plan which Friends of the North Country has drafted. FONC has requested the Board to adopt a resolution accepting the Draft Plan.

Motion for resolution (J.Ordway-T.Goff m/s/p) ALL AYE

RESOLUTION NO. 32: ACCEPT FRANKLIN COUNTY PRE-DISASTER MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN WHEREAS, the Town Board of the Town of Franklin authorized the Town's participation in the planning process for the Franklin County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan, NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin does hereby adopt the Draft Franklin County Pre-Disaster Multi-Jurisdictional Hazard Mitigation Plan including corrections and as revised from time to time, AND BE IT FURTHER RESOLVED, that a certified copy of this Resolution be sent by the Town Clerk to Friends of the North Country for inclusion in the Plan.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Gene Goff
 Councilman Tim Goff
 Councilman Walter Kretser
 Councilwoman Janet Ordway

Those Voting nay:

None

LANDFILL

1. Landfill Monitoring Report. F.X. Browne, which monitors the landfill, delivered its final report for 2005-06, and the report was generally favorable. FX Browne had some concerns about snowmobile tracks across the landfill.

Motion to accept F.X. Browne Report (M.Keith-T.Goff m/s/p) ALL AYE

2. No Trespassing Signs. Coun. Ordway stated she regularly drives by the landfill, and noticed that although no trespassing signs had been posted, snowmobile tracks were evident. She suggested the gate be posted and that the signage be checked on a regular basis.

CORRESPONDENCE

1. Richard Jarvis. Mr. Jarvis addressed a June 6, 2006 letter to the Town Board concerning the proposed conservation easement and made several recommendations which Supv. Keith indicated the Board would consider at a later date. He also requested clarification of the March 13, 2006 minutes regarding a drainage issue on Norman Ridge Rd which affected Fletcher Farm Rd. He indicated his residence is located on Norman Ridge Rd.

2. Franklin County Self-Insurance Plan. Supv. Keith reported that the Franklin County Self-Insurance Plan which deals with workers' compensation matters, will change its method of calculating fees. In the past the fees were determined on the basis of the Town's assessed real property value, and the Town of Franklin, located at the southern end of the County, was billed at a higher rate. Supv. Keith communicated the Board's displeasure with the Plan's methods and indicated the Town was seeking other insurers. The new method of ascertaining costs will be based on "Experience" (or number of claims submitted) and will take effect January 1, 2007. Currently the Town is charged ♦Valuation 75%, Experience 25%. In 2007 Valuation will be 50% and Experience 50%; in 2008 and annually thereafter the Town will be charged Valuation 35% and Experience 65%. In this way the Town will be responsible for workers compensation claims it incurs. Supervisor Keith suggested sending a letter in support, and the Board concurred.

3. Summer Youth Work Force. The Town will contract with Work One again this year and will have the same young man assisting the General Fund employee.

COMMITTEE REPORTS

1. Recreation.

(a) Pavilion. Because the tarpaulins covering the pavilion at the Rec Park must be replaced this year, Coun. Tim Goff suggested replacing them with heavier, clear sheeting and wooden slats. He is researching prices and suppliers. Once purchased, the new materials can be installed by the General Fund employee and volunteers.

(b) Summer Youth Program. Will start July 10 run for 6 weeks. Children ages 5 to 12 are welcome to attend.

(c) Lawnmower Purchase. Coun. T. Goff recommended the purchase of a Husqvarna 48 riding lawnmower from Sears in Saranac Lake for \$1,799.98. Sears has reduced the price \$500 but just this week. The Board concurred.

Motion to purchase lawnmower (G.Goff-W.Kretser m/s/p) ALL AYE

2. Cemetery.

(a) Gratitude for Help. Supv. Keith thanked Vivian Manny, the Cemetery Custodian and Glenn Swinyer, the General Fund employee, for placing flags at all the Town cemeteries.

(b) Cemetery Rules. Coun. Ordway inquired about rules governing the cemetery. Coun. T.Goff responded that most of the rules are in place to protect the maintenance workers at the sites, i.e., no glass or metal at graves. A permanent sign recording the rules will eventually be posted at each cemetery.

ADJOURNMENT

There being no further business to conduct, the meeting adjourned at 8:20 pm Motion to adjourn (M.Keith-J.Ordway m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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