



The Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 • 518-891-2189 • Fax: 518-891-6389 • www.townoffranklin.com



The Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 • 518-891-2189 • Fax: 518-891-6389 • www.townoffranklin.com



The Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 • 518-891-2189
Fax: 518-891-6389 • www.townoffranklin.com

[Home](#)
[Officials & Contact
Info](#)
[Town Clerk/Tax Collector](#)
[Board Meetings](#)
[Town Budget](#)
[Laws & Forms](#)
[Newsletter](#)
[Public Notices & Bid Info](#)
[History, Photos & Maps](#)
[Property Assessments](#)
[Energy](#)
[Events, Recreation & Kate Mtn
Park](#)
[Area
Businesses](#)
[Town Journals](#)
[Emergency Preparedness](#)

Town of Franklin Board Meetings

Town Board Meeting
December 10, 2007 - 7:00 pm

The Town Board of the Town of Franklin held a regularly scheduled Board meeting on Monday, September 10, 2007 at 7:00 pm at the Vermontville Town Hall.

Board members present:

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

Others Present:

Town Clerk Sandra Oliver, Al Berg, Cliff Smalley, Jean Baltzly, Richard Jarvis

CALL TO ORDER

Supervisor Keith called the meeting to order; the Pledge of Allegiance was recited; the Town Clerk called the roll, and announced the presence of a quorum.

AUDIT OF BILLS

The following claims were presented and reviewed by the Board:

General	Warrant #12	Claims 234 - 258	\$13,107.33
Highway	Warrant #12	Claims 199 - 214	\$17,653.94
Prepay General	Warrant #11	Claims 60 - 63	\$1,222.14
Landfill	Warrant #5	Claims 7 - 8	\$1,265.37

Motion to pay claims (G.Goff-J.Ordway m/s/p) ALL AYE

MINUTES OF MEETINGS

The minutes of the November 14, 2007 meeting were accepted as presented.

(W.Kretser-T.Goff m/s/p) ALL AYE

Coun. Gene Goff requested a motion for resolution to amend the previously-accepted November 7, 2007 public hearing and special board meeting minutes as follows (new changes in bold print and deletions in double strikethrough):

Motion for resolution amending Nov. 7, 2007 minutes (G.Goff-W.Kretser)

RESOLUTION NO. 58: AMEND NOVEMBER 7, 2007 MINUTES WHEREAS, the minutes of the November 7, 2007 public hearing and special board meeting were accepted by the Town Board on November 14, 2007; and WHEREAS, certain figures are incorrect; NOW, THEREFORE, BE IT RESOLVED, that the minutes of the November 7, 2007 public hearing and special board meeting are amended as follows:

FIRE/RESCUE FUNDS 2008 PRELIMINARY BUDGET. Coun. Gene Goff stated the budget has also been increased because the Fire/Rescue contracts have increased. In 2007 the Town was charged ~~\$55,000~~, \$57,806 ~~or .39/1000~~; in 2008 it will be charged \$63,966 ~~\$66,466~~, or ~~.43/1000~~. A ~~per-call~~ rescue for a residence worth \$250,000 cost \$44 in 2007 and in 2008 will cost \$48 ~~per-call~~. The local communities get their money's worth with the fire and rescue departments. The equipment is available when residents call 911. A certain municipality in the area published an RFP for rescue services, and received two price estimates. The first price estimate would handle rescue service for \$500,000 per year; the second estimate was for \$54,775, adding it would use area volunteers to staff rescue vehicles. Coun. G. Goff reiterated that local fire/rescue services are a bargain for taxpayers. (*CHANGE PER 11-14-07 MEETING.*)

(CHANGES IN BOLD AND DOUBLE STRIKETHROUGH PER 12/10/07 MEETING)

Those voting aye:

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

Those voting nay:

None

SUPERVISOR'S REPORT

Balances as of November 2007

General Fund	CK	\$26,984.70
	SV	\$14,583.07
	CLASS	\$172,233.38
Highway Fund	CK	\$25,747.80
	SV	\$1,888.00
	CLASS	\$30,275.41
	Cap Proj Hwy	\$24,665.38
Landfill	CK	\$3,402.91
	CLASS	\$59,975.94
Fire	CK	\$870.57
	CLASS	\$2,738.37
Cap. Building	CLASS	\$157,656.02

Supv. Keith mentioned that funding from CHPS for approximately \$104,000 should be received by mid-month.

Motion to accept Supervisor's Report (G.Goff-W.Kretser m/s/p) ALL AYE

BUDGET AMENDMENTS

1. **GENERAL FUND.** Motion by Coun. T. Goff for resolution amending 2007 general fund budget and second by Coun. J. Ordway

RESOLUTION NO. 59: 2007 GENERAL FUND BUDGET AMENDMENT #3 WHEREAS, in order to maintain a balanced 2007 General Fund Budget, NOW, THEREFORE, BE IT RESOLVED, that the following 2007 General Fund Budget Amendment is hereby adopted:

FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
A1990.4 Contingent	\$9,576.00	A1620.1 Buildings PS	\$1,500.00
		A8160.1 Refuse PS	\$500.00
		A1620.4 Buildings CE	\$2,500.00
		A1650.4 Communications CE	\$1,500.00
		A5132.4 Town Garage CE	\$3,000.00
		A7140.4 Rec Facilities CE	\$400.00
		A9010.8 State Retirement	\$176.00

Those voting aye:

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

Those voting nay:

None

2. HIGHWAY FUND.

Motion by Coun. J. Ordway for resolution amending 2007 highway fund budget and second by Coun. W. Kretser.

RESOLUTION NO. 60: 2007 HIGHWAY FUND BUDGET AMENDMENT #3 WHEREAS, in order to maintain a balanced 2007 General Fund Budget, NOW, THEREFORE, BE IT RESOLVED, that the following 2007 General Fund Budget Amendment is hereby adopted:

FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
DA5110.4 Gen Repairs CE	\$4,000.00	DA5130.4 Machinery CE	\$3,000.00
		DA5148.1 Svcs Other Govts	\$1,000.00
Unexpended Balance	\$65,000.00	DA5142.4 Snow Removal CE	\$65,000.00

Those voting aye:

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

Those voting nay:

None

HIGHWAY REPORT

1. HIGHWAY SUPERINTENDENT

Supt. Rascoe was not present and did not submit a written report.

HIGHWAY COMMITTEE

2. **Resignation of Employee..** Supv. Keith reported a probationary employee resigned because he did not feel he could perform the work. He submitted a written resignation but did not give 2 weeks' notice. Classified ads have been placed in the Saranac Lake, Tupper Lake, Plattsburgh and Malone newspapers. Interviews will be conducted Monday, December 17.

Salt and Sand Coun. Kretser reported Supt. Rascoe is concerned that due to the weather, the department has used all its December and half of January's amounts of salt and sand. All neighboring municipalities share this concern.

Road Improvements Coun. Gene Goff stated the Highway Dept. will work on 2 miles of road this summer, not 1.5 miles.

3. SECTION 284 AGREEMENT FOR 2008

Members of the Board, each having read and reviewed Supt. Rascoe's proposed 284 Agreement concerning 2008 road improvements, determined it would accept the agreement.

Motion for resolution accepting 284 Agreement for 2008 (W.Kretser-G.Goff m/s/p) ALL AYE

RESOLUTION NO. 61: ACCEPT SECTION 284 AGREEMENT FOR 2008 CONCERNING CAPITAL ROAD IMPROVEMENTS WHEREAS, the Highway Superintendent submitted his draft 284 agreement concerning capital road improvements for 2008 and the Town Board having agreed with same; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin hereby accepts the 284 agreement dated December 10, 2007, as proposed by the Highway Superintendent; and BE IT FURTHER RESOLVED, the Town Clerk is directed to mail same to Franklin County Superintendent of Highways.

Those voting aye:

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

Those voting nay:

None

Each Board member then executed the 284 Agreement.

4. LOWERING SPEED LIMITS ON CERTAIN ROADS IN TOWN

Supv. Keith reported NYS Dept. of Transportation had agreed to lower speed limits on Cold Brook, Swinyer, Fletcher Farm Roads and on County Rte. 26 in Loon Lake, as follows:

- a. CO. RT. 26: 40 mph zone from intersection with Goldsmith Rd., north to old railroad crossing, 4.3 miles.
- b. SWINYER RD: 45 mph from NYS Rte 3 to west to Oregon Plains Rd., 2.1 miles
- c. COLD BROOK RD: 40 mph from NYS Rte 3 east to intersection of Keith Rd, and from intersection with Fletcher Farm Rd to 1.0 miles west of intersection.
- d. FLETCHER FARM RD: from NYS Rte 3 northeast to Norman Ridge Rd., 1.5 miles and from intersection with Franklin Falls Rd southwest to 1.0 mile past intersection of Cold Brook Rd, 1.9 miles.

NYS DOT noted signage on the roads would have to be changed to conform with State standards.

5. QUESTIONS & COMMENTS RE HIGHWAY.

1. In response to a comment that residents on Alder Brook Park Road are indifferent to the proposed road improvement, Coun. G. Goff explained that the condition of that road causes damage to Town vehicles.
2. Asked why only portions of certain roads were improved each year, Coun. Walt Kretser explained choices were made by the Highway Superintendent, who has the experience and expertise. The Board agrees to fund the improvements but the Highway Supt. selects the road to be improved. Coun. Kretser indicated he would like a 3- or 5-year plan developed in future. The Board concurred.

NEW BUSINESS

1. **SUBDIVISION REGULATIONS** . Coun. Kretser stated that each member of the Board had received and reviewed the November 7, 2007 draft of the subdivision regulations incorporating Keith Silliman's suggestions. He explained that if adopted as a local law, these proposed regulations would give the Town the ability to have some control over large subdivisions (5 or more parcels) and how they are situated and constructed. The proposed regulations are not complicated and can be easily amended. The proposed law incorporating the subdivision regulations can be easily amended if the Board deems it necessary. Coun. Janet Ordway indicated this was a good step, and Coun. Gene Goff concurred, adding

Motion to adopt subdivision regulations as proposed local law (W.Kretser-T.Goff m/s/p) ALL AYE

RESOLUTION NO. 62: ACCEPT SUBDIVISION REGULATIONS AS PROPOSED LOCAL LAW WHEREAS, in response to recent large subdivision activity (5 or more lots) over which the Town of Franklin has had little or no right to be heard by State agencies; and WHEREAS, residents of the Town have expressed the need for participation and involvement by the Town with respect to these subdivisions; and WHEREAS as a consequence of the public's protest the Town Board drafted subdivision regulations; and has found them to be sufficient; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin hereby accepts the following Subdivision Regulations as a Proposed Local Law:

"TOWN OF FRANKLIN SUBDIVISION REGULATIONS

ARTICLE I DECLARATION OF POLICY

1.0 SHORT TITLE

These regulations shall be known as and may be cited by the title "Subdivision Regulations, Town of Franklin."

2.0 AUTHORITY

2.1 By the authority of the Town Board of the Town of Franklin, pursuant to the provisions of Article 16 of the Town Law of the State of New York, the Town Board of the Town of Franklin is authorized and empowered to approve plats showing lots, with or without streets or highways, to approve the development of entirely or partially undeveloped plats already filed in the Office of the Franklin County Clerk and to conditionally approve preliminary plats, within that part of the Town of Franklin outside the limits of any incorporated village. In order that land subdivision may be made in accordance with this policy, these regulations known as the "Town of Franklin Subdivision

2.2 The Town Board of the Town of Franklin is also hereby authorized and empowered, pursuant to Town Law §276(2), to approve the development of plats, entirely or partially undeveloped, which were filed in the Office of the Franklin County Clerk prior to the appointment of the Town Board. The term "undeveloped" shall mean those plats where twenty (20%) percent or more of the lots within the plat are unimproved unless existing conditions, such as poor drainage, have prevented their development.

2.3 This local law is also intended to supersede and amend inconsistent provisions of Town Law §276(8) by eliminating the provisions for default approval resulting from the Town Board's failure to take any action or hold any hearing on a preliminary or final plat within the statutory time periods.

3.0 CERTIFICATION TO COUNTY CLERK

3.1 The Town Board is authorized to approve plats showing lots, blocks or sites, as a complete or as a partial development of land, and to approve such plats for filing with the Office of the Franklin County Clerk. The Clerk of the Town of Franklin shall immediately file a certificate of that fact with the Office of the Franklin County Clerk.

3.2 This Chapter may be amended by the Town Board after due notice and public hearing.

4.0 PURPOSE

4.1 It is to be the policy of the Town Board to consider land subdivisions as part of the orderly and desirable development of land. These regulations provide procedures and standards for the Town Board in its review of subdivision plats. The intent of these regulations is to encourage the most appropriate and best development of land in order to protect and promote the general health, safety and welfare, which is intended to include the following:

A. To assure that land to be subdivided will produce building sites for homes or buildings without danger to health or peril from fire, flood or other menace

B. To promote the safe and efficient design, location and construction of access roads, pathways, and driveways to accommodate current and future needs.

C. To minimize the destruction of the natural character of the land and promote the conservation of all elements of topography, flora and fauna which contribute to the natural beauty of the land.

D. To provide, through subdivision planning and development, for the privacy of family residents while enhancing the general appearance of the community.

5.0 EFFECTIVE DATE

5.1 This Chapter shall take effect upon the effective date of the Local Law, filed with the Secretary of State that governs this Chapter.

ARTICLE II DEFINITIONS TERMS DEFINED:

AGRICULTURAL DISTRICT - an area designated pursuant to article 25AA of the New York State Agriculture and Markets Law.

APPLICANT - Any person, firm, corporation, partnership, association or other entity who shall lay out any major land subdivision, or resubdivision, or part thereof, either on behalf of himself or for another or others.

BUFFER AREA, BUFFER ZONE - Open space, landscape areas, fences, walls, berms or any combination thereof used to physically separate properties.

BUILDABLE LOT - A lot having a buildable area capable of accommodating proposed principal and accessory improvements, and including, where required, an on-site water supply facility and sewage treatment system that meet state and county standards.

BUILDABLE YIELD - The number of potential buildings for a proposed subdivision after deduction of constrained land areas and required public improvements.

BUILDING - Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING AREA - The total of the areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings.

CONDITIONAL APPROVAL - Approval by the Town Board of a preliminary or a final plat subject to such conditions as may be set forth by the Town Board in a resolution conditionally approving such plat. Such conditional approval does not qualify a final plat for recording nor authorize issuance of any building permits prior to the signing of the plat by a duly authorized officer of the Town Board and recording of the plat in the office of the County Clerk or Registrar as herein provided.

CONSERVATION SUBDIVISION - A residential subdivision pursuant to Town Law §278 where the dwelling units that would result on a given parcel under a conventional subdivision plan are allowed to be concentrated on a smaller and more compact portion of land and where a majority of the remaining land is left in its natural open space condition in perpetuity. Conservation development results in a flexibility of design and development to promote the most appropriate use of land, to facilitate the adequate and economical provisions of streets and utilities, and to preserve the natural and scenic qualities of open lands.

CONSTRAINED LAND - Land containing one or more of the following: State and/or federal protected freshwater wetlands; 100 year flood plains or flood hazard areas; steep slopes of twenty (20%) percent and greater; and open bodies of water including streams, ponds and lakes.

CUL-DE-SAC - A dead-end street or a portion of a street having only one vehicular outlet.

DWELLING - A building designed or used as the living quarters for one or more families. The terms "dwelling," "one-family dwelling," "two-family dwelling" or "dwelling group" shall not include motel, boardinghouse, tourist or guest home.

EASEMENT - Authorization by a property owner for the use by another, for a specified purpose, of any designated part of real property.

ELEVATION - The elevation, in feet, above mean sea level, as determined from the nearest United States Coastal and Geodetic Bench Mark of the principal building to be sited on a lot.

FINAL PLAT - A drawing prepared by a New York State Licensed Professional Engineer or Land Surveyor (with appropriate certification), showing a proposed subdivision and containing, all information required to appear on a preliminary plat and any modifications required by the Town Board.

FINAL SUBDIVISION PLAT APPROVAL - The signing of a plat in final form by a duly authorized officer of the Town Board pursuant to a Town Board resolution granting final approval to the plat or after conditions specified in a resolution granting conditional approval of the plat are completed. Such final approval qualifies the plat for recording in the Office of the County Clerk.

GRADING - The alteration of the surface or subsurface conditions of land, lakes, ponds or watercourses by excavation or filling to a depth greater than six (6) inches.

HIGHWAY FRONTAGE - That portion of any lot which bounds a street, as measured along the property line which is coincidental with such street right-of-way or centerline, or on a corner lot in which case frontage is

along both streets.

LAND DISTURBANCE - Any activity involving the clearing, cutting, excavation, filling, grading or any other activity that alters land topography or vegetative cover.

LAND DIVISION - Any division of a parent parcel so as to create one (1) new lot fronting on an existing street, and not involving the construction of any new streets or roads; not involving a resubdivision; and not adversely affecting the development of the remainder of the parcel or any adjoining property.

LOT - Land occupied or to be occupied by a building and its accessory buildings and having its principal frontage on a street or on such other means of access as may be deemed in accordance with the provisions of state law to be adequate as a condition of the issuance of a building permit for a building on such land.

LOT LINES - Any line dividing one lot from another.

LOT, HOUSE - In cluster subdivisions, that portion of the subdivision reserved as a development area for the location of dwelling units and constituting lands outside of the protected open space areas.

OFFICIAL MAP - The map and any amendments adopted by the Town Board under §270 of the Town Law or by the County under §239-h of the General Municipal Law.

OPEN SPACE - Land left in a natural state for conservation and agricultural purposes or land landscaped for scenic purposes, devoted to active or passive recreation, or devoted to the preservation of distinctive architectural, historic, geologic or botanic sites.

OWNER - The owner of record of a parcel, the subdivision of which requires approval of the Town Board, or a person or persons holding an option to purchase a tract or parcel, contingent only upon receipt of Town Board approval of a proposed subdivision of such tract or parcel.

TOWN BOARD - The Town of Franklin Town Board.

PRELIMINARY PLAT - A drawing prepared in the manner prescribed showing the layout of a proposed subdivision including, road and lot layout and approximate dimensions, key plan, topography and drainage, all proposed facilities, including preliminary plans and profiles, at suitable scale and detail for review by the Town of Franklin.

PRELIMINARY PLAT APPROVAL - The approval of a proposed subdivision as set forth in a preliminary plat, but subject to the approval of the final plat.

PROPERTY - Any lot or parcel of land.

RESUBDIVISION - A change in a major subdivision plat previously approved by the Town Board, and filed in the County Clerk's office.

SECRETARY OF THE TOWN BOARD - The individual appointed by the Town Board to perform, among other things, the duties set forth in Town Law §274-a, §274-b, §276, §277, and this local law.

SKETCH PLAN - A conceptual sketch made on a topographic survey map, showing the proposed subdivision in relation to existing conditions and APA land use requirements.

SKETCH PLAN REVIEW - The review of a conceptual layout of a proposed subdivision by the Town

STEEP SLOPES - All ground areas having a topographical gradient equal to or greater than twenty percent (20%) measured by utilizing two (2) foot contours.

STREET - A right-of-way for vehicular traffic, including road, highway or other way designed and constructed in accordance with state and county codes.

SUBDIVISION - The division of any parcel of land resulting in the creation of five (5) or more lots, plots, or sites, with or without streets or highways, or any size subdivision requiring any new street or road, or the extension of municipal facilities, for the purpose, with respect to any portion of the original parcel, of immediate or future development, or for the immediate or future sale, lease or any other transfer of any interest in any portion of such original parcel. The term shall also include the division of any parcel that does not meet the criteria for a Land Division as set forth in this section. The term "subdivision" shall include a resubdivision.

SUBDIVISION, CONSERVATION - A residential subdivision pursuant to Town Law §278 where the dwelling units that would result on a given parcel under a conventional subdivision plan are allowed to be concentrated on a smaller and more compact portion of land and where a majority of the remaining land is left in its natural open space condition in perpetuity.

SUPERINTENDENT - The duly elected Town Superintendent of Highways or other such authorized official.

ARTICLE III PROCEDURES FOR FILING AND REVIEW OF PLAT MAPS

7.0 APPROVAL OF APPLICATION REQUIRED

7.1 Applications for a land division, Subdivision or resubdivision approval under this Chapter shall comply fully with the applicable provisions of Article 16 of the Town Law, the Public Health Law, and this Chapter. Due care in the preparation of the maps and other information called for will expedite the process of obtaining approval of a land division, a subdivision, a resubdivision or a lot line revision.

7.2 When any land division, subdivision or resubdivision is proposed, and before any contract for the sale of land or any offer to sell the applicant shall apply in writing for approval of the proposed land division, subdivision or resubdivision in accordance with the procedures set forth.

8.0. SKETCH PLAN REVIEW - OPTIONAL PROCESS

8.1 A sketch plan review is recommended prior to submission of a formal application for a subdivision approval. The sketch plan review is intended to reduce the review time for Town Board consideration of proposed subdivisions by allowing early review of the plan. The applicant will be notified of the place, date, and time of the meeting at which the sketch plan is to be considered. The sketch plan review shall be limited to a review of the basic concept of the proposal. The Sketch Plan shall contain all information required by the Town of Franklin Board. The sketch map review and consultation shall be non-binding.

9.0 REVIEW OF SUBDIVISIONS - PRELIMINARY PLAT

9.1 Application and Fee. Prior to the filing of an application for the approval of a Final Plat for a subdivision, the applicant shall submit an application for approval of a preliminary subdivision plat. All applications for preliminary subdivision approval shall be in writing and on forms and in such quantity as prescribed together with a fee as set by the Town Board.

9.2 Purpose. The preliminary layout, the application, and all supporting documents for a proposed subdivision constitute the material to be officially submitted to the Town Board. On the basis of the general design of a subdivision and any proposed or required public improvements, the Town Board will indicate its approval or disapproval of the preliminary plat prior to the time that the final plat, including the design and detailing of the improvements and utilities is completed. Approval of the preliminary layout does not constitute an approval of the final plat, nor shall it be considered a valid basis for filing of the preliminary plat with the County Clerk, nor the construction of site improvements, or for other commitments which depend upon detailed design characteristics.

9.3 When Officially Submitted. An application submitted under this section shall be deemed received at the next regular meeting of the Town Board at which the application is to be considered. An application shall be placed on the Town Board agenda only upon payment of the application fee along with an environmental assessment form pursuant to the State Environmental Quality Review Act and the required number of copies of the plat map.

9.4 Applicant to Attend Town Board Meetings. The applicant shall attend meetings of the Town Board at which the application is considered to discuss the preliminary plat. Although not required, applicants are encouraged to commence discussions with the owners of land abutting or in proximity to the project site to ascertain local concerns and local development issues early in the project design process.

9.5 Study of Preliminary Plat. The Town Board shall study the proposed preliminary plat, taking into consideration the needs of the community, the requirements of the Town Law, and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, access, preservation of natural resources, relationship to improvements on adjacent and neighboring land, drainage, lot sizes and arrangement, and the future development of adjoining lands as yet un-subdivided.

9.6 Compliance with the State Environmental Quality Review Act. A preliminary plat application shall not be considered complete until a negative declaration has been filed or until a notice of completion of the draft environmental impact statement has been filed in accordance with the provisions of the State Environmental Quality Review Act. The time periods for review of a preliminary plat application shall begin upon filing of such negative declaration or such notice of completion.

9.7 Town Board As Lead Agency Under State Environmental Quality Review Act: : Public Hearing; Notice; Decision.

9.7.1 The time within which the Town Board shall hold a public hearing on such preliminary plat shall be coordinated with any hearings the Town Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

- a. If the Town Board determines that the preparation of an environmental impact statement is not required, the public hearing on a preliminary plat shall be held within sixty-two (62) days after the receipt of a complete final plat by the Secretary of the Town Board; or
- b. If the Town Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the preliminary plat and the draft environmental impact statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the final plat shall be held within sixty-two (62) days following filing of the notice of completion.

9.7.2 Public Hearing Notice. The hearing on the preliminary plat shall be advertised at least once in the official newspaper so designated by the Town Board at least five (5) days before such hearing if no hearing is held on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Town Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat, including the prominent placement of one or more signs on the premises that is the subject of the application notifying interested persons that an application for a subdivision approval is under consideration by the Board. All notices shall include the name of the subdivision, the location of the land to be subdivided, and the date, place, time and subject of the public hearing. Such notice shall not be required for adjourned dates. The hearing on the preliminary plat shall be close upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

9.7.3 Decision. The Town Board shall make its decision on the preliminary plat as follows:

- a. If such board determines that the preparation of an environmental impact statement on the preliminary plat is not required, the Town Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat within sixty-two (62) days after the date of the public hearing; or
- b. If the Town Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of the public hearing on the final plat. Within thirty (30) days of the filing of the final environmental impact statement, the Town Board shall issue findings on such final environmental impact statement and shall make its decision on the preliminary plat.

9.7.4 Grounds for Decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Town Board. When so approving a preliminary plat, the Town Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

9.8 Town Board Not as Lead Agency under the State Environmental Quality Review Act: Public Hearing; Notice; Decision.

9.8.1 Public Hearing on Preliminary Plats. The Town Board shall, with the agreement of the lead agency, hold the public hearing on the preliminary plat jointly with their lead agency's hearing on the draft environmental impact statement. Failing such agreement, the Town Board shall hold the public hearing on the preliminary plat within sixty-two (62) days after receipt of a complete preliminary plat by the Secretary of the Town Board.

9.8.2 Public Hearing Notice. The hearing on the preliminary plat shall be advertised at least once in a newspaper of general circulation in the town at least five (5) days before such hearing is held independently of the hearing on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Town Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such preliminary plat, including the prominent placement of one or more signs on the premises that is the subject of the application notifying interested persons that an application for a subdivision approval is under consideration by the Board. All notices shall include the name of the subdivision, the location of the land to be subdivided, and the date, place, time and subject of the public hearing. Such notice shall not be required for adjourned dates. The hearing on the preliminary plat shall be closed upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

9.8.3 Decision. The Town Board shall by resolution approve with or without modification or disapprove the preliminary plat within sixty-two (62) days after the close of the public hearing on such preliminary plat.

9.8.4 If the preparation of an environmental impact statement on the preliminary plat is not required, the Town Board shall make its decision within sixty- two (62) days after the close of the public hearing on the preliminary plat.

9.8.5 If an environmental impact statement is required, the Town Board shall make its own findings and its decision on the preliminary plat within sixty-two (62) days after the close of the public hearing on such preliminary plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer.

9.8.6 Grounds for Decision. The grounds for a modification or the grounds for disapproval shall be stated upon the records of the Town Board. When approving a preliminary plat, the Town Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

9.9 Agricultural Data Statement. If any portion of the project is located on property within an agricultural district containing a farm operation, or on property with boundaries within 500 feet of a farm operation located in an agricultural district, the application must include an agricultural data statement containing the name and address of the applicant; a description of the proposed project and its location; the name and address of any owner of land within the agricultural district, which land contains farm operations and is located within five hundred (500) feet of the boundary of the property upon which the project is proposed; and a tax map or other map showing the site of the proposed project relative to the location of farm operations identified in the agricultural data statement.

9.10 Referral to Neighboring Municipalities. Pursuant to General Municipal Law §239-nn, for a subdivision review under this section involving property located within five hundred (500) feet of an adjacent municipality notice of any public hearing shall be given by mail or electronic transmission to the clerk of the adjacent municipality not less than ten (10) days prior to the date of said hearing.

9.11 County Referral. Prior to action on an application for a major subdivision approval a copy of the application shall be forwarded to the Franklin County Planning Department for review pursuant to General Municipal Law 239-n if the boundary of the proposed subdivision is located within five hundred (500) feet of:

9.11.1 The boundary of any city, village, or town; or

9.11.2 The right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or

9.11.3 The existing or proposed boundary of any county or state owned land on which a public building or institution is situated; or

9.11.4 The boundary of a farm operation located in an agricultural district.

9.12 Filing of Notice of Action. Written notice of the action of the Town Board, plus any conditions attached thereto, shall be provided to the applicant, and a copy of such notice shall be filed with the Town Clerk within five (5) days of the approval of the preliminary plat. Approval of the preliminary plat shall not constitute approval of the final plat. but will serve as a guide to the preparation of the final plat which will be submitted for approval of the Town Board and for recording upon fulfillment of the requirements of the Town Subdivision Prior to approval of the final subdivision plat the Town Board may require additional changes as a result of further study of the final subdivision plat, or as a result of new information obtained at the public hearing.

9.13 Expiration of Approval. Town Board approval of a preliminary layout submission shall expire six (6) months after the date the decision of the Board is filed with the Town Clerk. The applicant may request in writing an extension of the preliminary approval, including reasons for such extension. If warranted the Town Board may extend the process up to two additional periods of ninety (90) days each.

9.14 Fees. All application fees are in addition to any required escrow fees, and do not cover the cost of environmental review under the State Environmental Quality Review Act (SEQRA). If the Board requires professional review of the application by a designated private planning, engineering, legal or other consultants, or if it incurs other extraordinary expense to review documents or conduct special studies in connection additional reasonable fees shall be paid for by the applicant.

10.0 REVIEW OF SUBDIVISIONS - FINAL PLAT

10.1 Application for Approval and Fee. The applicant shall, within six (6) months after the date of filing of the preliminary plat approval with the Town Clerk, file with the Town Board an application for approval of all or part of the major subdivision plat in final form. All applications for plan approval shall be in writing and on forms and in such quantity as may be prescribed by the Town Board together with a fee as set by the Town Board.

10.2 Purpose. The proposed final plat, together with drawings and documents, shall constitute the complete development of the subdivision proposal, shall include the conditions of the Town Board's preliminary subdivision approval, and shall include the detailed layout drawings for the public improvements and utilities. The final plat shall be in conformity with the approved preliminary plat. After approval by the Town Board of this submission, the approved performance surety and the general liability insurance policy as approved by the Town Board shall become the basis for the construction of the subdivision and the inspection services by the Town Engineer or other delegated Town officer. The plat itself must be recorded with the County Clerk to have legal status, and an unrecorded plat shall not be a valid basis for site improvements or other commitments. The plat shall be an accurate survey record of the properties resulting from the subdivision and shall bear the seal and signature of the licensed land surveyor responsible for its preparation.

10.3 Applicant to attend Town Board Planning meeting. The applicant or his duly authorized representative shall attend meeting(s) of the Planning Board at which the application is considered to discuss the final plat

10.4 When Officially Submitted. An application submitted under this section shall be deemed received at the next regular meeting of the Town Board at which the application is to be considered. An application shall be placed on the Town Board agenda only after payment of the application fee, as set by the Town Board and submission of the specified number of copies of the final plat map and any supporting documentation.

10.5 Final Plats Not in Substantial Agreement with Approved Preliminary Plats or When No Preliminary Plat is Required to be Submitted. When a final plat is submitted that the Town Board deems not to be in substantial agreement with a preliminary plat approved pursuant to this section, or when no preliminary plat is required to be submitted and a final plat clearly marked "final plat" is submitted conforming to the definition provided by this section, the following shall apply:

10.5.1 Town Board As Lead Agency: Public Hearing; Notice; Decision. The time within which the Town Board shall hold a public hearing on such final plat shall be coordinated with any hearings the Town Board may schedule pursuant to the State Environmental Quality Review Act, as follows:

- a. If the Town Board determines that the preparation of an environmental impact statement is not required, the public hearing on a final shall be held within sixty-two (62) days after the receipt of a complete final plat by the Secretary of the Town Board; or
- b. If the Town Board determines that an environmental impact statement is required, and a public hearing on the draft environmental impact statement is held, the public hearing on the final plat and the draft environmental impact statement shall be held jointly within sixty-two (62) days after the filing of the notice of completion of such draft environmental impact statement in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the public hearing on the final plat shall be held within sixty-two (62) days following filing of the notice of completion.

10.5.2 Public Hearing Notice. The hearing on the final plat shall be advertised at least once in the official newspaper so designated by the Town Board at least five (5) days before such hearing if no hearing is held on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Town Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat, including the prominent placement of one or more signs on the premises that is the subject of the application notifying interested persons that an application for a subdivision approval is under consideration by the Board. All notices shall include the name of the subdivision, the location of the land to be subdivided, and the date, place, time and subject of the public hearing. Such notice shall not be required for adjourned dates. The hearing on the final plat shall be close upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

10.5.3 Decision. The Town Board shall make its decision on the final plat as follows:

- a. If such board determines that the preparation of an environmental impact statement on the final plat is not required, the Town Board shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of such plat within sixty-two (62) days after the date of the public hearing; or
- b. If the Town Board determines that an environmental impact statement is required, and a public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of such public hearing in accordance with the provisions of the State Environmental Quality Review Act. If no public hearing is held on the draft environmental impact statement, the final environmental impact statement shall be filed within forty-five (45) days following the close of the public hearing on the final plat. Within thirty (30) days of the filing of the final environmental impact statement, the Town Board shall issue findings on such final environmental impact statement and shall by resolution conditionally approve, with or without modification, disapprove, or grant final approval and authorize the signing of the such plat.

10.5.4 Grounds for Decision. The grounds for a modification, if any, or the grounds for disapproval shall be stated upon the records of the Town Board.

10.5.5 Town Board Not as Lead Agency under the State Environmental Quality Review Act: Public Hearing; Notice; Decision.

a. Public Hearing on Final Plats. The Town Board shall, with the agreement of the lead agency, hold the public hearing on the final plat jointly with their lead agency's hearing on the draft environmental impact statement. Failing such agreement, the Town Board shall hold the public hearing on the final plat within sixty-two (62) days after receipt of a complete final plat by the Secretary of the Town Board.

b. Public Hearing Notice. The hearing on the final plat shall be advertised at least once in a newspaper of general circulation in the town at least five (5) days before such hearing is held independently of the hearing on the draft environmental impact statement, or fourteen (14) days before a hearing held jointly therewith. The Town Board may provide that the hearing be further advertised in such manner as it deems most appropriate for full public consideration of such final plat, including the prominent placement of one or more signs on the premises that is the subject of the application notifying interested persons that an application for a subdivision approval is under consideration by the Board. All notices shall include the name of the subdivision, the location of the land to be subdivided, and the date, place, time and subject of the public hearing. Such notice shall not be required for adjourned dates. The hearing on the final plat shall be closed upon motion of the Town Board within one hundred twenty (120) days after it has been opened.

c. Decision. The Town Board shall by resolution approve with or without modification or disapprove the final plat within sixty-two (62) days after the close of the public hearing on such final plat.

d. If the preparation of an environmental impact statement on the final plat is not required, the Town Board shall make its decision within sixty-two (62) days after the close of the public hearing on the final plat.

e. If an environmental impact statement is required, the Town Board shall make its own findings and its decision on the final plat within sixty-two (62) days after the close of the public hearing on such final plat or within thirty (30) days of the adoption of findings by the lead agency, whichever period is longer.

10.6 Grounds for Decision. The grounds for a modification or the grounds for disapproval shall be stated upon the records of the Town Board. When approving a final plat, the Town Board shall state in writing any modifications it deems necessary for submission of the plat in final form.

10.7 Duration of conditional approval of final plat. Conditional approval of the final plat shall expire within one hundred eighty (180) days after the resolution granting such approval unless all requirements stated in such resolution have been certified as completed. The Town Board may extend by not more than two additional periods of ninety (90) days each the time in which a conditionally approved plat must be submitted for signature if, in the Board's opinion, such extension is warranted by the particular circumstances.

10.8 Filing of final plat; expiration of approval. The applicant shall file the approved final plat, in the Office of the County Clerk within sixty-two (62) days from the date of final approval or such approval shall expire. The signature of the Town Supervisor or other duly authorized officer of the Town Board signifying final approval and completion of conditions of final approval by the Town Board shall constitute final approval.

10.9 Performance surety and estimate of cost of improvements. Based on the conditions of final approval the Town Board shall cause to be prepared an estimate of the cost of the required improvements. The estimate shall be submitted to the Town Board and the applicant along with any recommendations on the final plat.

10.10 Endorsement of the Town Board. Upon approval of the final plat, the applicant shall carry out the following steps prior to obtaining the signature of approval from the Town Supervisor or other duly authorized officer of the Town Board:

1. Provide proof of compliance with Department of Health standards and approval by that Department of the plan for water supply and sewage disposal.
2. Provide proof of compliance with all other required local, state and federal agency permits and approvals including but not limited to: stream disturbance; wetland and wetland buffer disturbance; highway work; curb cuts; storm water connections; SPDES permit discharges; dams and impoundments, etc.
3. Make all required corrections or changes to the final plat map as outlined in the resolution of the Town Board and provide two copies of the corrected final plat to the Town Clerk of the Town

- Board for final review and approval for compliance with the resolution of the Town Board.
4. Complete all applicable conditions of final approval as set forth in the resolution of the Town Board.
 5. Provide mylar and paper copies of the final plat in such quantity as specified by the Town Board to the Town Clerk for the endorsement by the Town Supervisor or other duly authorized officer of the Town Board. The applicant is solely responsible for filing of the final plat with the County Clerk.
 6. Obtain a performance surety in the amount of the estimate for the improvements and a general liability insurance policy and submit them to the Town Attorney for approval as to form.
 7. Pay all outstanding escrow fees and application fees to the Town Clerk.

10.11 Filed plat map. Within thirty (30) days of the date the final plat is filed with the County Clerk the applicant shall submit one (1) copy of the final plat showing the endorsement of the County Clerk to the Town Clerk.

10.12 Plat void if revised after approval. No changes, erasures, modifications or revisions shall be made to any subdivision plat after endorsement of said plat by the Town Supervisor or other duly authorized Town Board Official, unless the said plat is first resubmitted to the Town Board and the Town Board approves any modifications. Such modified plat shall be resubmitted to the Town Board for re-stamping and signature. In the event that any such subdivision plat is recorded without complying with this requirement, the same shall be considered null and void, and the Town Board shall institute proceedings to have the plat stricken from the records of the County Clerk.

10.13 Fees. All application fees are in addition to any required escrow fees, and do not cover the cost of environmental review. The applicant shall be responsible for the total cost of environmental reviews that are determined to be necessary to meet the requirements of the State Environmental Quality Review Act (SEQRA). If the Board requires professional review of the application by a designated private planning, engineering, legal or other consultants, or if it incurs other extraordinary expense to review documents or conduct special studies in connection with the proposed application, reasonable fees shall be paid for by the applicant and an escrow deposit will be required.

11.0 CONSERVATION SUBDIVISIONS

11.1 Statement of Policy. The Town of Franklin hereby establishes a policy of encouraging the use of conservation subdivision design to preserve open space, agricultural land, water supplies, and other environmental considerations to harmonize new development with the traditional open, wooded, agricultural and hamlet landscapes of the Town. These principles allow the Town Board to modify the applicable area and bulk provisions of this process in order to preserve open space and encourage more sensitive and efficient development patterns than would be possible by strict adherence to the conventional specifications.

11.2 Purposes. This section encourages flexibility in the design and development of land in order to promote its most appropriate use and to preserve as permanent open space important natural features and resources, wildlife habitat, water resources, ecological systems, and scenic areas for the benefit of present and future residents. A conservation subdivision plan may involve grouping development on one or more portions of a parcel, and modifying the minimum lot, area, setback or frontage requirements in order to achieve one or more of the following specific purposes:

1. Compatibility with surrounding land uses and the overall character of the neighborhood in which the property proposed for subdivision is located;
2. Provision of adequate setbacks and visual buffers from adjoining properties;
3. Protection of ground and surface water, regulated wetlands, steep slopes, floodplains or unique areas of natural, scenic or historic significance;
4. Mitigation of significant environmental impacts identified through application of the State Environmental Quality Review Act requirements;
5. Reduction of the number of new roads or driveways obtaining access from existing public roads and reduction of the amount of new road that may be required to be dedicated to the Town;

ARTICLE IV GENERAL REQUIREMENTS AND DESIGN STANDARDS

12.0 REQUIREMENTS AND STANDARDS

12.1 The purpose of this article is to ensure that the highest standards of site, building and landscape design are conscientiously met through the use of qualified technical and aesthetic judgment. The Town Board shall require, among other conditions in the public interest, that the tract shall be adequately drained and the streets shall be of sufficient width and suitable grade and suitably located to accommodate the prospective traffic and to provide access for fire-fighting equipment to buildings. The Town Board shall

further require that all lots shown on the plats shall be adaptable for the intended purpose without danger to health or peril from flood, fire, erosion or other menace. Required improvements shall be designed and constructed to conform to specifications established by the Town. In considering applications for major subdivision approval, the Town Board shall be guided by the standards set forth herein. These standards shall be considered to be minimum requirements and may be waived by the Board only under the circumstances set forth in Article VI Section 15 of this Chapter.

12.2 Specifications for required improvements. All required improvements shall be constructed or installed to conform to specifications, which may be obtained from the Town of Franklin Code Enforcement Officer.

12.3 Existing features which would add value to the development, such as large trees, watercourses, historic sites and similar irreplaceable assets, should be preserved, insofar as possible, through harmonious design of the subdivision.

13.0 LAYOUT OF STREETS AND ROADS

13.1 Relation to topography. Streets shall be logically related and conform, insofar as possible, to the original topography. They shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets. A combination of steep grades and sharp curves shall be avoided.

13.2 Streets shall be graded and improved with pavement, street signs, and street lighting, in accordance with Town of Franklin "Guidelines for Final Subdivision Plans" and the State Highway Law. The Town Board may waive, subject to appropriate conditions and upon the recommendation of the Town Highway Department such improvements as it considers are not requisite in the interest of public health, safety and general welfare.

13.3 Grading and storm water improvements. Site grading and improvements related to the design and management of storm water quality and quantity shall conform to state and county specifications. In addition, development of the major subdivision must conform with the State Pollutant Discharge Elimination System (SPDES) requirements imposed by the New York State Department of Environmental Conservation.

13.4 A conscious effort shall be made to preserve all worthwhile trees and shrubs which exist on the site. On individual lots or parcels, care should be taken to preserve selected trees to enhance the landscape treatment of the development.

13.5 Sight lines and visibility at intersections. Within the triangular area formed at corners by the intersection of street centerlines, for a distance of 75 feet from their intersection and the diagonal connecting the end points of these lines, visibility for traffic safety shall be provided.

13.6 Continuation of streets into adjacent property. Streets shall be arranged to provide for their continuation between adjacent properties where such continuation is necessary for convenient movement of traffic, effective fire protection, and efficient provision for utilities and particularly where such continuation is in accordance with the Town Plan. Permanent dead-end streets (cul-de-sac). A circular turnaround in accordance with the standards set forth in the Town specifications shall be provided at the end of the dead-end street for greater convenience to traffic and effective police and fire protection. Permanent dead-end streets shall, in general, be limited in length to 900 feet.

13.7 Street names. All streets shall be named, and such names shall be subject to the approval of the Town Board.

ARTICLE V - APPLICATION REQUIREMENTS

14.0 FINAL APPLICATION AND PLAT DATA

14.1 The following documents shall be submitted for plat approval:

14.1.1 If any information from the preliminary plat application has changed, an application supplying the updated information shall be submitted to the Town Board including an updated deed, if applicable.

14.1.2 Applicable fee as set by Town Board.

14.1.3 Major subdivision plat. The plat to be filed with the County Clerk shall be printed on a mylar at a dimension as specified by the County Clerk.

14.1.4 The final plat shall be prepared by licensed design professionals in accordance with local and state laws and shall provide the information as outlined in the Town of Franklin "Guidelines for Final Subdivision Plans", and any information required by the Town Board.

ARTICLE VI - WAIVERS

15.0 VARIANCES, WAIVERS AND CONDITIONS

15.1 Where the Town Board finds that certain data and information is not required for a complete application, it may waive the regulations upon written request of the applicant, provided that such waiver will not have the effect of nullifying the intent and purpose of this Chapter, or Chapter 128 of the Town of Franklin Code, or the State Environmental Quality Review Act.

15.2 Where the Board finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions." ;

and BE IT FURTHER RESOLVED, that a public hearing on the matter will be held at 5:30 PM on Wednesday, December 26, 2007.

Those voting aye:

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

Those voting nay:

None

A copy of the proposed local law on subdivision regulations will be made available to all who request same.

2. DONATION OF PIANO . Supv. Keith stated the Town currently has stored at the Merrillville Town Hall two pianos. One of the pianos, a donation, was manufactured in Saranac Lake, NY and is a historic treasure. Under State law, a municipality may not sell a donated item or one purchased with State grant funds, but may donate the item to another agency or institution. Camp Gabriels prison chaplain has requested the Town donate one of its two pianos. Camp Gabriels will be responsible for the transport of the item. The Board concurred.

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

RESOLUTION NO. 63: DONATION OF PIANO TO CAMP GABRIELS WHEREAS, the Town of Franklin possesses two pianos; and WHEREAS, one piano was manufactured in Saranac Lake, was donated to the Town and is a historic treasure; and WHEREAS, the Chaplain at Camp Gabriels Prison has requested the Town donate the piano of non-historic value; NOW, THEREFORE, BE IT RESOLVED, that the Franklin Town Board hereby authorizes the donation of the second piano (not manufactured in Saranac Lake, NY) to Camp Gabriels Prison with the understanding Camp Gabriels will transport the instrument.

Those voting aye:

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

Those voting nay:

None

2. OATH-TAKING CEREMONY . Re-elected and newly elected Town officials will be sworn in on Tuesday, January 1, 2008 at 1:00 PM. Coun. Gene Goff advised that newly elected officers are deemed "in office" at midnight on January 1st.

OLD BUSINESS

1. INFRASTRUCTURE.

- a. a. Building Committee. A meeting is scheduled for 10:00 am on Wednesday, December 20, 2007, and presentation to the Town Board will take place after the public hearing on subdivision regulations on Wednesday, December 26, 2007.
- b. Allocation of Funds to Earth Science Engineering. Following a discussion with ESE representatives, Supervisor Keith reported ESE determined the Town Garage is a critical matter. ESE underestimated their costs involved in the infrastructure project for 2008 and wishes to

increase its estimate from \$7,000 to \$19,000. The funds would be taken from the "Unallocated Attorney" budget line.

Motion for resolution increasing budget for ESE to \$19,000 for infrastructure improvement (M.Keith-W.Kretser m/s/p) ALL AYE **RESOLUTION NO. 64: INCREASE BUDGETED AMOUNT FOR EARTH SCIENCE ENGINEERING FROM \$7,000 TO \$19,000** WHEREAS, the Town has contracted with Earth Science Engineering (ESE) to oversee its infrastructure upgrade and construction project; and WHEREAS, because of the urgency of repairs and improvements to the Town Garage, ESE underestimated its costs and has requested an increase in the budgeted amount for 2008 from \$7,000 to \$19,000; and WHEREAS, the additional monies can be obtained from the "Unallocated Attorneys" budget line; NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes an increase in the budgeted amount allocated to ESE in an amount not to exceed \$19,000 in fiscal year 2008.

Those voting aye:

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

Those voting nay:

None

2. **FIRE/RESCUE UPDATE.** Coun. Gene Goff stated no additional Fire Advisory Board meetings had been held.

3. **DRY HYDRANT UPDATE** As parts for installation of the dry hydrant on Sinkhole Road had not yet been delivered, Coun. G. Goff reported, the Sinkhole Rd. dry hydrant will not be installed until Spring 2008.

COMMITTEE REPORTS

1. RECREATION AND CELEBRATION

- Santa's Workshop for Children, held this past Saturday (12/8/07). 25 children decorated cookies, played, met with Santa and received gifts. A good time was had by all.
- Skating Rink. The General Fund employee is again attempting to create a skating rink at the Rec Park, weather allowing.
- Smart Growth Grant Application. The grant application is being drafted.

2. **CEMETERY COMMITTEE** . Coun. Tim Goff obtained "No Vehicles Beyond This Point" signs for posting at the Vermontville Cemetery as a less expensive alternative to fencing. He suggested signs be posted at all 3 cemeteries in Town.

CORRESPONDENCE

1. **FRANKLIN COUNTY LEGISLATURE.** In response to the Town's resolution encouraging the County Legislature to enact a law compelling visible house numbers and street signs, the Legislature responded this is a local matter. Coun. Gene Goff explained that although NYS Fire Code mandates visible house numbers and street signs, a County which has an E911 system is exempt from this requirement.

COMMENTS AND QUESTIONS

1. **TOWN HISTORIAN MATTERS** a. Historian Funds. Supv. Keith stated that former Town Historian Teresa Eshelman had increased the Historian account funds. Supervisor Keith requested a motion for a resolution establishing a capital line item fund "Historic Capital Fund".

Motion for resolution (J.Ordway-M.Keith m/s/p) ALL AYE

RESOLUTION NO. 65: ESTABLISH LINE ITEM "HISTORIC FUND" AND AUTHORIZE SUPERVISOR TO TRANSFER FUNDS WHEREAS, former Town Historian Teresa Eshelman maintained an account at Adirondack Bank as Town Historian; and WHEREAS, to her credit, Mrs. Eshelman increased the funds in that account through her diligence; and WHEREAS, the Town Board determined a need for a Capital Project Historic Fund to continue historic preservation and enhancement efforts; NOW, THEREFORE, BE IT RESOLVED, that a "Historic Capital Project Fund" be created utilizing funds maintained at Adirondack Bank by Teresa Eshelman as Town Historian; and BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to transfer those funds into the newly created "Historic Capital Project Fund".

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Gene Goff

Councilman Tim Goff
Councilman Walt Kretser
Councilperson Janet Ordway

Those voting nay:

None

b. **Commendation to Teresa Eshelman.** The Board, having by Resolution No. 43 commended Mrs. Eshelman on her service as Town Historian from January 1, 1988 to December 1, 2007, signed the Certificate of Appreciation and Commendation.

ADJOURNMENT

There being no further business to discuss, the public hearing and meeting adjourned at 8:55 pm

Motion to adjourn (J.Ordway-G.Goff m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

[Click here to see past minutes](#)

[Newsletter](#) | [Town Events](#) | [History, Photos & Maps](#) | [Board Officials & Contact Info](#) | [Board Meetings](#) | [Town Budget](#) | [Laws & Forms](#) | [Real Property Assessments](#) | [Events, Recreation & Kate Mtn Park](#) | [Area Businesses](#) | [Town Journals](#) | [Emergency Preparedness](#) | [Home](#) | [Email the Town](#)
| [Home](#)

Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 · Tel: 518-891-2189 · Fax: 518-891-6389 · info@townoffranklin.com

© Town of Franklin · Website Design: Rainbow Graphics