



The Town of Franklin

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Town of Franklin Board Meetings

Minutes Of Public Information Meeting Concerning Time Warner Cable Tv Franchise Agreement - July 9, 2007 - 6:00 pm

Board members present:

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

Board members absent:

Councilman Walt Kretser

Others Present:

Town Justice Roger Symonds
Karen Potts
Jean Baltzly
Derek Romeo
Frank Karl
Pamela Ebele
Town Clerk Sandra Oliver

A duly advertised public information meeting was held at the Vermontville Town Hall on Monday, July 9, 2007 at 6:00 pm. Thomas Dohney, representative of Time Warner, was unable to attend due to illness in his family. Written comments were submitted by Richard Jarvis, and Supervisor Keith and Town Clerk Oliver collected the following concerns:

1. Availability of high-speed broadband internet service requested by Mr. Jarvis.
2. Request for service farther down Fletcher Farm Road from Jean Baltzly.
3. Under its contract with Adelphia, the Town was not charged for internet service; however, Time Warner does not honor this arrangement. Time Warner will be installing a fiber optic line across Town-owned property, and Supv. Keith will use this to negotiate for free or reduced rate internet service

The information meeting adjourned at 6:59 pm (M.Keith-T.Goff m/s/p) ALL AYE

July 9, 2007 - 7:00 pm

The Town Board of the Town of Franklin held a regularly scheduled Board meeting on Wednesday, July 9, 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

Board members absent:

Councilman Walt Kretser

Others Present:

Town Justice Roger Symonds
 Karen Potts
 Mark Kurtz
 Derek Romeo
 Frank Karl
 Pamela Ebele
 Vincent Fallica
 Town Clerk Sandra Oliver

CALL TO ORDER

Supervisor Keith called the meeting to order; the Pledge of Allegiance was recited; the Town Clerk called the roll, and announced a quorum was present. Supervisor Keith announced the Town's Personnel Policy Manual had been duplicated and distributed copies to the Board and Justice Symonds.

AUDIT OF BILLS

The following claims were presented and reviewed by the Board:

General	Warrant #7	Claims 130 - 150	\$10,832.21
Highway	Warrant #7	Claims 116 - 128	\$27,363.59
Prepay General	Warrant #6	Claims 36 - 38	\$1,218.61

Motion to approve bills and pay same (G.Goff-J.Ordway m/s/p) ALL AYE

MINUTES OF MEETINGS

The minutes of the June 11, 2007 meeting were accepted as presented. The minutes of the June 27, 2007 special meeting and land use workshop were amended as follows:

Board members present:

Supervisor Mary Ellen Keith
 Councilman Gene Goff
 Councilman Tim Goff - change per 7/09/07 meeting
 Councilperson Janet Ordway

Board members absent:

~~Councilman Tim Goff~~ - change per 7/09/07 meeting

Others Present:

Town Clerk Sandra Oliver
 Richard Jarvis, resident

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

SUPERVISOR'S REPORT

Balances on hand at June 1, 2007

General Fund	CK	\$27,573.31/FONT>
	SV	\$31,567.93
	CLASS	\$228,222.46
Highway Fund	CK	\$48,898.400
	SV	\$26,250.30
	CLASS	\$469,587.12
	Cap Proj Hwy	\$24,186.35
Landfill	CK	\$2,581.33
	CLASS	\$63,726.70
Fire	CK	\$863.28
	CLASS	\$2,685.25
Cap. Building	CLASS	\$144,728.82

Motion to accept Supervisor's Report (J.Ordway-T.Goff m/s/p) ALL AYE**HIGHWAY REPORT**

1 HIGHWAY SUPERINTENDENT. Supt. Rascoe was unable to attend the meeting and submitted a written report on the progress of the Department:

- a. Hauling crusher run for Goldsmith Rd. project
- b. Cutting and chipping trees and brush on Rock Street, Paye Rd. and Mensink Rd.
- c. Removed broom from tractor and installed brush cutter - ready for mowing
- d. Changed rear seal on Unit 11
- e. County sharpened all blades on chipper
- f. Ford tractor reassembled
- g. Installed new fuel tank on pickup
- h. Department aided State Police with downed trees

2. HIGHWAY COMMITTEE - No report

3. QUESTIONS & COMMENTS RE HIGHWAY - None

NEW BUSINESS

1. FINANCIAL AUDIT AND REPORT BY TOWN JUSTICE. Supv. Keith read correspondence she received from the NYS Unified Court System requiring Town Boards to audit financial records of town justices and expect a subsequent audit by the State. The Board will hear the Justice's report, adopt a resolution and send a copy of same to the NYS Unified Court System. Town Justice Roger Symonds recounted recent NYS court history by stating some judges on all levels and town justices have abused their judicial power, hence, the court system published a plan to make town justices more accountable for money taken in. Mr. Symonds stated the Unified Court System will be increasing training requirements for all judges and court clerks in the future. Justice Symonds described how he maintains his financial records:

1. A cash receipts book is maintained
2. A checkbook which must balance monthly
3. A computer-generated receipts journal which must balance with the above The Town Justice is responsible for the following:
 1. Felony arraignments (not cases) - set bail, jail or release
 2. Family court matters
 3. Landlord/Tenant disputes
 4. Small claims, both civil and corporate
 5. Park and recreation violations
 6. ABC violations (alcohol related crimes)
 7. Transportation offenses (usually, truckers)
 8. Agriculture & Markets cases (animals)
 9. Town Law

The Town Board was invited to examine his books at any time, and Supervisor Keith acknowledged Justice Symonds submits a quarterly financial report to the State, which in turn sends a breakdown of Town Court revenue and check to Supv. Keith. In 2006, the Franklin Town Court closed 522 cases and collected over \$42,000 of which the Town received a portion. In the first quarter of 2007 the Town received \$2,969.00 from court cases. Justice Symonds explained he administers the Town Court by moving cases along rather than maintaining large amounts of bail (as a note, imposition of bail is to secure the defendant's attendance; if defendant can't post bail, he may be incarcerated which is not always the best idea). The goal of a town justice is to ensure rights of both victim and defendants. He is always available to prosecutors and defendants and routinely gives out his home telephone number. He noted the State has a huge legal staff, and defendants' cases are sometimes hindered by these large staffs.

His plans for improving the efficiency of the Town Court include registering with Dept. of Motor Vehicles and Dept. of Criminal Justice for online transactions. This would speed the updating of DMV records and in the case of Criminal Justice, finger-printable offenses.

Supervisor Keith thanked Justice Symonds for his report; Coun. Gene Goff stated Justice Symonds does a very good job for the town, and the Board concurred.

Motion for resolution accepting Town Justice Report and Audit of Financial Records (T.Goff-J.Ordway m/s/p)
ALL AYE

RESOLUTION NO. 22: ACCEPT AUDIT OF TOWN JUSTICE FINANCIAL RECORDS AND REPORT OF TOWN JUSTICE WHEREAS, the Town Board of the Town of Franklin having heard the report of the Town Justice, Roger Symonds; and WHEREAS, members of the Town Board having reviewed Franklin Town Court cash receipts journal, receipts book and checkbook; and WHEREAS, the Town Board having found the foregoing acceptable, NOW, THEREFORE, BE IT RESOLVED, that the audit of the Town Justice financial records and report of the Town Justice Roger Symonds be and hereby is ACCEPTED.

Those voting aye:

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

Those Absent:

Councilman Walt Kretser

Those Voting nay:

None

2. APPOINTMENT OF ASSESSOR. Town Clerk Oliver received a June 26, 2007 letter from SNY Office of Real Property Services advising that the terms of all appointed assessors expire on September 30, 2007. A short discussion ensued approving of the work done by Assessor Douglas Tichenor. Supervisor Keith noted he has completed all required training and wants to be reappointed. His salary will remain at \$18,000 through the end of 2007; negotiations for an increase will take place during the budget workshops in the fall.

Motion for resolution reappointing Douglas Tichenor as Assessor (T.Goff-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 23: REAPPOINTMENT OF DOUGLAS TICHENOR AS ASSESSOR FOR THE TOWN OF FRANKLIN

WHEREAS, NYS Real Property Services has mandated that the 6-year terms of all appointed assessors will expire September 30, 2007; and WHEREAS, Douglas Tichenor has performed very well; and WHEREAS, Mr. Tichenor has completed all required training and continuing education for the position of assessor; NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby reappoint Douglas Tichenor as Assessor for the Town of Franklin, term to commence October 1, 2007 and expire September 30, 2013;

Those voting aye:

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

Those Absent:

Councilman Walt Kretser

Those Voting nay:

None

3. **GRANT AWARDS.** Supervisor Keith announced the Town had received notice it had been awarded \$28,156.00 from the State Archives for improvements to records; and \$64,000.00 from the Excess Petroleum Fund for use in purchasing two furnaces, one for the Town Hall and one for the Garage.

OLD BUSINESS

1. **RESCUE CONTRACT.** Coun. Gene Goff reported the Saranac Lake Fire Advisory Board held a meeting a few weeks ago, but the Village of Saranac Lake did not send a representative. The SLFAB is attempting to hire a full time EMT. In addition, for the first time in years, the Saranac Lake Fire Department has created a budget. Coun. G. Goff noted the cost to the Town of Franklin for the 2008 contract will be \$27,415 (the 2007 amount is \$22,806.31). He also stated the Board will need to appoint someone else to represent it in January 2008, as he is not seeking re-election.

2. **DRY HYDRANTS.** Coun. Gene Goff reported he met with the Bloomingdale Volunteer Fire Dept. Chief, Jason Cogan concerning a Sinkhole Road location for a dry hydrant. They will also inspect the site of last Friday's fire on Rock Street. He noted that the fire departments do not make use of dry hydrants because the new pumps are so powerful, gravel from the bottom of the waterway is pumped up and clogs the system. Fire departments now use portable floating pumps. Most dry hydrants are configured so that the pipe reaches nearly to the bottom of the waterway. Newer dry hydrants are set so that the pipe only reaches a third of the way down, angles across 90 ° for some feet, and then angles up 45° for a short way. The newer configuration prevents the fire department pumps from clogging. The Town's has 11 dry hydrants, 4 are good, and the rest are not in good shape because the waterways are too shallow. A suggestion was made to obtain empty tanks or tanker trucks and fill with water for use in controlling summer fires.

3. **E-911 HOUSE NUMBERS.** Councilman Gene Goff emphasized the need for residents to obtain legible house numbers so that fire and rescue crews can locate them. Supv. Keith will place an item on this subject in the next Town Newsletter, and Clerk Oliver will ensure it is placed on the website.

4. **INFRASTRUCTURE UPDATE.** Supervisor Keith attended a meeting of the Building Committee on June 25th, and noted that Robert Hammond made several good suggestions. David Dekkers was appointed the new Chair. The Building Committee recommends that the Town follow the Yellow Wood recommendations and proceed with the infrastructure improvement project. The next Building Committee meeting will be on Tuesday, July 17 at 7:00 pm.

5. **SUBDIVISION REGULATIONS UPDATE.** Coun. Janet Ordway reported the Town Board held a special meeting and subdivision regulation workshop on June 27 and received copies of materials from Brian Grisi of APA. The Board members are to review the materials, and will discuss revisions at its next special meeting and workshop on Wednesday, July 18. Coun. Ordway emphasized the Town Board wishes to develop a simple and efficient set of regulations for subdivisions only.

COMMITTEE REPORTS

1. RECREATION COMMITTEE.

- a. **Enclosure for Pavilion at Rec Park.** Coun. Tim Goff reported work will commence on enclosing the pavilion at the Rec Park on Tuesday, July 10th in the evening. The materials have been purchased and assembly of the wall will take a few days to complete.
- b. **Summer Youth Program.** Supervisor Keith stated 25 youngsters took part in the recreation program which started at 9:00 am today. Although the weather was stormy, the children were kept occupied by Kathy Drake and her assistants.
- c. **Telephone Service at Rec Park.** The pay telephone installed at the Rec Park does not work; Supervisor Keith requested permission to purchase a phone card for Angela Ward, one of the assistants at the Rec Park so that Kathy Drake can be contacted. The Board concurred.
- d. **Volleyball.** Supervisor Keith received a request for creation of a volleyball net at the Rec Park. She will ask the Town Custodian to mow the area on the other side of the pavilion so that a net can be installed.

2. **CELEBRATION COMMITTEE.** July 21, 2007 is Town Homecoming Day. Picnicking, recreation of the story of a slave who gained freedom in the Adirondacks, tour of the cemeteries, mini flea market, history of the Underground Railroad in the Adirondacks and games. Howard Riley is writing a story for the Enterprise on the Town of Franklin to publicize the event.

3. **CEMETERY COMMITTEE.** On July 21st, Mr. Jeff Kuhn of Kuhn Memorials, the firm which cleaned the stones at the Vermontville Cemetery, will be on hand to discuss repair and restoration of markers at the

Merrillsville Cemetery. In addition, people will be asked to write stories about their forebears for inclusion in another "They Told Me So" volume.

QUESTIONS AND COMMENTS.

1. **TOWN SPEED LIMITS** In response to a question from an Onchiota resident, Coun. Gene Goff indicated reducing town speed limits is in process. Route 60, however, is a County road and Coun.G. Goff suggested the Town Board correspond with the County Board of Legislators to widen the road and move signs so that motorists can see them. A suggestion was made to add a "Reduced Speed Zone" sign prior to the 35 mph signs. Coun. Ordway concurred there is a problem with speeding in Onchiota and suggested the 35 mph zone be moved to the bottom of the hill before the 5-point intersection and then continue past the 6 Nations Museum. Perhaps the County Engineer should be contacted. It was noted that the Town of Wilmington reduced the speed limits on all its roads and did not consider it a problem. Coun. Gene Goff suggested contacting the Town of Brighton to query its problems on County Route 60.

Motion to correspond with County Legislature on speed limits (G.Goff-J.Ordway m/s/p) ALL AYE

2. **CELLULAR TELEPHONE SERVICE ON ROUTE 3.** Supervisor Keith stated that Verizon will be installing a cell phone tower in St. Armand at its reservoir, and that Verizon had also inspected the Town Garage as a possible site for a tower. General accord among those present was that the Loon Lake Fire Tower would be an ideal location for a cell tower. At present there is no cell phone coverage between Sinkhole Road and the Town of Saranac. Supervisor Keith will correspond with Verizon and ask about placement of another cell tower.

EXECUTIVE SESSION.

At the request of Town Justice Roger Symonds to address the Board on a personnel matter, the board meeting adjourned to Executive Session at 8:27 pm

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

The Board heard Town Justice Roger Symonds' dialogue concerning a personnel matter, but no action was taken.

Motion to adjourn Executive Session and recommence Board meeting at 8:53 pm (T.Goff-J.Ordway m/s/p) ALL AYE

RECOMMENCE BOARD MEETING

ADJOURNMENT As there was no further business to discuss, the meeting adjourned at 8:54 pm. (G.Goff-J.Ordway m/s/p) ALL AYE

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 8:48 pm (M.Keith-W.Kretser m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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