



The Town of Franklin

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



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Town of Franklin Board Meetings

**Town Board Meeting
Wednesday, November 14, 2007**

The Town Board of the Town of Franklin held a duly advertised Board Meeting on Wednesday, November 14, 2007 at 7:00 pm at the Vermontville Town Hall.

Board members present:

Supervisor Mary Ellen Keith
Councilperson Janet Ordway
Councilman Gene Goff

Board members absent:

Councilman Tim Goff
Councilman Walt Kretser

Others Present:

Town Clerk Sandra Oliver
André LaBarge of LaBarge Agency
Al Berg
Cliff Smalley
Jean Baltzly

CALL MEETING 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 #11	Claims 209 - 233	\$6,950.67
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Highway	Warrant #11	Claims 174 - 198	\$143,711.02
Prepay General	Warrant #10	Claims 56 - 59	\$1,193.23
Landfill	Warrant #4	Claim 6	\$143.91

Coun. Gene Goff commented the claim for salt and sand was high, but recognized the Town must keep the roads clear. Supervisor Keith noted Years ago, the department only had to ensure that school buses could traverse the roads in safety. Now the Highway Dept. strives to accommodate schedules of shift workers - at hospital and correctional facilities.

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

MINUTES OF MEETINGS

On motion of Coun. G. Goff and second by Coun. J. Ordway, the following minutes were accepted as presented or amended:

The minutes of the October 1, 2007 special meeting were accepted as presented.

The minutes of the October 8, 2007 regular board meeting were accepted as presented.

The minutes of the October 15, 2007 special board meeting were accepted as presented.

The minutes of the October 22, 2007 special board meeting were amended as follows:

J.R. RISLEY, ADIRONDACK ASSOCIATION OF TOWNS

Motion to authorize payment of \$200 to AATV (General Fund Abstract #10, Voucher #185) (General Fund Abstract #11, Voucher 233). (CHANGE PER 11-14-07 BOARD MEETING.)

The minutes of the October 25, 2007 special meeting were accepted as presented.

The minutes of the November 7, 2007 public hearing and special meeting were 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, or .39/1000; in 2008 it will be charged \$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.)

SUPERVISOR'S REPORT

Balances as of October 1, 2007

General Fund	CK	\$31,848.03
	SV	\$14,556.15
	CLASS	\$171,631.89
Highway Fund	CK	\$28,565.27
	SV	\$96,744.81
	CLASS	\$100,022.42
	Cap Proj Hwy	\$24,579.15
Landfill	CK	\$3,559.42
	CLASS	\$59,748.33
Fire	CK	\$869.25
	CLASS	\$2,728.80
Cap. Building	CLASS	\$157,104.96

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

ANDREÉ LaBARGE

Mrs. LaBarge presented the Board with estimates of insurance premiums and changes in policies for 2008.

DESCRIPTION OF COVERAGE	PREMIUM
General liability	\$4,286

Owners/contractors protective	\$200
Public officials liability	\$1,496
Business auto liability	\$4,491
Automobile physical damage	\$573
Property	\$3,244
Systems breakdown	Included
Flood and earthquake	Included
Inland Marine (Trident)	\$372
Excess liability	\$4,105
Inland Marine (Great American)	\$9,364
Crime (Utica Mutual)	\$640
Storage tank liability	\$579 est
NYS fire fee	\$ 34.61
NYS law enforcement	\$ 50
Total Premiums	\$29,177.61

HIGHWAY REPORT

1. **HIGHWAY SUPERINTENDENT'S REPORT.** Highway Supt. James Rascoe submitted the following written report for Oct. 10-Nov. 13, 2007:
 - a. All salt and sand has been delivered, mixed and stockpiled for winter.
 - b. The 4 dump trucks have been dressed for winter; slushers, wings and sanders put on.
 - c. Pickup plow has been brought to garage and ready to be used when needed.
 - d. Worked on shoulders where paved this year on Paye Rd. and Rock St. with help of 2 tandems from Town of Harrietstown
 - e. Replaced problem culvert on Goldsmith Rd.
 - f. Units 2, 3 and 11 inspected; tires replaced that needed replacing.
 - g. Gray pickup inspected
 - h. Several roads raked
 - i. Went to training at Harrietstown Town Hall with surrounding towns
 - j. Worked on and turned in 284 for 2008
 - k. Checked State contracts and in process of getting specs/quotes/bids for equipment that will be replaced in 2008.
 - l. Continued to cut brush on sides of roads with help of inmate crews from Camp Gabriels.

2. **SECTION 284 AGREEMENT FOR 2008** Tabled to December 10, 2007 meeting. Coun. Gene Goff explained this agreement is made annually between the Town Board and the Town Highway Superintendent and is a plan for road improvements in the coming year. The Highway Supt. submits his list of projects, obtains quotes and prices on materials to best estimate the costs. The Town Board must agree to the amount of money to be spent on projects. The agreement is named for that particular section of NYS Highway Law.

3. **COMMENTS AND QUESTIONS RE HIGHWAY.** Coun. Gene Goff and Supv. Keith noted the difference between the Towns of Ausable and the Town of Franklin: Franklin will only improve 1.5 miles of road in summer 2008 while Ausable will improve 2 miles. The number of miles depends on the type of materials used to improve the roads, the number of materials suppliers in the area, whether shoulders are done, and the kind of base on the thoroughfare.

NEW BUSINESS

1. ETHICS COMMITTEE

1. In December 2006 Arthur Schneck left his employment with the Town Highway Department without notice. He sent a letter to Supervisor Keith alleging various acts of misconduct and conflict of interest by Highway Supt. James Rascoe, including use of Town vehicles and time for personal use.
2. Shortly thereafter, Supv. Keith, in consultation with the attorney for the town, recommended Highway Supt. Rascoe respond to the allegations, which he did, in an undated memorandum.
3. Following the July 9, 2007 Board meeting, a resident showed Couns. Kretser and Ordway a copy of Mr. Schneck's December 28, 2006 letter. At the July 18, 2007 special meeting the matter was discussed in executive session. Following the executive session the board determined it would refer the matter to the Town Ethics Committee, and Supervisor Keith signed a letter to the Chair of the Ethics Committee, Lauren LeFebvre, to that effect.
4. A week later the Ethics Committee held a meeting to review Mr. Schneck's allegations. On August 3, 2007 the Committee corresponded with Mr. Schneck requesting photographic or other proof, including verbal testimony, of the allegations.

5. Mr. Schneck replied by mail on August 7, 2007, recommending methods of monitoring Highway Dept. actions but not forthcoming with photographic or other evidence of his allegations.
6. On August 27, 2007 the Ethics Committee drafted a letter to Supervisor Keith with its recommendations; including the public posting of availability of fill and wood for Town residents. However, this letter was not executed by all members of the Ethics Committee until the end of October. Thereafter it was submitted to James Maher Esq. for review who noted it was illegal for the Town to supply residents with fill or wood.

Supervisor Keith stated when she received the package of documents from the Ethics Committee she consulted with Gary Gifford of the State Comptroller's Office and also with attorney for the Town, James Maher. While both Messrs. Gifford and Maher agreed on the illegality of supplying fill or wood to residents, Supervisor Keith responded the Town did not have space for storage of excess fill or wood. Mr. Gifford said the Town should use its best judgment on how to handle the excess of fill or wood, keeping in mind the best interests of the taxpayers. Coun. Janet Ordway stated she was not happy with the amount of time it had taken firstly for her to learn of the matter and secondly, to resolve the situation. She recommended the December 28, 2006 letter from Mr. Schneck be sent to Gary Gifford and opined it should have been forwarded to him at the outset rather than the Ethics Committee. Coun. Gene Goff recommended all of the material should be sent to Mr. Gifford. Supervisor Keith agreed to do so.

Motion to forward Ethics materials to State Comptroller for opinion. (J.Ordway-G.Goff m/s/p) ALL AYE

2. **SMART GROWTH GRANT APPLICATION** Ann Holland, contracted grant writer for the Town, has recommended the Town apply for a Smart Growth Grant through NYS Dept. of Environmental Conservation. She will write the grant application.

Motion for resolution authorizing Supv. Keith to submit grant application (G.Goff-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 56: TOWN OF FRANKLIN RESOLUTION OF SUPPORT AUTHORIZING SUBMISSION OF GRANT APPLICATION

WHEREAS, The Department of Environmental Conservation is soliciting grant applications for the Adirondack Park Community Smart Growth Program from Municipalities located wholly or partially within the Adirondack Park; and WHEREAS, the Town is embarked upon an infrastructure improvement and new construction project utilizing environmentally friendly technology; and WHEREAS, such grant funds, if received, would be applicable to said project; NOW, THEREFORE, BE IT RESOLVED, that Mary Ellen Keith, as Supervisor, of the Town of Franklin, or such person's successor in office, is hereby authorized and directed to file an application for funds from the Adirondack Park Community Smart Growth Grants Program of the New York State Department of Environmental Conservation in an amount not to exceed \$50,000, and upon approval of said request to enter into and execute a project agreement with the Department of Environmental Conservation for such financial assistance to the Town of Franklin for the Green Infrastructure Master site Plan for Kate Mountain Park. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233, together with the application for State Assistance. This Resolution shall take effect immediately.

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Gene Goff
Councilperson Janet Ordway

Those Absent:

Councilman Walt Kretser
Councilman Tim Goff

Those voting nay:

None

3. **POLICY ON WORKPLACE VIOLENCE PREVENTION.** Supervisor Keith said the Town should have a workplace violence prevention policy in place. She will confer with EAS to see if they can supply one.

4. **REAPPOINT ROLAND LAPIER TO BOARD OF ASSESSMENT REVIEW.** Mr. Lapier's term on the B.A.R. ended September 30, 2007. Supervisor Keith reported Mr. Lapier is willing to serve another term.

Motion to reappoint Roland Lapier to Board of Assessment Review. (M.Keith-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 57: REAPPOINT ROLAND LAPIER TO BOARD OF ASSESSMENT REVIEW WHEREAS, Roland Lapier has served on the Board of Assessment Review and is willing to serve another term; NOW, THEREFORE, BE IT RESOLVED, that Roland Lapier is hereby reappointed to a 5-year term on the Board of Assessment Review, term to expire September 30, 2012.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Gene Goff
 Councilperson Janet Ordway

Those Absent:

Councilman Walt Kretser
 Councilman Tim Goff

Those voting nay:

None

OLD BUSINESS

1. **INFRASTRUCTURE UPDATE.** Supv. Keith reported a meeting will be held on Monday, December 3, 2007 with members of the Building Committee and ESE.
2. **FIRE/RESCUE UPDATE.** Coun. G. Goff reported that Franklin County had at last developed a job description for a full-time EMT. In addition, the Firemen's lobby group, FASNY, is fully behind the push to revise State law which currently disallows rescue units joined to a fire department from billing for services.
3. **DRY HYDRANT UPDATE.** Coun. G. Goff stated the approved dry hydrant for Sinkhole Road is not yet complete. Hulbert's Supply neglected to order the materials. He will follow up on this matter tomorrow.
4. **SUBDIVISION UPDATE.** The Board received copies of Working Draft #2 with Keith Silliman's revisions and are in process of reviewing same.

COMMITTEE REPORTS

1. **RECREATION COMMITTEE.** At Codes Officer Lagree's suggestion, Coun. Tim Goff contacted Gerald Race, The Inspector, LLC, Chateaugay, NY. The electrical inspector's report was not favorable and recommended immediate repair of the electrical facilities at the Rec Park. Coun. Gene Goff stated the Town should publish requests for bids on the repair work as soon as possible.
2. **CEMETERY COMMITTEE.** Last winter it was discovered someone had used his/her plow to create a path to a gravesite, thus damaging several graves. Supervisor Keith reported that Coun. T. Goff had obtained two sawhorses and will erect a sign "No Plowing In Town Cemeteries". In addition, the Town Clerk will publish a reminder in the local newspaper.
3. **CELEBRATION COMMITTEE.**
 - a. Halloween Party. Supv. Keith reported the children's Halloween Party held at the Nazarene Church was a success.
 - b. Thanksgiving Dinner. On Saturday, November 17, the Nazarene Church is sponsoring a Thanksgiving dinner at 5pm at the Town Hall.
 - c. Children's Christmas Party. To celebrate Christmas, a children's party at the Town Hall will be held on Saturday December 1st.

CORRESPONDENCE

1. **NYS Dept. of Transportation re Co. Rt 60.** NYS DOT denied the Town's request to extend the 35 mph speed zone 0.80 miles east of the hamlet because there is inadequate roadside development, but has granted the request to extend the speed zone 0.20 miles southwest of Meenagha Road.

QUESTIONS & COMMENTS

1. Suggestion to research the name of the electrical inspector who certified the work done at the Rec Park would have insurance against faulty inspections.
2. Question as to the electrician who performed the installation at the Rec Park.
 1. The Town Clerk will pull all building permits for the Town of Franklin to ascertain same.

ADJOURNMENT

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

Motion to adjourn (M. Keith-G.Goff m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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