



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 Monday, February 11, 2008 - 7:00 pm

The Town of Franklin Town Board held a Regular Town Board Meeting on Monday, February 11, 2008 at 7:00 pm at the Franklin Town Hall in Vermontville, NY.

Board members Present:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilman Allen Berg
Councilman Clifford Smalley

Board members absent:

Councilwoman Janet Ordway

Others Present:

Assessor Douglas Tichenor, Cynthia King, Office of Real Prop. Svcs., Ray Brook, Town Clerk Sandra J. Oliver Miriam Lawrence, Sandy Hayes, Don & Doris Hamm, Jean Baltzly, Nathan Brown, Adirondack Daily Enterprise

CALL TO ORDER

Supervisor Keith called the meeting to order at 7:05 pm; the Pledge of Allegiance was recited, and the Town Clerk called the roll, stating a quorum was present.

AUDIT OF BILLS

The following claims were presented for payment on Abstract #2:

General	- Claims 24 - 47	\$13,252.60
Highway	- Claims 18 - 34	\$29,689.78

The following claims were presented for payment on Abstract #1:

General	- Claims 1 - 6	\$35,308.00
Highway	- Claim 1	\$2,132.29

Coun. Smalley inquired whether the Town had always paid for the Historian's subscription to the Adirondack Daily Enterprise, and Supv. Keith replied it had, and the amount was in the Historian's budget.

Coun. Smalley noted that the brake failure on the General Fund pickup truck occurred shortly after Upstate Auto had passed the vehicle on its NYS inspection and queried why Upstate had not caught the problem. He also noted that the Town's other pickup trucks had not been inspected at Upstate Auto and had not needed to be towed. He suggested Town vehicles be inspected elsewhere.

Motion to pay claims (W.Kretser-C.Smalley m/s/p) ALL AYE

MINUTES OF MEETINGS

The minutes of the January 14, 2008 organizational and regular board meeting were accepted as amended:

3. WHITEFACE CONSTRUCTION built that Garage, and it was solid when it was built. Engineers and architects worked on the design of the building.

Town Highway Dept. personnel used an earthmover to push the birm up against the wall, the earth was pushed too hard and cracked the wall. ~~moved the wall off the foundation.~~ I Don Hamm was not present nor were any of my HIS employees when this was done. (change per 2/11/08 meeting).

Motion to accept amended minutes (A.Berg-C.Smalley m/s/p) ALL AYE

SUPERVISOR'S REPORT

Balances as of January 1, 2008:

General Fund	CK	\$12,294.35
	SV	\$217,311.70
	CLASS	\$148,241.21
Highway Fund	CK	\$388.96
	SV	\$419,687.36
	CLASS	\$80,658.14
	Cap Proj Hwy	\$24,826.40
Landfill	CK	\$2,163.00
	CLASS	\$60,349.23
Fire	CK	\$13,372.35
	CLASS	\$2,756.20
Cap. Building	CLASS	\$158,684.83

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

HIGHWAY REPORT

1. HIGHWAY SUPERINTENDENT'S REPORT

Supt. Rascoe is ill with influenza, and Deputy Supt. Eric Merrill submitted the following written report, read by Coun. Kretser:

a. Funds Received. Supt. Rascoe received \$54,539 from Franklin County as reimbursement for salt and sand.

b. Proposed hangar doors for Garage. Supt. Rascoe and Deputy Supt. Merrill traveled to the old Plattsburgh Airport to inspect two new hangar doors proposed to be used at the Town Garage. They took careful measurements and determined the hangar doors would be too small for the size of the vehicles. The hangar doors proved to be too wide and not tall enough.

c. Tree Cutting. During the recent wind storms, the department worked to clear fallen trees from the roadways.

d. Maintenance. Maintenance was performed on all vehicles.

e. Plowing and Sanding. On February 6th, the department plowed all day long and into the evening during the heavy snowstorm.

f. Ice. The department has been using the grader to cut ice in Onchiota and Loon Lake.

g. Repairs to Vehicles.

1. i. Unit #11, the 2000 International, needed new wheel bearings, so it was taken out of service and repaired
2. ii. The grader required a new alternator.

h. Request for County Assistance. Supervisor Keith requested a motion for a resolution requesting use of certain pieces of Franklin County's equipment.

Motion for resolution (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 10: AUTHORIZE HIGHWAY SUPERINTENDENT AND TOWN SUPERVISOR TO EXECUTE REQUEST FOR COUNTY HIGHWAY DEPT. ASSISTANCE AGREEMENT

WHEREAS, the Town of Franklin Highway Department will perform road resurfacing; during the summer; and
 WHEREAS, the Franklin County Highway Department historically has been generous to the Town of Franklin with respect to loaning the County's equipment; and

WHEREAS, the County has submitted a formal agreement request form for execution by the Highway Superintendent and the Town Supervisor; NOW, THEREFORE,

BE IT RESOLVED, that the Town of Franklin requests the use of the County Highway Department's asphalt paver, bulldozer, shoulder machine, guide-rail equipment, roller, water truck, grade-all machine, grader and loader during the summer road construction season; and BE IT

FURTHER RESOLVED, that the Highway Superintendent and the Town Supervisor are hereby authorized to execute said request.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
 Councilman Walter Kretser
 Councilman Allen Berg
 Councilman Clifford Smalley

THOSE ABSENT:

Councilperson Janet Ordway

THOSE VOTING NAY:

None

2. HIGHWAY COMMITTEE

a. Infrastructure Project. Couns. Kretser and Smalley met with the engineer and architect to review plans for the Town Garage. It was determined that additional rebar be placed in the new floor in the addition and that the Garage doors be situated other than on the south side.

b. Structure to Cover Gas Tanks. Deputy Hwy. Supt. Merrill has located a person to erect the structure and is now in process of research the individual's insurance status.

c. Repair/Replacement of Fuel Tank Meters. Once the structure over the fuel tanks is in place, Coun. Kretser stated the meters must be repaired or replaced. Supv. Keith said she had the name of the individual who performs meter repair work for the County. However, the tanks must be covered before the meter work could begin.

3. QUESTIONS AND COMMENTS

a. Request to Use Town Roads for Bicycle Race. A Jan. 8, 2008 letter was received from Bill McGreevy on behalf of the USCF bicycle race to be held June 21st requesting permission to use portions of Franklin Falls Hill Road and Rock Street from 8:30 am to 3:30 pm. The roads will be posted by USCF. Following discussion, the Board requested the Town Clerk to correspond with Mr. McGreevy authorizing use of the roads and also requesting the signs be removed after the race.

b. Email from Snowmobilers. Kevin Kezar emailed the Town requesting that the Highway Dept. lift the plow wings on Co. Rt. 26 so that adequate snow is left on the sides of the road for snowmobile enthusiasts. Supv. Keith commented that brush is very close to the roadbed and that Co. Rt. 26 is not a designated snowmobile road. The Board affirmed the Town is legally responsible for keeping the roads clear, otherwise it is subject to liability. Coun. Berg stated that snowmobilers are requesting to use the sides of the road. The Board will submit the request to the Highway Dept.

c. Potholes. Coun. Berg asked that the Highway Dept. fill the many potholes on Town roads prior to the start of the summer road work season.

2009 ASSESSMENT UPDATE

Assessor Douglas Tichenor addressed the assembly and outlined his plans for performing the 2009 assessment update; he distributed a written plan to the Board. Assessor Tichenor's plans addressed the topics of public information, training for data collectors, the need for current data, data entry and processing and various mailings to and meetings with Town taxpayers.

1. PLAN FOR DATA COLLECTION.

1. a. Outside Contractor. Mr. Tichenor will use an outside contractor for the Town of Harrietstown and the Town of Franklin.

1. (1). Data collection will be take place during the summer of 2008. Mr. Tichenor is the sole assessor for the Town of Harrietstown which also has plans to perform an assessment update this summer. He plans to enter into an agreement with an outside contractor to hire, train and supervise data collectors for both towns. (At a previous Town Board meeting he proposed using part-time assessors to collect data, but those individuals are no longer available to perform the work.) From a pool of trained data collectors, one or two will visit properties in the Town of Franklin. The data collectors will be contracted labor of the Outside Contractor, and the Town would pay the Outside Contractor. The 2008 budget provides for \$15,000 for data collection. Mr. Tichenor would also like the Outside Contractor to hold training sessions for the boards of assessment review as well.

2. (2) **Obsolete Data.** In the 1980's New York State mandated collection of then-current property data and in the ensuing years this same raw data has been updated from year to year by local assessors. However, the nearly 30-year-old data now must be collected anew. It is out of date. In order to have fair, equal and good assessments, the data from which they are garnered must also be good. Mr. Tichenor plans to have the outside data collectors perform the improved property sites, and he will concentrate on the vacant land.

2. VALUATION OF COLLECTED DATA. Once the data is collected he will send taxpayers request for data verification and then perform valuation work. Another public information mailing will be sent with proposed assessment values and an invitation to discuss same with Mr. Tichenor. Following that the tentative assessment roll will be filed on May 1, 2009 and then Grievance Day will be the 1st Tuesday in June.

3. IMPORTANCE OF 100% EQUALIZATION RATE. This is also known as uniform percentage rate. New York State Office of Real Property Services in Albany computes the local equalization rates; the calculation is based on local sales and the local assessor has some input on the final figure. The Town currently has an equalization rate of 65%. At the March Board meeting, Mr. Tichenor will report on this year's equalization rate, which will be lower. The purpose of the assessment update is to raise the Town's equalization rate to 100%. The higher the equalization rate, the lower the taxes. Once the Town is at 100% equalization rate the effect of the assessment update on taxes will be determined by the budgets of the school district and the county.

4. CURRENT REAL PROPERTY MARKET SALES. Mr. Tichenor believes the current real property market is leveling off somewhat. In the past 5 years, waterfront property sales prices have been quite high and sales of vacant land even without water access have been spiraling upward. This has affected taxes in the surrounding community.

5. PROCESS USED TO VALUE PROPERTIES. A property's assessment is based on its market value, which is how much a property would sell for under normal conditions. The assessor will review the results of data collection. Similar properties in a "neighborhood" are grouped together to estimate value in that "neighborhood", as well as sales of similar properties in other areas of the municipality. Once the assessor estimates the value of a property, its total assessment is calculated by multiplying the market value by the uniform percentage for the municipality. Each assessing unit (town, village, school district) is assessed at the same percentage (in the Town of Franklin, the 2007 equalization rate is 65%). After a property's total assessment is determined, its taxable assessed value is computed. The taxable assessed value is the total assessment minus any applicable property tax exemptions (STAR, veterans, agricultural). Exemptions are either whole or partial and can be an exemption from paying any property tax or an exemption from paying part of a tax bill.

a. TAX RATE. The tax rate is determined by the amount of the tax levy. There are several steps involved in determining this. First, the taxing jurisdiction (town, county, school district) develops and adopts a budget. Revenue from all sources other than property tax (state aid, sales tax revenue, user fees, etc.) is determined. These revenues are subtracted from the original budget and the remainder becomes the tax levy, which is the amount of the tax levy raised through property taxes.

b. TYPES OF LAND. Most of the properties in the Town of Franklin are contained in Roll Section 1, improved and vacant land. There are roll sections for State-owned land, and the amount of tax paid by the State depends on the percentage of access to that land by the public. Agricultural lands have a tax cap of \$300 per acre, which is determined by the State and is based on soil type. Conservation easements are contained in a special assessment roll subsection, and the tax levy is shared between the organization/individual and the State.

6. MEMORANDUM OF UNDERSTANDING. In order to perform the assessment update, the Town Supervisor and Assessor must execute a memorandum of understanding with the Office of Real Property Services in Albany. Supervisor Keith requested a motion for a resolution authorizing the signature of same.

Motion for resolution (W.Kretser-C.Smallley m/s/p) ALL AYE

RESOLUTION NO. 11: AUTHORIZE SUPERVISOR AND ASSESSOR TO SIGN MEMORANDUM OF UNDERSTANDING WITH NYS OFFICE OF REAL PROPERTY SERVICES RE 2008-09 ASSESSMENT UPDATE

WHEREAS, the Town Board has agreed to permit the Assessor to perform an assessment update, with the cooperation with NYS Office of Real Property Services; and

WHEREAS, NYS Office of Real Property Services has proffered a Memorandum of Understanding outlining each party's responsibilities; NOW, THEREFORE,

BE IT RESOLVED, that the Town Supervisor and Town Assessor are authorized to execute said Memorandum of Understanding.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
Councilman Walter Kretser
Councilman Allen Berg
Councilman Clifford Smalley

THOSE ABSENT:

Councilperson Janet Ordway

THOSE VOTING NAY:

None

The Board thanked Mr. Tichenor and Ms. King for their attendance and information.

NEW BUSINESS

LANDFILL CLOSURE PLAN. F.X. Browne has applied to the Department of Environmental conservation for an exemption from quarterly monitoring. If the exemption is granted, the Town's former landfill will only require annual monitoring. Supervisor Keith requested a motion for a resolution authorizing her to sign the request for exemption and forward to NYS DEC.

Motion for resolution (W.Kretser-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 12:< AUTHORIZE SUPERVISOR TO EXECUTE REQUEST FOR VARIANCE REQUIRING QUARTERLY LANDFILL MONITORING AND FORWARD TO NYS DEC.

WHEREAS, since the Town's landfill was closed by order of the NYS Dept. of Environmental Conservation, it has been monitored for leaks, etc. on a quarterly basis; and

WHEREAS, such monitoring over the past decade has not resulted in leaks; and

WHEREAS, the Town's contracted landfill monitoring firm, F.X. Browne, has drafted a Application for Variance from NYCRR 360 to DEC to change from quarterly to annual monitoring; NOW, THEREFORE,

BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute said Request for Exemption and forward same to NYS Dept. of Environmental Conservation.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
Councilman Walter Kretser
Councilman Allen Berg
Councilman Clifford Smalley

THOSE ABSENT:

Councilperson Janet Ordway

THOSE VOTING NAY:

None

2. TIME WARNER FRANCHISE AGREEMENT - INTERNET SERVICE. The Town Clerk received a telephone call from Thomas Doheny, the Town's representative from Time Warner concerning the charge for the Town's internet service and whether the charge should be passed onto consumers. The Board was emphatic that the charge not be passed on. Coun. Al Berg suggested contacting Verizon to determine whether savings might be found.

OLD BUSINESS

1. FIRE/RESCUE UPDATE. Supervisor Keith reported there had been no meetings of the Saranac Lake Area Fire Advisory Board. However, the Village of Saranac Lake has postponed acceptance of credentials for a full time EMT; to that end Harrietstown Supervisor and SLAFAB member Larry Miller is attempting to schedule a meeting with an individual from Albany to resolve the situation.

2. INFRASTRUCTURE UPDATE.

- a. **Video Presentation.** Supervisor Keith spoke with Shanna Ratner (Yellow Wood) and Doug Ferris (Earth Science Engineering) to schedule a meeting to review the proposed video presentation and brochure. A meeting with the Building Committee is scheduled for 4:00 pm on Wednesday, February 20 at the Town Hall. b. **Town Garage.** Couns. Kretser and Berg met with the engineer to review the Town Garage project. They determined the proposed airport hangar doors would not be appropriate for the Town Garage. They looked over and measured the walls - there is a deflection on the south wall, but the north wall is straight. Coun. Kretser wants additional rebars to be placed in the slab in the addition. The engineers will change plans so that Garage doors will not be on the south side of the building.

3. SUBDIVISION UPDATE. Coun. Smalley reported that Richard Jarvis has agreed to chair the subdivision committee. A copy of the Town of Johnsbury's subdivision regulations was distributed to committee members, as additional reference. Coun. Kretser indicated Keith Silliman would also be involved in drafting the regulations, and the Adirondack Park Agency would review them as well. Both councilmen stressed that the committee wants the language of the proposed regulations to be in plain English, not "legalese." The proposed regulations continue to be in "draft" form.

COMMITTEE REPORTS

- 1. CELEBRATION.** Supv. Keith said in the past the Town has held an Easter party for children, but Easter is early this year, March 23rd, and many people vacation at that time. No plans have been developed for a party.
- 2. CEMETERY COMMITTEE.** Coun. Smalley and Supv. Keith met to discuss the status of the Franklin Falls Cemetery. Ownership still needs to be defined.

CORRESPONDENCE

- 1. APA-DEC LOCAL GOVERNMENT DAY CONFERENCE.** Board members received copies of the announcement and were asked whether they would attend the conference. Supervisor Keith, Couns. Smalley and Berg will attend.

2. **TERESA ESHELMAN.** Mrs. Eshelman wrote the Town Board thanking members for the Certificate of Appreciation. The certificate was presented to the Town's former Historian in late January when she was in Town for a visit.

MEETINGS AND CONFERENCES

1. **ADIRONDACK ASSN. OF TOWNS & VILLAGES** Supv. Keith attended this meeting in Tupper Lake. The weather was not good, and attendance was sparse, but Mr. Merritt introduced and described the survey of Adirondack Park infrastructure in towns and villages. An interviewer will come to the Town of Franklin to interview elected officials and employees regarding infrastructure needs and impact of State-owned land.
2. **SAVE CAMP GABRIELS RALLY.** Supervisor Keith attended this rally, held at the Harrietstown Town Hall. Many people spoke, signed petitions in opposition to the proposed closure of Camp Gabriels announced by the Governor's Office. Closure of Camp Gabriels will have a drastic impact on the Town. In the summer crews of inmates worked to clear brush on both sides of roads in the Town. Inmates also help to load stock at the Food Pantry. Supervisor Keith was asked if the Town Board would agree to hold at the Town Hall a rally in support of keeping Camp Gabriels open. The Board agreed and were asked for a motion for a resolution supporting reconsideration of closure and opposing closure of Camp Gabriels.

Motion for resolution (C.Smalley-W.Kretser m/s/p) ALL AYE

RESOLUTION NO. 13: SUPPORTING RECONSIDERATION OF PROPOSED CLOSURE AND OPPOSITION TO PROPOSED CLOSURE OF CAMP GABRIELS MINIMUM SECURITY PRISON

WHEREAS, the Office of the Governor has announced the closure of Camp Gabriels Minimum Security Prison; and WHEREAS, such closure will have a drastic negative impact on the economic life of surrounding communities in an area of the State which is in a permanent state of recession, as follows:

- A. The prison employs ____ taxpaying residents of the area, who will be forced to relocate in order to maintain employment with NY State. In addition, civilian employees of the Prison will not be entitled to relocation or re-employment by the State. This will mean a reduction in the tax base, reduction in school population and unsold, empty houses in the area.
- B. The inmates of the prison constitute a labor force from which non profit organizations and municipalities greatly benefit. In the Town of Franklin, inmates clear brush along roadsides during the summer and each month, transport stocks of food to the local food pantry.
- C. Loss of Camp Gabriels' employees' purchasing power will have a negative impact on local businesses. This may mean businesses will close;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin urges the Commissioner of Corrections and the Office of the Governor of the State of New York to reconsider the proposed closure of Camp Gabriels Prison; and BE IT

FURTHER RESOLVED, that the Town Board of the Town of Franklin opposes closure of the Prison.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
Councilman Walter Kretser
Councilman Allen Berg
Councilman Clifford Smalley

THOSE ABSENT:

Councilperson Janet Ordway

THOSE VOTING NAY:

None

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:05 pm. (M.Keith-C.Smalley m/s/p) ALL AYE
Respectfully submitted, Sandra J. Oliver, Town Clerk

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