



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 Organizational & Regular Board Meeting

Organizational Meeting: January 14, 2008 - 7:00 pm

The Town of Franklin Town Board held an Organizational and Regular Town Board Meeting on Monday January 14, 2008 at 7:00 pm at the Franklin Town Hall in Vermontville, NY.

Board members Present:

Supervisor Mary Ellen Keith
Councilwoman Janet Ordway
Councilman Walt Kretser
Councilman Allen Berg
Councilman Clifford Smalley

Others Present:

Highway Superintendent James Rascoe, Town Clerk Sandra J. Oliver, Miriam Lawrence, Bradley Merrill, Derek Romeo, Sandy Hayes, Don & Doris Hamm, Paul Ward, Jean Baltzly, Dick Jarvis

CALL TO ORDER

Supervisor Keith called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited; the Town Clerk called the roll and stated the full board was present.

ORGANIZATIONAL BUSINESS

1. TOWN OF FRANKLIN 2007 BOARD APPOINTMENTS

Deputy Supervisor - Councilman Walter Kretser has been appointed by Supervisor Keith as Deputy Supervisor with the powers and obligations accorded to him by law and will be paid \$500 per year as per budget. A1220.4

Deputy Highway Superintendent - Eric Merrill has been appointed by Highway Superintendent James Rascoe and will be paid \$3,600. per year as per budget, to be renegotiated with each deputy each year.

Deputy Town Clerk - Lauren LeFebvre Deputy Town Clerk/Tax Collector selected by Sandra J. Oliver, Town Clerk. There is no salary for the position.

Budget Officer - Richard Meagher has been appointed Budget Officer and will be paid \$660. per year as per budget. A1340.4

Town Bookkeeper - Richard Meagher will contract with the Town of Franklin for the position of Town Bookkeeper in the amount of \$8,820. per year. A1320.4

Town Historian - Bradley Merrill has been re-appointed Town Historian with a salary of \$750. per year. A7510.4

Registrar of Vital Statistics - Sandra J. Oliver, Town Clerk, will be Registrar of Vital Statistics and will be paid \$400. as per budget. A4020.4

Fixed Assets - Sandra J. Oliver, Town Clerk, will be Fixed Asset Officer and will be paid \$400. per year. A1410.4

Court Clerk - - Meredith Symonds has been re-appointed Court Clerk at an hourly rate of \$10.74. A1130.1

Supervisor's Confidential Secretary - Melissa Begor has been re-appointed Confidential Secretary to the Supervisor at an hourly rate of \$10.74.

Codes Enforcement Officer - Ed Lagree is Codes Enforcement Officer. The Town of Franklin has contracted with the Town of Santa Clara, renewed every 2 years. A3010.4

Process Server - Brian Manny will continue to serve as Process Server and will receive \$250. per year.

Cemetery Custodian - Vivian Manny will continue to serve as Cemetery Custodian and will receive \$650. per year. A8810.4

Cemetery Worker - The Town Custodian/Maintenance will maintain the Cemeteries. A8810.1

Assessor - Doug Tichenor will serve the first year of his 6-year term and will receive a salary of \$18,000. in the year 2008. A1355.1

Health Officer -George Cook, M.D., will serve as Health Officer at a yearly salary of \$200. A4010.4

Official Town Newspaper - The Adirondack Daily Enterprise will be the Official Town Newspaper.

Board Liaison Committees. TThe Board Chair shall select non-Board committee members.

Highway COMMITTEE - Mary Ellen Keith, Walt Kretser

Recreation COMMITTEE- Al Berg

Assessor - Mary Ellen Keith, Janet Ordway

Fire/Rescue - Mary Ellen Keith, Al Berg (Supv. Keith will serve as Voting Member, Saranac Lake Area Fire Advisory Board and Coun. Berg will be Alternate

Celebrations - Mary Ellen Keith, _____

Cemetery COMMITTEE - Cliff Smalley, Mary Ellen Keith

Landfill COMMITTEE - Janet Ordway

Building COMMITTEE - Walt Kretser

Subdivision COMMITTEE- Walt Kretser, Janet Ordway, Cliff Smalley

Salaries - All salaries of elected and appointed officials are provided for in the 2008 budget.

Medical Insurance - The Town of Franklin will offer Health Insurance to the Highway Superintendent and the Town Custodian, non-union employees in the NYS Teamster's Health and Hospital Fund Medical Insurance Plan, as defined in the Contract with the Teamsters Union.

Pension Plan - The Town of Franklin has joined the New York State Retirement System to establish a legal pension plan and is offered to all town employees. All new employees must join the NYS Retirement Plan. Part-time employee membership in the NYS Retirement Plan is optional.

Official Depository - Citizens Bank, Broadway, Saranac Lake, NY, is the Official Depository for the Town of Franklin. The Tax Collector maintains an account at Community Bank, N.A., Saranac Lake.

Petty Cash Fund - The Town Clerk/Tax Collector Sandra J. Oliver and Supervisor Mary Ellen Keith have declined the option of a Petty Cash Fund.

Contracts - The Town will contract as follows:

Fire Protection - Bloomingdale Volunteer Fire Department

Rescue and Ambulance - Village of Saranac Lake, Saranac Lake Fire & Rescue Dept.

Basic and Advanced Life Support - FREMSA, North Country LifeFlight

Saranac Lake Civic Center

Franklin Snowmobilers, Inc.

Employee Assistance Service

Landfill monitoring - F.X. Browne

Codes Enforcemen - Town of Santa Clara

Association of Towns (NY)

Adirondack Association of Towns

Franklin County Self-Insurance

Tri-Lakes Humane Society

Adirondack Regional Airport

Bloomington Boosters

Grant writing - Ann Ruzow Holland

Infrastructure upgrade - Earth Science Engineering

Town of Franklin 55 Plus Club - The Town will continue to sponsor the 55 Plus Club and the Saranac Lake Adult Center as per budget. A6772.4

Board of Assessment Review Members - Jean Baltzly, Katrine Kretser, Roland LaPier, Lauren LeFebvre, and Mildred Vorrath will serve as members of the Board of Assessment Review. A1355.4

Ethics Committee Members - Lauren LeFebvre, David Litty and Charlotte Mitchell will continue to serve as unpaid members of the Ethics Committee.

Attorney for the Town - James E. Maher, Esq., 82 Main Street, Saranac Lake, NY 12983, will serve as the Attorney for the Town at the rate of \$85.00 per hour, not to exceed \$3,060. per year. A1420.4

Youth Program Director and Youth Program Assistant - This position pays \$9.00 per hour; Youth Program Director is appointed by the Town Supervisor upon the recommendation of the Recreation Committee. Kathy Drake has been appointed as Youth Program Director for 2007 and will be paid \$11.39 per hour because of her experience. Assistants will be paid minimum wage.

Saranac Lake Area Fire Advisory Board - Mary Ellen Keith is appointed as Town representative to SLAFAB and Al Berg is appointed as alternate representative.

Mileage Allowance - Reimbursement for mileage will be .45 cents per mile.

2. RULES OF PROCEDURE

The following Rules of Procedure will replace and suspend all prior town board rules of procedure:

REGULAR TOWN BOARD MEETINGS

A regular town board meeting is one in which the town board meets once a month at a fixed time and place throughout the year to conduct town business. In the case of the Town of Franklin, regular town board meetings will be held once a month on the second Monday of the month at 7:00 P.M. *If the second Monday falls on a holiday, the monthly board meeting will be held on the Wednesday following the second Monday of the month.* The board will audit bills prior to the meeting - between 6:30 and 7:00 P.M.

Notice of Regular Town Board Meetings

After the town board establishes by resolution a regular fixed time and place for its meetings throughout the year, no other notice need be given to the members of the board. The Town Clerk is authorized by the Town Board to publish one Public Notice for the year stating the day, time and place for all regular Town of Franklin Board Meetings.

Rules of Conduct at a Regular Town Board Meeting

The supervisor, when present, shall preside and act as chairperson. In his/her absence, his/her deputy shall act for him/her.

Members of the board are to be recognized by the chairperson before addressing the rest of the board or the public.

No member of the public shall be permitted to address the town board unless recognized by the chairperson. In that event, the person must identify himself /herself by clearly stating his/her full name and address and then stating the nature of his/her business.

The chairperson may set a limit on the time on each occasion which each member of the public addresses the board.

Persons speaking to the town board with the consent of the chairperson shall address their remarks to the town board, not to other members of the audience.

No such person has the right to demand an answer to a specific question from a member of the board. All such questions shall be directed to the chairperson, who may either answer them or refer the questions to a board member or the attorney for the town, if present. The answer may be deferred and subject to further review or study and answered at a later date.

No member of the public or board shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.

Town Board Resolutions

The adoption of resolutions is the most frequent type of formal action taken by the town board in its legislative and administrative capacities. Resolutions are often confused with motions. The latter are the vehicle by which resolutions are brought before a town board for action. The two can be used interchangeably. Typical examples of actions that require resolutions are as follows:

transferring money from one budget to another

establishing a salary

designating depositories

Town Board Voting at a Town Board Meeting

The voting on every issue requiring a resolution, ordinance, or law shall be "ayes" and "nays" and the names of the members present and their votes shall be entered in the minutes of the town board.

The supervisor is a member of the board and therefore must vote. He/she may also move or second resolutions.

The town clerk or (in his/her absence) his/her deputy calls a roll of town board members on every issue in question before the town board.

The town clerk must take minutes and keep a record of all proceedings of the board meetings, even though he/she is not a board member and does not have a vote.

Regular Town Board Meeting Agendas

A preliminary agenda will be developed by the supervisor and/or board members prior to the meeting and published via posting in public places, newsletter, and/or news media whenever practical.

Because urgent issues may not be presented to the board until shortly before a town board meeting, a final agenda may not be adopted by the supervisor until shortly before the meeting.

No additional matters are to be considered until each matter on the prepared agenda has been acted on by the town board.

Members of the public are invited to bring an issue, questions, or comments before the board in one of the following four ways:

1. by written request to be put on the formal agenda at least five business days before the scheduled regular town board meeting, or
2. by addressing the board at a segment set aside per the Agenda at the end of the meeting specifically for that purpose. The supervisor reserves the right to limit each speaker to three minutes. The speaker may request that the board have a special meeting at a later date to consider that particular issue. At the end of this session, the board will decide if such a meeting is feasible and will set a date and time for it, or
3. by addressing the board during the meeting regarding agenda items, or
4. by addressing the board at the end of the meeting during a questions and answers segment.

Members of the news media may have ten minutes at the conclusion of the meeting to ask questions concerning matters that came up at the meeting.

Minutes of Regular Town Board MEETINGS

The town clerk, when present, will record minutes of the meetings proceedings as prescribed by law and shall make such minutes available within two weeks of the meeting. In the absence of the town clerk, his/her deputy or another person appointed by the board shall take his/her place.

Town Board Work Sessions

A town board work session is held to discuss and deliberate matters that are coming up at the next regular board meeting, special board meetings, or public hearing. No votes will be taken at work sessions. As with all public meetings, the public is free to attend these sessions but are not to participate or ask questions. Members of the board are expected to attend work sessions when called for by the supervisor.

Public Hearings By The Town Board

A public hearing is a meeting of the board and the public regarding an important issue that may have a significant economic, environmental, or other serious impact on the town and its residents.

The purpose of a public hearing is to give the public an opportunity to express its views.

The public has the right to appear and give evidence and the right to hear and examine witnesses regarding the issue at hand.

Notice of Public Hearings

The supervisor will give notice of public hearings in writing to the board and town clerk ten days before the hearing, when possible. The town clerk will then post a notice of the hearing in at least one public location and will give notice to the news media at least 72 hours prior to the hearing.

Preparation for Public Hearing

A study or report should be prepared by an expert in the subject matter of the hearing, such person to be present to testify in favor of the proposal.

Rules of Conduct at Public Hearings

1. COMMENTS AND QUESTIONS

Oral Comments. The Town Clerk will maintain a sign-in sheet at the public information desk for each person who wishes to make oral comments. Anyone who wants to do so must enter his/her full name and address on the sign-in sheet, in the spaces provided. ANYONE NOT SIGNING THE SIGN-IN SHEET WILL NOT BE PERMITTED TO ADDRESS COMMENTS TO THE TOWN BOARD.

Questions. The Chairperson will entertain questions from the floor. Questions shall be for the sole purpose of obtaining information about the subject matter of the public hearing or clarifying its provisions. Questions shall not have the intent of provoking a debate between the questioner and the Town Board or any individual in the audience.

Written Comments. The Town Board will accept written comments on the subject matter of the public hearing PROVIDED ALL WRITTEN COMMENTS ARE GIVEN TO THE CHAIRPERSON BY THE END OF THE PUBLIC HEARING.

PRESENTATION OF COMMENTS AND QUESTIONS.

Presiding Officer. The Town Supervisor or designee will preside over the public hearing, and act as Chairperson. In his/her absence, the Deputy Town Supervisor or designee will act as the Chairperson.

GROUND RULES FOR THE PRESENTATION OF COMMENTS

The purpose of this public hearing is to gather public comment on (subject of Public Hearing). The Board encourages all in attendance to offer comments and ask questions. However, a successful public hearing requires that some simple ground rules be followed. These ground rules will ensure that all in attendance are treated in a respectful and courteous manner, and that all who desire to speak will have the opportunity to be heard:

No one may speak unless recognized by the Chairperson for that purpose. Upon recognition, the person must identify him/herself by clearly stating his/her full name and address.

Anyone choosing to speak must address his/her remarks to the Town Board, and not to other members of the audience. Any debate between those "for" and those "against" the proposal must be strictly avoided.

Oral comments can generally be delivered in five minutes. If there are a large number of persons wishing to speak, the Chairperson reserves the right, in its sole discretion, to strictly enforce the 5-minute rule, so that all who wish to speak may have an opportunity to do so.

The Town Board is here to listen to the public's comments, and to answer questions about the Preliminary Budget. The Board is NOT here to express its own views or opinions thereon. The Board will NOT participate in a debate of the issues. We want your advice and assistance in coming to the proper conclusion on the issues involved. If you are in favor, simply tell us and give us your reasons why; and likewise, if you are opposed.

No person has the right to demand an answer to a specific question from a member of the Board. As noted earlier, questions should seek clarification and information and should not lead to a debate of the issues. All questions are to be directed to the chairperson, who may either answer them or refer them to a Board member or the Attorney for the Town. The answer may be deferred and subject to further review or study and answered at a later date.

No person may speak a second time until everyone who wants to speak has spoken.

No member of the public or Town Board shall engage in any demonstration, booing, handclapping, or otherwise disrupt the formality of the public hearing.

The Town Clerk will be responsible for ensuring that these rules are followed.

ANYONE VIOLATING ANY OF THESE GUIDELINES WILL BE ASKED TO REFRAIN FROM DOING SO, AND MAY, IN THE SOLE DISCRETION OF THE CHAIRPERSON, BE ASKED TO LEAVE THE PUBLIC HEARING.

SPECIAL TOWN BOARD MEETING

Special town board meetings may be called by the supervisor at any time for urgent or lengthy issues or for any other important reason determined by the supervisor.

Notice of special town board meetings and rules of conduct are the same as for public hearings.

EXECUTIVE SESSIONS

Executive sessions may be held only after an open meeting is convened and a motion to hold an executive session, identifying the area or subject to be considered in such executive session, is adopted by the majority vote in the open meeting.

Executive sessions matters are restricted to:

A matter which will imperil the public safety if disclosed.

A matter which may disclose the identity of a law enforcement agent or informer.

Information with respect to investigation or prosecution of a criminal offense which would jeopardize effective law enforcement if disclosed.

Discussions relating to litigation.

Matters relating to collective negotiations under the Taylor Law.

Medical, financial, credit, or employment history of a particular person or corporation, re relating to appointment, promotion, demotion, discipline, or removal.

Preparation, grading, or administration of examinations.

Acquisition, lease, or sale of real property or securities when publicity would substantially affect the value.

Attendance is restricted to town board members and any other persons authorized by the board.

Minutes of executive session proceedings

Summary minutes must be made of any final determination taken by formal vote, including the date and the vote thereon; however, such summary should not include any matter which is not required to be made public under the Freedom of Information Law. Such summary minutes shall be available to the public within one week from the date of executive session. If no formal action was taken in an executive session, then no executive session minutes need to be taken.

2. Additional Items

A. Mileage Reimbursement for Appointees. Appointees may submit a voucher for mileage reimbursement at \$.45 per mile for travel on Town of Franklin business.

B. Intermunicipal Shared Services Agreements. The Supervisor is authorized to execute and the Town Clerk is requested to send Intermunicipal shared services agreements to the same municipalities as in 2006 following consultation with the Highway Superintendent.

ACCEPTANCE OF ORGANIZATIONAL ITEMS

Motion for resolution accepting organizational items (W.Kretser-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 1: ACCEPT ORGANIZATIONAL ITEMS

WHEREAS, the Town Board has reviewed the preceding organizational items and finds such items acceptable; NOW THEREFORE,

BE IT RESOLVED, that the Franklin Town Board accepts the organizational items as set forth above.

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilwoman Janet Ordway
Councilman Al Berg
Councilman Cliff Smalley

Those Voting nay:

None

3. OFFICIAL UNDERTAKING.

The Town Board has approved the procurement of a blanket undertaking from the LaBarge Agency, Inc., which is duly authorized corporate surety covering the officers, clerks, and employees of the town. Such approval assures that this blanket undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts.

Motion to accept Official Undertaking (C.Smalley-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 2: ACCEPT OFFICIAL UNDERTAKING

WHEREAS, the Town Board has negotiated with LaBarge Agency, Inc. for procurement of a blanket undertaking, which is duly authorized corporate surety covering the officers, clerks, and employees of the town; NOW, THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Franklin approves the purchase of such blanket undertaking which assures that this Undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts. This undertaking will be filed with the county clerk.

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilwoman Janet Ordway
Councilman Al Berg
Councilman Cliff Smalley

Those Voting nay:

None

Regular Town Board Meeting: January 14, 2008 - 7:00 pm

1. Audit of Bills

The following claims were submitted on Abstract #1 of 2008:

General	Claims 1 - 23	\$36,573.49
Highway	Claims 1 - 17	\$16,287.18

The following claims were submitted on Abstract #12 of 2007:

Prepay General	Claims 64 - 70	\$20,975.18
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Motion to approve claims (J.Ordway-C.Smalley m/s/p) ALL AYE

2. Supervisor's REPORT

Balances as of December 31, 2007

General Fund	CK	\$16,496.41
	SV	\$5,617.04
	CLASS	\$147,787.94
Highway Fund	CK	\$24,905.38
	SV	\$19,598.92

	CLASS	\$80,411.50
	Cap Proj Hwy	\$24,750.48
Landfill	CK	\$2,160.05
	CLASS	\$60,164.72
Fire	CK	\$871.94
	CLASS	\$2,747.80
Cap. Building	CLASS	\$158,199.66

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

3. 2007 GENERAL FUND BUDGET AMENDMENT #4

Supervisor Keith requested a motion for a resolution amending the 2007 General Fund Budget.

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

RESOLUTION NO. 3: 2007 GENERAL FUND BUDGET AMENDMENT #4

WHEREAS, in order to maintain a balanced 2007 General Fund Budget, NOW, THEREFORE,
BE IT RESOLVED, that the following Budget Amendment is hereby adopted:

FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
DA 5130.1 Machinery PS	\$8,297.00	DA 5142.1 Snow Removal PS	\$3,924.00
		DA 15148.1 Svc Other Govts PS	\$4,373.00

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilwoman Janet Ordway
Councilman Al Berg
Councilman Cliff Smalley

Those Voting nay:

None

HIGHWAY REPORT

1. **Highway Superintendent** James Rascoe gave the following report of progress by the department:

- The department spent most of November, December and January plowing and sanding. It snowed every day, and when it didn't snow, everything turned icy.
- We have been plowing and moving snow from culverts and driveways
- Last week, during the wind storm, the department worked hard to move fallen trees to keep the roads open.
- When we can, we are maintaining our vehicles, changing oil and greasing.
- Unit #11 - 2000 International. Recently the wing on the unit was completely rebuilt. It broke down on the coldest day of the year on the way to Brighton and was towed to Plattsburgh because it developed an air leak (our insurance will not cover us if we try to repair electric wiring in vehicles). M.A. Jerry noticed the rear brakes were almost unusable, so the brakes had to be replaced. Also replaced all the hubs and rims. This vehicle has been a problem from the beginning and will be replaced as soon as it can be.
- Unit #3 - 2003 International. The cables broke and were replaced.
- Unit #8 - Loader. The top step on the loader is rusted out, and John Deere wants \$975 for this item. Crowe can fabricate it for less than \$100.
- Steel. This is the time of year when I usually order steel. We use it for repairs like the step on the Loader.
- County Roads. Supt. Rascoe will speak with County Highway Supt. Lewis concerning County Route 26 which is in poor condition and is causing wear and tear on the Town's vehicles. Supt. Rascoe reported that commuter traffic is getting heavier on the thoroughfare. The shoulders are too high. The same condition exists for County Route 60, but the County declares it an A+ road. County Rt 60 is also experiencing a higher degree of commuter traffic.

HIGHWAY COMMITTEE

2. **a. Gas Pumping Station.** Coun. Kretser reported he had spoken to Deputy Highway Supt. Eric Merrill concerning the gas and diesel pumps not working. Each time it rains, the pumps don't work, and recordkeeping becomes difficult. Coun. Kretser saw the shed configuration used by the Town of St. Armand (open on 3 sides), and thinks it wise to cover Franklin's pumping station in the same way, so a shed will be built to cover the pumps Supv. Keith reported she spoke with Franklin County and got the name of the individual who repairs their pumps and will contact him to effect repairs.

b. Resolution Accepting Agreement with County and Authorizing Signature. Supervisor Keith requested a motion for a resolution accepting the Agreement with Franklin County for Snow and Ice Removal from County Roads and authorization for Highway Supt. James Rascoe to execute same. The County proposes to reimburse the Town for same as follows:

Co. Rt. 55	2.43 miles at	\$4.026 per mile
Co. Rt. 60	8.01 miles at	\$ 4.026 per mile

Co. Rt. 48

3.48 miles at

\$ 3.544 per mile

Co. Rt. 26

14.08 miles at

\$ 3.544 per mile

\$109,078

Coun. Kretser questioned whether the Town was being reimbursed adequately, considering the cost of fuel and maintenance. Supt. Rascoe replied that reimbursement prices for the 2009 agreement will be robustly negotiated by the towns.

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

RESOLUTION NO. 5: ACCEPT AGREEMENT WITH FRANKLIN COUNTY FOR SNOW AND ICE REMOVAL BY TOWN

WHEREAS, the County of Franklin has proposed an agreement for the Town of Franklin Highway Dept. to remove snow and ice from county roads; and

WHEREAS, the Highway Superintendent is required to execute same in behalf of the Town; NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the terms and conditions of the 2008 Agreement with Franklin County for snow and ice removal; and BE IT

FURTHER RESOLVED, that the Highway Superintendent is authorized to execute same.

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilwoman Janet Ordway
Councilman Al Berg
Councilman Cliff Smalley

Those Voting nay:

None

NEW BUSINESS

1. RESOLUTION AUTHORIZING NOTES IN TAX BILLS. The Tax Collector requested retroactive authorization to place a note advising taxpayers of the shortening of the town tax collection season to March 31st. The tax collector reported this had not been accomplished in 2007 because she had not received notice from the County until after the 12/26/07 special board meeting.

Motion for resolution (J.Ordway-C.Smalley m/s/p) ALL AYE

RESOLUTION NO. 6: AUTHORIZATION FOR INSERTION OF NOTES ADVISING TAX SEASON END MARCH 31 IN TAX BILLS

WHEREAS, the County of Franklin sent a letter dated December 18, 2007 (received December 24, 2007) to the Tax Collector advising town tax collection season would end on March 31st instead of April 30th; and

WHEREAS, the Tax Collector felt taxpayers should be alerted to this; and

WHEREAS, insertion of such advice into tax bills requires a Board resolution; NOW, THEREFORE,

BE IT RESOLVED, that the Tax Collector is hereby authorized (albeit retroactively) to insert notes into tax bill envelopes advising the end of town tax collection season at March 31st.

Those voting aye:

Supervisor Mary Ellen Keith
Councilman Walt Kretser
Councilwoman Janet Ordway
Councilman Al Berg
Councilman Cliff Smalley

Those Voting nay:

None

2. RESOLUTION AUTHORIZING 2009 ASSESSMENT UPDATE. The Assessor has requested a resolution authorizing the 2009 Assessment Update.

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

RESOLUTION NO. 7: AUTHORIZE ASSESSOR TO CONDUCT ASSESSMENT UPDATE AND REVALUATION IN 2009 AND FOR SUPERVISOR TO SIGN MOU WITH ORPS FOR REASSESSMENT OF PROPERTY VALUES

WHEREAS, the Town Assessor has requested the Town to conduct a town-wide reassessment of property values in the Town of Franklin;

NOW, THEREFORE, BE IT RESOLVED, that the Assessor is hereby authorized to conduct a town wide reassessment of property values in the Town; and BE IT

FURTHER RESOLVED, that the Supervisor is authorized to sign a Memorandum of Understanding dated _____ regarding the planned assessment update and submitted to the Town by New York State Office of Real Property Services.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Walt Kretser
 Councilwoman Janet Ordway
 Councilman Al Berg
 Councilman Cliff Smalley

Those Voting nay:

None

3. NY POWER AUTHORITY GRANT. Supervisor Keith reported she had received the contract from the NY Power Authority for the grant for the two new furnaces. She requested authorization to execute the contract, following vetting by Attorney for Town James Maher.

Motion for resolution (J.Ordway-C.Smalley m/s/p) ALL AYE

RESOLUTION NO. 8: ACCEPT AGREEMENT WITH NY POWER AUTHORITY FOR GRANT FUNDS TO PURCHASE TWO NEW FURNACES AND AUTHORIZATION TO EXECUTE SAME

WHEREAS, the Town has applied for grant funds from NYS Power Authority for the purchase of new furnaces (one for Town Hall, one for Garage) and has received notification of grant award; and

WHEREAS, NYS Power Authority has transmitted an agreement for same; NOW, THEREFORE,

BE IT RESOLVED, that pending examination by the attorney for the town, the Town Board accepts the agreement and authorizes the Supervisor to execute same.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Walt Kretser
 Councilwoman Janet Ordway
 Councilman Al Berg
 Councilman Cliff Smalley

Those Voting nay:

None

4. ADIRONDACK ASSN OF TOWNS/ADIRONDACK NO. COUNTRY ASSN. ADIRONDACK PARK REGIONAL MUNICIPAL INFRASTRUCTURE ASSESSMENT PROJECT. As presented by J.R.Risley, President of the AATV at the Board meeting on October 22, 2007, a survey will be conducted in all 103 towns in the Adirondack Park concerning infrastructure, assessment and economic growth. They have received a grant and have chosen a group to perform the study. AATV will be holding area meetings and urges all town officials to attend. The first meeting is scheduled for 7:00 pm Wednesday, January 23rd at the Goff-Nelson Library in Tupper Lake.

OLD BUSINESS

1. INFRASTRUCTURE UPDATE. Supervisor Keith reported that Shanna Ratner, Principal of Yellow Wood Associates will develop of a series of 7-minute video presentations and printed flyers for the public detailing the proposed buildings projects at an estimated cost of \$1,900. Earth Science Engineering will also contribute its expertise to the Power Point presentation at a cost of \$1,136.70. The total estimated cost for the video presentation and informational brochure will be \$3,100. Supervisor Keith requested a motion for a resolution authorizing the expenditure of funds for the project.

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

RESOLUTION NO. 9: AUTHORIZE EXPENDITURE FOR PREPARATION OF VIDEO AND BROCHURE ON INFRASTRUCTURE PROJECT

WHEREAS, the Town Building Committee has spent from 2001 through 2007 investigating the infrastructure needs of the town; and

WHEREAS, Yellow Wood Associates surveyed the Town's infrastructure needs and recommended environmentally friendly building options; and

WHEREAS, Earth Science Engineering reviewed the Yellow Wood recommendations and has suggested an abbreviated version of the building construction/improvement project still using environmentally friendly building methods and materials; and

WHEREAS, the Town must disseminate this information so as to inform its taxpayers and residents; NOW, THEREFORE,

BE IT RESOLVED, that expenditure not to exceed \$3,100.00 is authorized to be spent in preparation of a video presentation and printed informational brochure.

Those voting aye:

Supervisor Mary Ellen Keith
 Councilman Walt Kretser
 Councilwoman Janet Ordway
 Councilman Al Berg
 Councilman Cliff Smalley

Those Voting nay:

None

2. SUBDIVISION UPDATE.

a. Coun. Walt Kretser stated the Town Board had read and is considering all comments received at the December 26th meeting. Keith Silliman is updating the proposed subdivision law in light of Dick Jarvis' comments as well. The Town wants a legal document that is easy to understand and will provide a copy of the draft to the Adirondack Park Agency and the Dept. of Environmental Conservation for their review and comments as well. The process will be ongoing until the Town has a document that is usable. However, it will be a few months before the regulations are in final form. Once finalized, the regulations will be made available to the public again for review and comment. The Town will disseminate a survey to all residents about subdivision regulations to gather more comments and also hold public information sessions.

b. Questions and Comments re Subdivisions

Coun. Berg asked if the Town subdivision regulations would supersede those of APA and DEC. Coun. Kretser responded the reason the Board opted to draft a subdivision law is that in December 2006, despite opposition of residents, and because the Town of Franklin had no land use regulations, the Town had no standing to oppose the large Stickney Point subdivision. Once adopted as a town law, the subdivision regulations would allow the Town to have a right to be heard in what major subdivision is built in the Town. Many neighboring communities have subdivision regulations. The review process contemplated by the draft regulations is designed to work in tandem with the review processes of State agencies.

In response to a query concerning whether the proposed law would mandate the need to publish notices of proposed subdivisions, Coun. Kretser replied in the affirmative.

Coun. Berg asked if neighboring property owners would need to be notified of a proposed subdivision and how the proposed law would take effect. Coun. Kretser responded that the Town would hold public hearings on each new subdivision. The public would have an opportunity to comment. If public comments were negative, the Town Board would then look for a compromise.

A comment was made that when APA reviews local land use regulations, it looks to see if APA projects will be transferred to the town. The Town of Franklin proposed regulations do not seek to transfer review to the town. State agencies offer technical advice on subdivision laws.

In response to a query on how the Town Board will manage oversight of subdivision development, Coun. Kretser answered that the Board will need total public input and will want to hear from all interested parties by way of a public hearing.

Asked if the proposed regulations would give the Town any authority over additions to residences, Coun. Kretser replied the proposed regulations were NOT zoning, just subdivisions over 5 lots.

Asked what was wrong with the Stickney Point Subdivision, Coun. Kretser and Supv. Keith responded that nothing was wrong with that subdivision, per se, but because the Town had no land use regulation on its books, the APA did not give the Town's comments any weight. Townspeople did not have a say. When neighbors do not like what is going on next door, they look to the Town for resolution of the situation, and the Town may not be in a position to do so without some sort of legislation.

3. FIRE/RESCUE UPDATE. Supervisor Keith was to attend a meeting in Saranac Lake with the Fire Advisory Board on the day of the windstorm but Route 3 was closed. No meeting, no report, no new meeting scheduled.

COMMITTEE REPORTS

1. RECREATION COMMITTEE. The Town Custodian is attempting to create a skating rink at the Recreation Park, but the weather is not cooperating.

2. CEMETERY COMMITTEE. Supv. Keith has some ideas she is developing for the cemeteries. More information will be available later.

3. CELEBRATION COMMITTEE. Santa's Workshop held for children at the Town Hall in December was a success. Plans are being formulated for future events.

CORRESPONDENCE

1. SANDY HAYES. Couns. Kretser and Berg will draft a response to Mr. Hayes for Board review and approval.

2. DON HAMM. Couns. Kretser and Berg will draft a response to Mr. Hamm for Board review and approval.

3. FRANKLIN COUNTY SOLID WASTE AUTHORITY. Letter received announcing new legislation that all Franklin County trash must be deposited at sites in Franklin County, but recycling may be dropped at any other location.

4. CAMP GABRIELS CLOSURE. Gov. Spitzer announced Camp Gabriels will close in six months. A meeting has been called to protest the closure, and Sen. Betty Little will attend. The meeting is scheduled for Thurs., Jan. 24 at the Harriestown Town Hall.

COMMENTS AND QUESTIONS

1. NATIONAL GRID RESPONSE DURING RECENT WIND STORM. Many expressed dissatisfaction at the response of National Grid to the power outages during last week's storm. Supv. Keith responded she, too, was unhappy with the lack of communication so now has obtained the name and telephone number of the responsible individual (Bill Martin) at National Grid. If outages occur in the future, she will be able to be part of a communications relay team so residents can get answers.

2. FOOD PANTRY. Will be held Thursday, January 17th. Many people who used to volunteer can no longer do so because of infirmity. The Food Pantry needs volunteers - people with strong backs.

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).

The wall even though off the foundation, is strong - reinforced with steel.

A maintenance schedule was established. Not one Town highway superintendent ever carried through even one of the written maintenance actions. Had they done so, the Garage would not now have to be rebuilt.

The gutters which were supposed to handle roof runoff were allowed to fall off. They were never replaced, and this accounts for the water damage and the bowing of the wall.

Coun. Kretser replied that the comment in the minutes was a matter of opinion and that regardless of the care taken during the original construction, the Town Garage now must be rehabilitated.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:03 pm (J.Ordney-M.Keith m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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Town of Franklin

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