



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

Special Board Meeting June 23, 2008 - 7:00 pm

The Town of Franklin Town Board held its duly noticed regular Town Board Meeting on Monday, June 16, 2008 at 7:00 pm at the Franklin Town Hall in Vermontville, NY.

Board members Present:

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

Others Present:

Deputy Highway Supt. James Perry
Town Clerk Sandra Oliver
Wade Sullivan

CALL TO ORDER

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

HIGHWAY MATTERS

1. **AWARD BID FOR 2009 TANDEM AXLE TRUCK.** Three (3) bids were received, as follows:

Tracey Road Equipment

6803 Manlius Center Rd. E. Syracuse, NY 13057	\$168,580.00	2009 Sterling LT9511
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Champlain Peterbilt

61 West Service Road Champlain, NY 12919	\$166,274.00	2009 Peterbilt 367
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M.A. Jerry

4365 Route 22
Plattsburgh, NY 12901

\$163,875.00
lease/purchase option

2009 International 5600i

Deputy Highway Superintendent James Perry, after consultation with the Highway Committee, announced his preference for the M.A. Jerry bid - the 2009 International 5600i. The vehicle met each one of the specifications. Engine size was the main determining factor, as neither the Sterling nor Peterbilt are of the same size. The Board concurred that the International was the best fit for the Town. Mr. Perry will notify M.A. Jerry, and the Clerk will notify the unsuccessful bidders.

Motion to accept bid and purchase truck from M.A. Jerry (W.Kretser-J.Ordway m/s/p) ALL AYE

RESOLUTION NO. 35: ACCEPT BID OF M.A. JERRY AND PURCHASE 2009 INTERNATIONAL 5600i

WHEREAS, the Town of Franklin published requests for prices in the Times Union (Albany), Post Standard (Syracuse), Press-Republican (Plattsburgh) and Adirondack Daily Enterprise (Saranac Lake); and

WHEREAS, three proposals were received; and

WHEREAS, the Deputy Highway Superintendent and Highway Committee of the Town reviewed the proposals;
NOW, THEREFORE,

BE IT RESOLVED, that the Town of Franklin Town Board accepts the bid of M.A. Jerry on the 2009 International 5600i; and BE IT

FURTHER RESOLVED, the Town will purchase same.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
Councilman Walter Kretser
Councilperson Janet Ordway
Councilman Allen Berg
Councilman Clifford Smalley

THOSE VOTING NAY:

None

2. **FINANCING OPTIONS.** In response to the published request for bids, M.A. Jerry also included financing options through Navistar:

Six (6) semi-annual payments of \$29,056.80	\$174,340.80
Warranty: 8 years or 100,000 mi.	3,590.00
TOTAL	\$177,930.80

Supv. Keith remarked that the cost of financing through a bond anticipation note cost the Town \$1,700.00 in attorneys' fees; in addition, bond anticipation notes must be solicited each year which takes time. The Board determined to pursue financing through Navistar. Supervisor Keith will communicate with M.A. Jerry's finance officer to obtain details and will also consult with the attorney for the Town.

Motion to finance through Navistar (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 36: AUTHORIZING THE PURCHASE OF A NEW TRUCK FOR THE HIGHWAY DEPARTMENT BY INSTALLMENT PURCHASE CONTRACT.

WHEREAS, the town of Franklin has accepted a bid pursuant to Sect 103 of the General Municipal Law to purchase a new truck for the Highway Dept.; and

WHEREAS, the Town wishes to finance the purchase of the truck through an installment purchase contract under Sec 109-b of the General Municipal Law; and

WHEREAS, the Town has received an offer through Navistar to enter into an installment sales contract for three (3) years at an interest rate of 5.09 percent; and

WHEREAS, the total price of the truck is \$163,875.00 excluding the cost of financing; and

WHEREAS, the total price of the truck is \$174,340.78 including the cost of financing; NOW, THEREFORE,

BE IT RESOLVED, that although the purchase could have been financed with indebtedness issued under Local Finance Law, the Board has determined the most expeditious and least costly method of financing is by installment sales contract under Sect. 109-b of the General Municipal Law, and that the time and expense involved in the bond process (including attorney fees) argue against pursuing this alternative; and BE IT

FURTHER RESOLVED, the Board has determined that an installment purchase contract is in the best interests of the Town; and BE IT

FURTHER RESOLVED, that the Supervisor is authorized and directed to execute said installment purchase contract with Navistar under terms described above; and BE IT

FURTHER RESOLVED, that the Board has determined

(1) the amount of unpaid periodic payments to be made under said purchase contract (excluding interest) and other outstanding installment purchase contracts, together with the amount of outstanding indebtedness does not exceed 115 percent of the limit prescribed by section 104.00 of the local Finance Law; or

(2) the total amount of payments (excluding interest) under the proposed contract, as well as under outstanding contracts, does not exceed forty percent of such limit.

AND BE IT FURTHER RESOLVED, that the installment purchase contract shall contain the following clause:

This contract shall be deemed executory only to the extent of monies appropriated and available for the purpose of the contract, and no liability on account thereof shall be incurred by the political subdivision beyond such monies. The installment purchase contract is not a general obligation of the Town of Franklin. Neither the full faith and credit nor the taxing power of the Town of Franklin are pledged to the payment of any amount due or to become due under such installment purchase contract. It is understood that neither this contract nor any representation by any public employee or officer creates any legal or moral obligation to appropriate or make monies available for the purpose of the contract.

THOSE VOTING AYE:

Supervisor Mary Ellen Keith
Councilman Walter Kretser
Councilperson Janet Ordway
Councilman Allen Berg
Councilman Clifford Smalley

THOSE VOTING NAY:

None

3. **SALE OF 2000 TANDEM.** The Clerk confirmed the cost of publishing an ad in PROFILE, the Highway Superintendent's publication, would be \$90 with a photo.

4. **GARAGE EMERGENCY ELECTRICAL REPAIR.** Mr. Perry reported that last Thursday afternoon (June 19), Wade Sullivan noticed one of the outlets smoking. Electrician David Goff was called and repairs were made over the weekend at a cost of approximately \$400.66. The entire circuit, wired incorrectly to begin with, was completely replaced. Supv. Keith requested the Board authorize the invoice to be prepaid through General Fund. The Board concurred. Mr. Perry stated that much more electrical repair was needed at the Garage, but it should wait until the rehabilitation of the structure is complete, later this year. Coun. Berg recommended that the department shut all electrical circuits down at close of business each day in order to prevent fire. Mr. Perry agreed.

5. **STATUS OF TEAMSTERS UNION.** A vote taken by the Highway Dept. employees concluded in opposition to union representation by the Teamsters. However, no action can be taken until the contract expires, December 31, 2009. If the will of the Highway Dept. employees by May 2009 remains opposed to the Teamsters Union, then decertification proceedings will be commenced. New employees will be obliged to pay "agency fees" (without voting rights) if they decide not to join the Teamsters. At the present time, dues for Union members are approximately \$10 per week. Supervisor Keith indicated that even if the employees decide to withdraw from the Teamsters Union, the only protection they will have is under Civil Service, and then only if they have been employed for five years.

6. **AWARD BID FOR ELECTRICAL REPAIR WORK AT TOWN GARAGE.** Requests for prices having been published in November 2007 and no responses having been received, the Town Board solicited bids for the repair, including removal of existing electrical from fuel shed, installation of two fuel tanks, and installation of light on pole. Two bids were received:

David Goff	\$4,943.58
Greggor's	\$3,403.25

Coun. Smalley noted that Greggor's did not include removal in his bid price and so, his bid would be disqualified. Coun. Kretser commented that David Goff did not list the materials he would use, but that Mr. Goff is reliable and his work is good. The Board determined it would accept the bid of David Goff on the condition he provide a materials list. Supervisor Keith stated she would recuse herself from commenting or voting as Mr. Goff is her brother.

Motion to award Garage electrical repair to David Goff (J.Ordway-C.Smalley m/s/p) ALL AYE

RESOLUTION NO. 38: AWARD BID FOR ELECTRICAL UPGRADE/REPAIR AT KATE MOUNTAIN RECREATION PARK TO DAVID GOFF

WHEREAS, electrical repair work on Town Garage having been solicited and bids received; NOW, THEREFORE, BE IT RESOLVED, that the Town of Franklin Town Board hereby awards the Garage electrical repair work to David Goff, Vermontville, in sum of \$4,943.58; provided, however, that Mr. Goff submits a list of materials to be used.

THOSE VOTING AYE:

Councilman Walter Kretser
Councilperson Janet Ordway
Councilman Allen Berg
Councilman Clifford Smalley

THOSE ABSTAINING:

Supervisor Mary Ellen Keith

THOSE VOTING NAY:

None

OLD BUSINESS

AWARD BID FOR ELECTRICAL REPAIR AT RECREATION PARK.. Having published requests for prices in November 2007 and no responses having been received, the Board solicited bids for electrical repair and upgrade of the system at Kate Mountain Recreation Park. Only one bid was received, from David Goff, Vermontville, in sum of \$2,299.64. The Board determined it would accept Mr. Goff's bid on condition he provide a materials list. Again, Supervisor Keith recused herself.

Motion to award Rec Park electrical work to David Goff (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 38: AWARD BID FOR ELECTRICAL UPGRADE/REPAIR AT KATE MOUNTAIN RECREATION PARK TO DAVID GOFF

WHEREAS, electrical repair work at Kate Mountain Recreation Park having been published and solicited and one bid received; NOW, THEREFORE,

BE IT RESOLVED that the Town of Franklin Town Board hereby awards the Recreation Park electrical upgrade/repair work to David Goff, Vermontville, in sum of \$2,299.64; provided, however, that Mr. Goff submits a list of materials to be used.

THOSE VOTING AYE:

Councilman Walter Kretser
Councilperson Janet Ordway
Councilman Allen Berg
Councilman Clifford Smalley

THOSE ABSTAINING:

Supervisor Mary Ellen Keith

THOSE VOTING NAY:

None

ADJOURNMENT

There being no further business to conduct, the meeting adjourned at 8:14 pm.

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

Respectfully submitted, Sandra J. Oliver, Town Clerk

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