



# The Town of Franklin

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[Home](#)
[Officials & Contact Info](#)
[Town Clerk/Tax Collector](#)
[Board Meetings](#)
[Town Budget](#)
[Laws & Forms](#)
[Newsletter](#)
[Public Notices & Bid Info](#)
[History, Photos & Maps](#)
[Property Assessments](#)
[Energy](#)
[Events, Recreation & Kate Mtn Park](#)
[Area Businesses](#)
[Town Journals](#)
[Emergency Preparedness](#)
[Menu](#)

## Town of Franklin Board Meetings

### Public Hearing On Proposed Local Law

The Town of Franklin Town Board held a duly publicized Public Hearing to collect comments on a proposed local law expanding the residency requirements of the deputy highway superintendent on Monday, November 10, 2008 at 6:30pm at the Franklin Town Hall, Vermontville, NY.

#### Board members Present:

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

#### Board members absent:

Councilman Clifford Smalley

#### Others Present:

Highway Supt Wade Sullivan, Town Clerk Sandra Oliver Paul & Carol Ward, Don & Doris Hamm, Donald Goff, Brad Merrill, Ed Martin, Vince & Sue Catlin, Vince Pagano

#### CALL TO ORDER

The public were asked to sign in, Supervisor Keith called the hearing to order at 6:30 pm; the Pledge of Allegiance was recited, and the Town Clerk called the roll, stating a quorum was present. Supv. Keith announced the purpose of the public hearing was to gather comments on a proposed local law changing the residency requirements for the appointed deputy highway superintendent. The Town Clerk read aloud the Rules of Conduct at Public Hearings, and the proposed local law as follows:

A person appointed as deputy superintendent of highways for the Town of Franklin may reside in any of the Town of Franklin, Town of Brighton or Town of Harrietstown, located in the County of Franklin and State of New York. Section 23(1) of the Town Law of the State of New York, as amended to date, and Section 3(1) of the Public Officers Law of the State of New York, as amended to date, are hereby amended accordingly.

#### PUBLIC COMMENTS:

- Why do you need to search outside the town for a deputy highway superintendent? Why say no one from the Town of Franklin qualified? All officials should be residents of the Town. Can we get an answer from the Town Board tonight?
- Coun. Kretser responded. Our rationale is that we currently have highway department employees who are qualified but are not Town residents.
- The deputy does not have to be an employee of the Town. Why is it necessary even to hire non-resident employees?
- Supv. Keith replied the Town must adhere to guidelines and rules under Civil Service. Applicants are carefully screened, references are checked, and their driving record must be clean. Just because an applicant is a Town resident does not mean he is qualified. New hires are also screened for drug and alcohol use. Guidelines of Civil Service, the Town's insurance carriers and EAS (drug assistance program) must all be followed.

#### **POLL OF ATTENDEES.**

Supervisor Keith then asked whether or not those in attendance were in favor of the proposed local law:

Paul Ward - Yes  
 Brad Merrill - No  
 Carol Ward - Yes  
 Vince Pagano - No  
 Donald Goff - No  
 Ed Martin - No  
 Vince Catlin - Yes  
 Don Hamm - No  
 Sue Catlin - Yes  
 Doris Hamm - No

#### **ADJOURNMENT.**

Comments having been collected, the public hearing adjourned at 6:46 PM. (J.Ordney-W.Kretser m/s/p) ALL AYE

### **Town of Franklin Board Meeting**

#### **Regular Town Board Meeting: Monday, November 10, 2008 - 7:00 PM**

The Town of Franklin Town Board held a regularly scheduled Town Board Meeting on Monday, November 10, 2008 at 7:00 pm at the Franklin Town Hall in Vermontville, NY.

#### **Board members Present:**

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

#### **Board members absent:**

Councilman Clifford Smalley

#### **Others Present:**

Highway Supt Wade Sullivan, Town Clerk Sandra Oliver, Frank & Barbara Karl, Paul & Carol Ward, Don & Doris Hamm, Donald Goff, Brad Merrill, Ed Martin, Vince & Sue Catlin, Vince Pagano, David Snickles, Jim & Nancy Hauber, Jean Baltzly, Nathan Brown, Adirondack Daily Enterprise

#### **CALL TO ORDER**

Supervisor Keith called the meeting to order; the Town Clerk called the roll, stating a quorum was present.

#### **AUDIT OF CLAIMS**

##### **The following claims were presented for payment on Abstract #11:**

General	Claims 231 - 251	\$24,690.85
Highway	Claims 146 - 164	183,855.07

##### **The following claims were presented for payment on Abstract #10:**



Carcuzzi, who indicated the repairs (\$1,000) are not immediately necessary. Truck runs fine.

c. The John Deere front loader is used daily and should be replaced but definitely must be repaired. A high estimate for repair is \$23,000 for line boring and pin replacement. The vehicle has 9,000 hours on it and most superintendents recommend replacement at that time. However, with repairs it will operate well enough for another year. A new loader prices at \$135,000. The vehicle must be transported to Clifton Park, where the repair facility is located and repairs will take a week or two. Coun. Kretser stated with the downturn in the economy, the loader should be repaired rather than replaced. Supt. Sullivan indicated the loader has been well maintained, the motor and transmission are in fine shape.

Motion to authorize repair of John Deere front loader (M.Keith-W.Kretser m/s/p) ALL AYE

3. Grates and Drains. During the department cleaning of grates and drains at the Garage, the grates bent and broke when pulled out, so the drains were covered with pieces of wood. It was discovered that one of the drain outlets emptied water, oil and salt runoff into a holding tank, however, the pipe cracked, and it was discovered that the holding tank was really a dry well with no bottom. Engineer Doug Ferris was on hand and notified NYS DEC. The drain was plugged and hole covered. DEC and the Engineer are working on a plan. If the hole fills with water it will have to be pumped out. Supv. Keith added that she spoke with Engineer Doug Ferris who indicated the runoff into the dry well was sludge. He opined not much damage was done, and DEC is monitoring the site. Highway Supt. Sullivan stated the area was graded so that water drains away from the site.

4. Deputy Highway Superintendent. Supt. Sullivan stated when he was appointed Highway Superintendent, under NYS law, he had five days within which to appoint a deputy. He could have appointed anyone he wanted, including his wife. However, he wanted someone who was very familiar with the workings of the department, and had only three Town-resident employees from which to choose. One resigned the position of deputy, one had only been on the job for 3 days, and the final employee had held the position in the past but had been absent for 15-16 weeks this past year and nobody in the department had faith in him. When Mr. Sullivan did not appoint a deputy, the Board had the responsibility to do so, and Mr. Sullivan recommended a non-resident employee who had been a highway superintendent in an adjoining town. That is the reason the Board adopted the local law. As Jacques Demars was elected highway superintendent starting January 1, 2009, he can appoint anyone he wants, however, Mr. Sullivan stated the deputy should work in the department.

## HIGHWAY COMMITTEE

a. Coun. Kretser commended the Highway Department for accurate and comprehensive management reports. The Highway Committee now knows how much fuel is being used, which vehicles have been maintained, etc.

b. Coun. Ordway asked about lights being left on all night, and Highway Supt. Sullivan stated lights are being turned off when employees are not at the sand/salt pile. In addition, lights are no longer left on at the Garage front and spotlights on the poles are turned off. Further savings could be realized if lights were replaced with high-pressure sodium. Coun. Berg expressed concern about security and suggested motion detectors be installed near the sites. Coun. Kretser agreed, and recommended replacement of bulbs with high-sodium lights.

## QUESTIONS AND COMMENTS RE HIGHWAY MATTERS:

- Loader can be repaired locally for much less money.
- Highway Supt. Sullivan said he would investigate this.
- Why transfer title of Bigelow Road to DEC? If you abandon that road, CHPS reimbursement will be decreased by \$6,000; in addition, but the road is well-used by many people.
- Supv. Keith responded that the bridge on the road is owned by Franklin County, and it has determined not to repair it. DEC contacted her regarding the road as DEC owns the land on either side of it. Coun. Berg added the area is used as a dump, and it costs the Town money to clean it up. Supv. Keith noted that DEC wants this seasonal road to be open for handicapped vehicles and that it will keep snowmobile trails open. She will discuss feasibility of transfer of title with DEC.
- Why can't the bridge on Bigelow Road be replaced with culverts? Fire department access inhibited without bridge repair/replacement. Culverts have replaced bridges in the past.
- Supv. Keith responded it would be up to the County.
- Property markers near Garage have been removed or buried, and your new garage project encroaches on neighbors' properties.
- Supv. Keith replied the new project will not encroach on any neighbors' properties. The Town's engineer, Doug Ferris, deals with these issues all the time.
- Regarding the illegal dumping at Norman Ridge, Mr. Perry was responsible for that; however, some current employees took part in the illegal dumping of waste material at that site. Mr. Perry did not do this all on his own. When will the deputy highway superintendent be appointed? And will he be one of the employees who assisted in dumping at the Norman Ridge site? It's been 4 months since DEC became involved. Wells should be tested. What is the status and why haven't we heard anything?
- Supv. Keith responded she had heard nothing from DEC about the matter; it is still under DEC investigation. The new local law will be sent to NYS Dept. of State in Albany, and as soon as it is filed, the new local law will take effect, probably in December; therefore, Jacques Demars, the newly-elected highway superintendent will appoint his own deputy.

## SUBDIVISION UPDATE:

Councilman Smalley is out of town; however, he will report on the Citizens Advisory Committee on Subdivision progress at the special board meeting on November 17.

## INFRASTRUCTURE UPDATE

Doug Ferris, Earth Science Engineering, will present a report on the Garage rehabilitation project at the November 17 special board meeting.

## COMMITTEE REPORTS

### 1. Recreation and Celebration Committees

a. HALLOWEEN. Supv. Keith reported a children's Halloween party was held on Oct. 31st in conjunction with the Nazarene Church, however, attendance was sparse.

b. CHRISTMAS. She would like to arrange a Santa's Workshop for children to celebrate Christmas on Saturday, December 6th. This has been very successful in the past.

### 2. Cemetery COMMITTEE

. The Franklin Falls Cemetery is being maintained by a private cemetery association; Historian Brad Merrill has performed research and has determined the Town of Franklin does not own the cemetery. Supv. Keith has spoken with St. Armand Supervisor Joyce Morency, and they concur that Mr. Monroe is taking good care of it. The Town of Franklin will assist with flags for veterans but will no longer mow grass or otherwise maintain the site.

## QUESTIONS AND COMMENTS:

- On the Supervisor's report why the decrease in Capital Projects Building fund?
- We paid the engineers
- Can we find out how much has been spent on this project over the past decade? You have to keep an eye on spending.
- We can get these figures for you.
- On Supervisor's Report, what is CLASS?
- CLASS is a special savings account, which pays high interest, an MBIA; it consolidates funds from participating municipalities and a higher interest is paid on the total. When Frank Karl was supervisor he enrolled the Town in it.
- Again in Supervisor's Report, what is Abs #10?
- Abstract No. 10, representing bills that were paid.
- On Supervisor's Report, why so little for health insurance?
- The figures are as of October 1st; they will be different next month. The amount paid to Health & Hospital depends on the kind of plan the employees choose; the general fund employee's insurance is paid from the General Fund and he has a family plan. We have another general fund employee who has a single plan and pays her own insurance.

## ANNOUNCEMENTS.

A special board meeting will be held next Monday, November 17 at 7:00 PM. The full board will hear the report of Engineer Doug Ferris on the garage rehabilitation project, a presentation on insurance by Andree LaBarge and will also adopt the budget.

THANKSGIVING DINNER. A community Thanksgiving dinner sponsored by the Nazarene Church will be held on Saturday, November 22, 2008 from 2:00 to 4:00 PM. We don't want people to spend Thanksgiving alone. Donations of prepared food will be welcome.

## 12. ADJOURNMENT.

There being no further business to conduct, the meeting adjourned at 8:00 PM. (W.Kretser-J.Ordway m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

[Click here to see past minutes](#)

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