



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
March 23, 2009 - 7:00 pm**

Board members Present:

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

Others Present:

Town Clerk Sandra Oliver, Frank Karl, Donald Goff, Don & Doris Hamm, Jim Hauber, Jean Baltzly, Ed Martin

CALL SPECIAL 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.

1. PERMISSIVE REFERENDUM ON GARAGE REPAIR BOND

Supervisor Keith announced the purpose of the special meeting was to set a date for the permissive referendum on the garage bond. The Town Clerk stated the referendum must be held no earlier than 60, nor later than 75, days following service of the petition. The referendum will be open to all residents of the Town of Franklin; voters do not need to be registered to vote but must reside in the town and if not registered, should be able to show proof of identification and residence. There are individuals who are classified as permanent absentee voters, and forms (supplied by Franklin County Board of Elections) must be mailed to them at least 20 days prior to the referendum. Completed absentee ballots must be received at the Franklin Town Hall by the day of the election. The Town Board will appoint election inspectors who are residents of the County of Franklin must be recruited from the County's current list of qualified election inspectors. Because there have been issues involving resident election inspectors in years past regarding controversial topics, Supervisor Keith suggested only non-resident poll workers be involved. The County Board of Elections provided a list of qualified inspectors from Brighton, Harrietstown and Santa Clara. Voting will be by paper ballot; the Board of Elections will supply the ballot box and forms. Polls will be open from 8:00 am to 8:00 pm. The Town will be responsible for printing the ballots and mailing the absentee voter forms.

The Town Board discussed the matter and determined that Tuesday, April 21, 2009 will be the date of the permissive referendum. The date will be published in the Adirondack Daily Enterprise, posted on the website and on the billboard outside the Town Hall as well as the Town Clerk voicemail message. The Board asked the Town Clerk to recruit election inspectors for the referendum.

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

RESOLUTION NO. 13: AUTHORIZING A REFERENDUM ON THE BOND RESOLUTION ADOPTED JANUARY 12, 2009 FOR THE RECONSTRUCTION, REPAIR AND RENNOVATION OF THE TOWN HIGHWAY GARAGE AT AN ESTIMATED MAXIMUM COST OF \$800,000 AND THE ISSUANCE OF UP TO \$800,000 OF BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE TOWN TO PAY THE COST OF THE PROJECT

WHEREAS, Section 64(3) of the Town Law of the State of New York empowers the Town Board of the Town of Franklin, Franklin County, New York (the Town) to manage maintain and control Town properties as the purposes of the Town may require; and

WHEREAS, the Town Board of the Town has determined that it is necessary for the Town to reconstruct, repair and renovate the Town's Highway Garage (the Project); and

WHEREAS, the Town, as a local agency pursuant to the New York State Environmental Quality Review Act (SEQRA), ECL Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the Regulations), having reviewed the impact of the reconstruction, repair and renovation of the Town's Highway Garage upon the environment, intends hereby to determine that the Project constitutes a "Type II Action" under 6 NYCRR 617.5(c)(25) of the Regulations and is not subject to review under SEQRA; and

WHEREAS, a Resolution subject to permissive referendum was adopted by the Town Board on January 12, 2009 authorizing the reconstruction, repair and renovation of the Town's Highway Garage and the issuance of bonds and other obligations to finance the cost thereof, together with appurtenant equipment, machinery apparatus and other improvements incidental thereto, all as required for the purpose for which such Highway Garage is to be used, at a maximum estimated cost of \$800,000, including all professional costs, including legal advertising and legal services, equipment, machinery and other necessary appurtenances and all other necessary costs incidental to such work (the Project), and, to pay for such Project, the levy of a tax for the foregoing object or purpose in an amount not to exceed \$800,000, which shall be levied and collected in annual installments in such years and in such amounts as may be determined by the Town Board and that in anticipation of the collection of such tax, bonds and notes of the Town are authorized to be issued at one time, or from time to time, in the principal amount not to exceed \$800,000 and a tax is authorized to pay the interest on said obligations when due. Under the Local Finance Law, the Project has a period of probable usefulness of twenty (20) years; and

WHEREAS, the Town received a petition for a vote of the qualified electors on the bond resolution. NOW, THEREFORE

BE IT RESOLVED ON MARCH 23, 2009 BY THE TOWN BOARD OF THE TOWN OF FRANKLIN, NEW YORK, AS FOLLOWS:

Section 1.

A Special Town Election of the qualified electors of the Town of Franklin, County of Franklin, State of New York, will be held at the Town Hall in Vermontville, New York, on the 21st day of April, 2009 from 8:00 A.M. to 8:00 P.M., prevailing time, for the purpose of voting on the proposition described in the Notice of Special Town Election hereinafter set forth.

Section 2. The proposition to be voted upon at said Special Town Election shall be as stated in the Notice thereof, and the Town Clerk is hereby authorized and directed to cause the Notice of said Special Town Election to be published in the Adirondack Daily Enterprise, a newspaper having a general circulation within the Town, such publication to be made as provided in the Town Law for Special Town Elections.

Section 3. The Special Town Election shall be called by giving the following notice thereof:

NOTICE OF A SPECIAL TOWN ELECTION OF QUALIFIED ELECTORS OF THE TOWN OF FRANKLIN

THE TOWN BOARD OF THE TOWN OF FRANKLIN, NEW YORK HEREBY GIVES NOTICE that pursuant to a Resolution adopted by the Town Board on the 23rd day of March 2009, a Special Town Election of the qualified electors of the Town of Franklin, County of Franklin, State of New York, will be held at the Town Offices in Vermontville, New York, on April 21, 2009, between the hours of 8:00 A.M. and 8:00 P.M. prevailing time, for the purpose of voting upon the following proposition:

PROPOSITION

Shall the Bond Resolution adopted by the Town Board on January 12, 2009 authorizing the reconstruction, repair and renovation of the Town Highway Garage, including related site improvements, original furnishings, fixtures and equipment, architectural fees, and all other costs incidental to such work at a total estimated cost not to exceed \$800,000, the levy of a tax upon the taxable property of the Town for the forgoing in the amount of \$800,000, the issuance of up to \$800,000 of obligations of the Town and the levy of a tax to pay the interest thereon when due, be approved?

NOTICE IS GIVEN that voting upon the foregoing Proposition will be by paper ballot and will take place on the 21st day of April, 2009, at the Franklin Town Offices in Vermontville, New York, between the hours of 8:00 A.M. and 8:00 P.M. prevailing time.

NOTICE IS FURTHER GIVEN that qualified electors may obtain applications for absentee ballots from the office of the Town Clerk. Completed applications for absentee ballots must be received by the Town Clerk no later than April 13, 2009 if the absentee ballot is to be mailed to the voter, or until April 20, 2009 if the ballot is to be personally

delivered to the voter. A listing of all persons to whom an absentee ballot is issued will be available for inspection by any qualified elector during regular business hours in the Office of the Town Clerk 9:00 am to 3:00 pm beginning March 30, 2009.

NOTICE IS FURTHER GIVEN that the proposition set forth on the paper ballots or voting machine label shall appear as follows:

PROPOSITION

Shall the Bond Resolution adopted by the Town Board on January 12, 2009 authorizing the reconstruction, repair and renovation of the Town Highway Garage, including related site improvements, original furnishings, fixtures and equipment, architectural fees, and all other costs incidental to such work at a total estimated cost not to exceed \$800,000, the levy of a tax upon the taxable property of the Town for the forgoing in the amount of \$800,000, the issuance of up to \$800,000 of obligations of the Town and the levy of a tax to pay the interest thereon when due, be approved?

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Town Board of the Town this 23rd day of March, 2009, the result of which vote was as follows:

Those voting aye:

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

Those Abstaining:

None

Those Absent:

None

Those Voting nay:

None

2. **NYS RETIREMENT.** Supv. Keith stated the State of New York Retirement System now requires that municipalities offer enrollment in the NYS Retirement System to all employees, full- and part-time. Councilperson Janet Ordway is currently enrolled in the NYS Retirement System through her employment with the Saranac Lake Central School District. Following discussions with the Retirement System a determination was made to set hours at 6 days per day, 2 days per month with a retroactive start date of December 1, 2003. Supv. Keith asked for a motion for a resolution authorizing payment into the NYS Retirement System on behalf of Councilperson Ordway.

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

RESOLUTION NO. 14: AUTHORIZE PAYMENT INTO NYS RETIREMENT SYSTEM FOR COUNCILPERSON JANET ORDWAY

WHEREAS, Councilperson Janet Ordway is enrolled in the NYS Retirement System through her employment with the Saranac Lake Central School District; and

WHEREAS, the Town has offered and she has accepted enrollment in said System through her employment with the Town of Franklin; and

WHEREAS, Councilperson Janet Ordway has served as a member of the Town Board of the Town of Franklin for two 4-year terms; NOW, THEREFORE,

BE IT RESOLVED, that a determination has been made that Coun. Ordway's hours are considered to be 6 hours per day, 2 days per month; and BE IT

FURTHER RESOLVED, that Town enrollment is retroactive to December 1, 2003; and BE IT

FURTHER RESOLVED, that the Supervisor is authorized to make payments to NYS Retirement System on behalf of Councilperson Janet Ordway.

Those voting aye:

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

Those Abstaining:

None

Those Absent:

None

Those Voting nay:

None

There are a lot of people who will be out of town on April 21st. Can they get absentee ballot forms from the Town

Clerk?

Yes. However, please keep in mind those ballots must be received at the Town Hall no later than 8:00 PM Tuesday, April 21, 2009.

Where will the information about the referendum be advertised?

In the newspaper, on the billboard outside the Town Hall, on the Town website, on the outside bulletin board and on the Town Clerk's voicemail message.

ADJOURNMENT

As there was no further business to conduct, the meeting adjourned at 7:20 pm. (C.Smalley-A.Berg m/s/p ALL AYE
Respectfully submitted, Sandra J. Oliver, Town Clerk

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