



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 Minutes of the Monthly Town Board Meeting July 1, 2010 - 1:00 PM

Board members present:

Supervisor Arthur P. Willman, Jr.
Councilman Allen Berg
Councilman Clifford Smalley
Councilman Donald Hamm
Councilman Bradley Merrill

Board members absent:

Councilman Allen Berg
Councilman Donald Hamm

Others Present:

Highway Superintendent Jacques DeMars
Town Clerk Sandra Oliver

1. CALL TO ORDER

Supervisor Arthur P. Willman, Jr. called the meeting to order at 1:00 PM, the Pledge of Allegiance was recited, and the Clerk called the roll and introduced guests and declared a quorum was present.

2. PURPOSE OF MEETING.

Supv. Willman explained the purpose of the special meeting called on short notice was to accept the lease/financing proposal of Navistar at a fixed rate of 4.58% which is only in force until July 2nd.

3. AMEND RESOLUTION NO. 52.

Supv. Willman requested a motion to amend Resolution No.52, adopted at the June 23, 2010 special meeting, as the Highway Superintendent and Highway Committee had reviewed the bid and approved same. Motion to amend

resolution (C.Smallley-B.Merrill m/s/p) ALL AYE

RESOLUTION NO. 52: ACCEPT BID OF M.A. JERRY FOR 2011 INTERNATIONAL TANDEM WHEREAS, the Town Board republished requests for prices of a 2011 Tandem Truck with Plow and Dump Box in the Adirondack Daily Enterprise, Malone Telegram, Press Republican, Times-Union (Albany) and Watertown Daily Times; and WHEREAS, two bids were received in response thereto; and WHEREAS, the M.A. Jerry bid is lower and meets all specifications; NOW, THEREFORE, BE IT RESOLVED, that the Town Board accepts the bid of M.A. Jerry for a 2011 International 7600 SBA 6x4 tandem truck with plow package and dump box for the lease price of \$170,987, ~~pending positive review of the Highway Superintendent and the Highway Committee.~~

4. ACCEPT NAVISTAR LEASE/PURCHASE PROPOSAL

Supv. Willman requested the Board members review the proposed resolution setting the interest rate to be charged on the Navistar lease/purchase agreement for the 2011 International Tandem. He requested motion for the resolution (B.Merrill-C.Smallley m/s/p) ALL AYE

RESOLUTION NO. 56: AUTHORIZE FINANCING OF 2011 INTERNATIONAL TANDEM THROUGH NAVISTAR FINANCIAL WHEREAS, the Town of Franklin has accepted a bid pursuant to Section 103 of the General Municipal Law to purchase a 2011 International new tandem plow truck with dump box for the Highway Department; and WHEREAS, the Town wishes to finance the purchase of the truck through Navistar to enter into an installment sales contract for three (3) years at an interest rate of 4.58%; and WHEREAS, the installment lease/purchase contract specifies six (6) equal payments of \$30,428.58 to be made commencing October 2011; and WHEREAS, the total price of the vehicle is \$172,663.00, including the cost of financing; and WHEREAS, 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 Section 109-b of the General Municipal Law and that the time and expense involved in the bond process (including attorneys' fees) argue against pursuing this alternative; and WHEREAS, the Board has determined that an installment purchase contract is in the best interests of the Town; NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized and directed to execute said installment purchase contract with Navistar Financial 429 N. Martingdale Road, Schaumburg, Illinois 60173; and BE IT FURTHER RESOLVED, 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% 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 (40%) 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 Arthur P. Willman, Jr.
Councilman Clifford Smalley
Councilman Bradley Merrill

Those Voting nay:

None

Those Absent:

Councilman Allen Berg
Councilman Donald Hamm

Those Abstaining:

None

5. PREPAY VOUCHER.

Supv. Willman requested approval of a prepay voucher to reimburse \$232.96 in travel expenses for Highway Dept. employee Eric Merrill incurred during the transport of the excavator.

6. QUESTIONS AND COMMENTS.

Coun. Smalley inquired how the new excavator was running, and Supt. DeMars replied he was training Department employees with the vehicle and that it was running quite well.

6. ADJOURNMENT

There being no further business to discuss or conduct, the meeting adjourned at 1:07 PM. (C.Smalley-B.Merrill m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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