



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

Minutes of the Monthly Town Board Meeting August 10, 2011 - 7:00 Pm

Board members present:

Supv Arthur P. Willman
Coun. Allen Berg
Coun. Donald Hamm
Coun. Bradley Merrill
Coun. Clifford Smalley

Others Present:

Town Clerk Sandra Oliver, Todd Law, Deputy Hwy Supt., Karen Smalley, Frances Oliver, Doris Hamm Kenneth Guerin, Edward Martin, Richard Jarvis

1. CALL TO ORDER

Supv. Willman called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited; the Clerk called the roll, introduced guests and declared the full board was present.

2. QUESTIONS & COMMENT

KAREN SMALLEY announced that Wes Wilson once again entered and completed the Ironman Competition. She also lauded the Highway Dept. for its work in mowing.

3. BUDGET AMENDMENTS. Supv. Willman requested a motion for a resolution transferring \$8,000 from Contingency to Buildings to cover the expense of the replacement of windows and doors and electrical work at the Town Hall. Motion C.Smalley-A.Berg m/s/p. ALL AYE

RESOLUTION NO. 44: 2011 GENERAL FUND BUDGET AMENDMENT #1 WHEREAS, in order to maintain a balanced budget, the following transfer of \$8,000 is approved:
FROM: A1990.4 Contingency TO: A1620.4 Buildings

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

4. AUDIT OF CLAIMS

Supv. Willman asked if anyone had questions about the claims submitted for approval, and Coun. Merrill asked about the \$7,600 bill for crusher run for Alder Brook Park Road. Supv. Willman replied the road repair was a work in progress and that Supt. DeMars got approval for the extra funds from both he and the Highway Committee. The 284 Agreement will be revised. Coun. Merrill opined funds capital projects should come before the entire board, not just the Town Supervisor and 2 other Board members, as the 284 agreement is subject to State law. Supv. Willman replied he was under the impression that the 284 agreement was flexible in nature, and Coun. Merrill disagreed, the entire Board should accept stating the agreement at the beginning of the year, not revised later in the year, as occurred in 2010. There are many roads in the Town, he continued that require work. Supv. Willman indicated while he could see Coun. Merrill's position, the Highway Superintendent did not foresee the additional \$3,000 expended on Alder Brook Park Road until after the July Board meeting. Alder Brook Park Rd. was closed earlier in the year due to washouts caused by spring rains, and the full extent of the repair work involved was not known until after the July meeting. Supv Willman noted the reason there are so many roads in Town requiring work is because of the "band-aid" approach used in earlier decades; indicated he did not wish to call a special board meeting just for the expenditure of \$3,000. Alder Brook Park Road now qualifies for inclusion on the revised 284 as the total is over \$10,000. Coun. Smalley commented that the Town has historically placed a "band-aid" on problem roads, and as a contractor, he understood the need to do a thorough job and not interrupt a project. Couns. Hamm and Berg agreed. Edward Martin interposed that Alder Brook Park Road is used a detour road when State Route 3 is closed. Alder Brook Park Road had to be closed for several weeks due to the washout, and it is fortunate that no accidents occurred on the St. Rt. 3. Supv. Willman then reported that emergency repair work on all roads damaged by spring washouts may be reimbursed 75% by FEMA; he then asked for a motion for a resolution to accept the claims. Motion (A.Berg-C.Smalley m/s/p) ALL AYE

The following claims listed on Abstract 8 were approved for payment:

General Fund	Vouchers 123 - 140	\$2,872.48
Highway Fund	Vouchers 134 -	\$12,801.85
Prepay General	Vouchers 24 -	\$1,311.92

Coun. Merrill questioned the \$2,000 Highway claim for aluminum tanks. Supv. Willman answered the tanks are replacements for ones that were rusted out. Motion to accept and pay claims (B.Merrill-A.Berg m/s/p) ALL AYE.

5. MINUTES.

The minutes of the July 13, 2011 meeting were accepted as presented. (C.Smalley-A.Berg m/s/p) ALL AYE

6. SUPERVISOR'S REPORT.

Balances as at July 1, 2011

General Fund	Checking	\$64,029.17
	Savings	52,072.16
	CLASS	107,300.27
	Historian	3,035.27
Highway Fund	Checking	25,787.10
	Savings	394,598.96
	CLASS	188,265.01
	Cap. Proj. Hwy.	46,514.16
Landfill	Checking	4,798.49
	CLASS	44,052.54
Fire Protection	Checking	10,451.53
	CLASS	685.30
Capital Project Building		5,437.73

Supv. Willman noted that tax receipts were deposited into the savings account because CLASS interest is \$0.045% and the savings accounts paid 0.1%. Motion (A.Berg-D.Hamm m/s/p) ALL AYE

7. TOWN CLERK and TAX COLLECTION REPORTS

The July Clerk report:

7 dog licenses	\$56.50
6 permits	\$661.00
1 marriage license	\$40.00
6 copies	\$1.50

Total	\$759.00

Paid to Supervisor	\$721.50
Paid to NYS Ag&Mkts (dogs)	\$15.00
Paid to NYS Dept of Health	\$22.50

Total	\$759.00

Tax Report: On July 18, 2011 Check no. 1148 in sum of \$471.45 (interest, penalties and uncashed refunds) was issued to the Supervisor. The tax collection account is now zeroed out. Motion to accept Clerk and Tax collection reports (C.Smalley-B.Merrill m/s/p) ALL AYE.

8. HIGHWAY REPORT**A. SUPERINTENDENT'S REPORT.****1. Road work**

• Alder Brook Park Rd raked, graded and rolled • Raking (twice) on Merrill, Bigelow, Goldsmith, Garden and McManus, raking once on Blue Spruce. • Prep work on Oregon Plains for upcoming paving project • Mowing on many roads • Tree cutting as necessary

2. Shared services: Assisted Harrietstown and St. Armand in hauling asphalt

3. FEMA: Met with FEMA for first time on Aug. 2nd.

4. Equipment Grader repair completed

5. Sinkhole Bridge Flagged by State of NY. Franklin Co. Hwy Supt. John Hutchins received copy of report and has advised it should remain open for the time being; a cone and flag placed at the site. Meeting set for Aug. 14 to determine course of action.

6. Todd Law - Deputy Highway Supt. Appointed July 15 and sworn in July

7. Reminder about closed roads. Thanks to residents for cooperating and using designated detour roads (Swinyer and Muzzy) while Department is working on Oregon Plains Road. Disregarding the signs place highway dept. employees at risk.

B. REVISE 284 AGREEMENT.

Highway Superintendent Jacques DeMars submitted a written explanation for revising the 284 Agreement between the Town Board and Highway Superintendent regarding expenditure of highway funds: As a result of heavy rains this past spring plus the snow melt, extensive damage was done to Alder Brook Park Road. On April 28th, the gravel section of the road (seasonal) was closed. Because of the number of year-round and more heavily traveled roads that also experienced spring rains damage, work on seasonal roads was postponed. Therefore, repair work on Alder Brook Park Road was not commenced until June 23 with the installation of a new relief culvert (report to Board 7/13/11). Expenditure as of July 13 Board meeting was \$4,071.69 in materials plus two 18" culverts from stock valued at \$344.00. As soon as it became apparent work on Alder Brook Park Road would exceed \$10,000, I contacted the Town Supervisor and the Highway Committee. The final materials were picked up on August 2nd, but the invoice was not received until August 8th, confirming the total repair for the road would exceed \$10,000. To date, the cost of materials for repair of the road is \$11,675.57, plus the \$344.00 for the culverts from stock. We will be submitting reimbursement requests to FEMA for over \$70,000. FEMA anticipated reimbursement will be 75%, therefore, we may recoup \$52,500 for Alder Brook Park Road alone. A final dollar figure will not be determined until another meeting with FEMA to show documented work done.

Supv. Willman summarized that the emergency repair work on Alder Brook Park Road amounted to over \$10,000 and therefore, the Highway Supt. requested the work be placed on a revised 284 agreement. Coun. Merrill reiterated his objection to revising the 284 agreement, that the agreement should be in place at the beginning of the year, and that revisions should come before the entire board. He also noted that the Highway Supt. had not been present at a Board meeting since November 2010. Supv. Willman replied the work on Alder Brook Park Road could not be started until the end of June, and that by the July board meeting only \$4,000 in expenditures had been made. He also cited the Town's Procurement Policy in that purchase of materials for highways does not require board approval. Coun. Merrill indicated any purchase of materials for routine maintenance does not require board approval, and Alder Brook Park Road repair did not qualify as "routine". Supv. Willman responded the repairs were made on an emergency basis. Coun. Smalley stated that the Highway Superintendent is elected by the taxpayers to make judgments on their behalf and voters and taxpayers rely on him to make astute judgments as to the expenditure of tax dollars. Piecemeal repairs on Town roads have been made for years and years, and they show it. No longer is anyone in the highway dept. stealing fuel or equipment, and costs are down because Supt.

DeMars has kept them at a minimum. Supv. Willman acknowledged the point made by Coun. Merrill; however, this meeting is the first time the board has had the opportunity to review the emergency repair project. Coun. Merrill quoted "... no money shall be spent until agreement is signed." Supv. Willman indicated it is impossible to determine how much money is necessary for an emergency road repair; Coun. Hamm added it is not logical to shut down a project at \$9,999. Supv. Willman referenced the Supt.'s statement and reported that thus far spring emergency road repairs amount to \$147,000; FEMA will reimburse at 75%. He requested a motion to revise the 2011 284 agreement. Motion (D.Hamm-C.Smalley m/s/p) Aye: Willman/Berg/Hamm/Smalley; Nay: Merrill. Carried.

RESOLUTION NO. 45: REVISE 2011 284 AGREEMENT WHEREAS, on July 13, 2011, the Town Board accepted the Agreement between it and the Highway Superintendent to expend Highway Funds; and WHEREAS, emergency repair work on the Alder Brook Park Road (due to washout caused by heavy spring rains and snow melt) will total more than \$10,000; NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby agrees to add the repair work on Alder Brook Park Road to the 2011 284 Agreement.

Those voting aye:

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

Those Voting nay:

Councilman Bradley Merrill

Those Absent:

None

Those Abstaining:

None

C. HIGHWAY COMMITTEE. Coun. Berg commented that for the first time in years, the Garage fuel meters have not been damaged.

1. Small Dump Truck Specifications. Supv. Willman indicated that since FEMA may reimburse the Town for expenses incurred, there may be sufficient funds to purchase a replacement for the 2003 pick up truck with a small dump truck. Specifications for a heavy duty 19500 GVW F550 4x4 with dump box were distributed. Some revisions to the specifications were suggested by Coun. Hamm, and Supv. Willman requested a motion for a resolution to publish an RFP (request for prices or bids). Motion (A.Berg-B.Merrill m/s/p) ALL AYE

RESOLUTION NO. 46: PUBLISH RFP FOR SMALL DUMP TRUCK WHEREAS, the Highway Supt. and Highway Committee have discussed replacing the oldest pick up truck; and WHEREAS, sufficient funds will be available for the purchase of a small dump truck; NOW, THEREFORE BE IT RESOLVED, the Board has determined to publish a request for bids for a type F550 4x4 with dump box, bids returnable on September 14, 2011 at 6:00 PM.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

D. QUESTIONS & COMMENTS RE HIGHWAY MATTERS:

Q/C Coun. Berg asked Deputy Highway Superintendent Todd Law if he felt capable of stepping in for Highway Supt. Jacques DeMars, and Mr. Law replied that he did.

Q/C: Richard Jarvis opined that the discussion concerning the revised 284 agreement was one of policy. In his judgment he considered the expenditure of funds the purview of the elected Highway Superintendent .

Q/C: Karen Smalley stated Alder Brook Park Road had to be closed due to a washout, and that repair of the road would be considered an emergency. She added that if FEMA reimbursed the Town for emergency repairs, she did not see a problem with the expenditure of money.

A: Supv. Willman indicated that in the past all the Highway Dept. did was to grade the dirt roads and fill in ditches; and now the created berms alongside the road must be addressed. If dirt roads such as these can be fixed properly, they will last for years. During the spring rains both on the Goldsmith Road and Alder Brook Park Road, the water came up over the road, despite culverts. This makes the Alder Brook Park Road a major project, and the Goldsmith Road may turn out to be the same. Any FEMA reimbursement will lessen the expenditures for these repairs.

9. NEW BUSINESS

A. APPOINTMENT OF CODES OFFICER. Codes Officer Donald Goff has submitted his resignation, and Board members have reviewed prior and current applicants for the position. Supv. Willman recommended appointing Rob Drosdowich, who is certified and currently serving as Codes Officer for the Town of St. Armand. Coun. Berg indicated Mr. Drosdowich was a good choice, and Coun. Smalley stated the appointment made sense. Coun. Merrill asked Mr. Drosdowich if he would have time to perform the job and make himself available, and was assured he would. Coun. Merrill recommended Mr. Drosdowich be appointed. Coun. Hamm indicated he had dealings with Mr. Drosdowich and found that although he has a full time job, that he was willing to be flexible with inspections, etc., and that he was more than congenial. Motion (B.Merrill-C.Smalley m/s/p) ALL AYE.

RESOLUTION NO. 47: APPOINT ROBERT DROSDOWICH CODES OFFICER WHEREAS, on July 13, 2011, the Board accepted the resignation of Donald Goff as Codes Officer; and WHEREAS, Robert Drosdowich has submitted an application for the part-time position; and WHEREAS, Mr. Drosdowich is State-certified; NOW, THEREFORE, BE IT RESOLVED, Robert Drosdowich, 7811 State Route 3, Vermontville, is hereby appointed to complete the 2-year term of Donald Goff, (December 31, 2012) as Codes Officer, effective immediately.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

B. PUBLISH REQUESTS FOR BIDS FOR SAND, FUEL AND INSURANCE. Supv. Willman requested a motion for a resolution to publish requests for bids for sand and fuel returnable September 14, 2011 and for comprehensive municipal insurance, returnable October 12, 2011. Motion (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 48: PUBLISH RFPs FOR SAND, FUEL AND COMPREHENSIVE MUNICIPAL INSURANCE WHEREAS, requests for bids for road sand and fuel must be published for the coming year; and WHEREAS, request for bids for comprehensive municipal insurance must also be published; NOW, THEREFORE, BE IT RESOLVED, requests for bids for road sand and fuel will be published, returnable 6:00 PM Wednesday, September 14, 2011; and BE IT FURTHER RESOLVED, requests for bids for comprehensive municipal insurance will be published, returnable Wednesday, October 12, 2011.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

Regarding road sand, Coun. Berg inquired the status of the Town possibly using sand from its closed landfill site. Supv. Willman and Coun. Merrill will inspect the area on Monday, August 15th.

C. SCHEDULE BUDGET WORKSHOPS.

Supv. Willman reported he had consulted with Budget Officer Richard Meagher, and agreed upon Monday, October 3, 2011 as budget workshop for the General Fund and Monday, October 17, 2011 for the Highway and Fire Protection Funds. The Clerk will publish notice.

D. BLOOMINGDALE VOLUNTEER FIRE DEPARTMENT.

Supv. Willman reported that although the Saranac Lake Volunteer Ambulance & Rescue Squad is up and running and certified, the Village of Saranac Lake Fire Department owns certain pieces of rescue equipment and charges the Town of Franklin for use. He has been in conversations with St. Armand Supv. Joyce Morency regarding the possible purchase of the "Jaws of Life" equipment and training for the Bloomingdale Volunteer Fire Dept. Prior to this, he spoke with BVFD Chief Tim Woodruff who reported the BVFD members are enthusiastic about this. The potential cost to the Town of Franklin will be \$7,500 if shared with the Town of St. Armand. He also reported that

he had received correspondence from US Senator Charles Schumer concerning federal grant funds being made available to local fire departments. Equipping BVFD with this equipment will relieve the Town of further involvement with the Village. The Board emphatically supported the effort.

10. OLD BUSINESS

A. TOWN HALL INFRASTRUCTURE. The electrical work has been completed. The air conditioner has been installed. Doug Snickles patched the roof over the kitchen, and the only two items remaining on the Dept. of Health list of recommendations are the replacement of ceiling tiles and installation of a 3-bay sink.

B. LAND INVENTORY. Work on this will commence this fall. Ed Martin has donated a map which will be used to document all culverts in the town and will be coordinated with GIS. This will be a start.

C. REPORT ON JULY 20 SUPV. CONVERSATIONS. Supv. Willman reported he and Coun. Merrill held an hour-long conversation as no one else attended.

D. 55+ CLUB JULY 20 TRIP. The Seniors spent the day touring 3 museums in Plattsburgh and dined at the Ground Round.

11. COMMITTEE REPORTS

A. AUDIT COMMITTEE. No report.

B. RECREATION. Coun. Merrill reported that the Snickles family hired and paid a contractor to repair the retaining wall around the family plot. He inspected the site during the repair work and was pleased that no other plots were disturbed. Concerning the projected gridding of Town cemeteries, Geomatics will forward a formal quote to the Towns.

C. RECREATION. On Saturday August 20th, the annual Town Picnic and Music Festival will be held all day at Kate Mountain Recreation Park, with food, crafts and Roy Hurd and Celia Evans playing. Everyone is invited and will have a good time. Coun. Hamm suggested placing sandwich board signs on both sides of St. Rt. 3 so that travelers can be made aware of the event.

12. CORRESPONDENCE

On Thursday, August 25th, the NYS Comptroller's Office will hold a seminar on dealing with local budgets and the tax cap. Supv. Willman and Coun. Merrill will attend, and other Board members are invited to do so also. In addition, a letter from Assemblywoman Janet Duprey was received thanking the Town for its resolution in support of a State invasive species regulation. She noted the proposed bill had been in Committee for four years.

13. QUESTIONS AND COMMENTS

. Coun. Berg asked the status of the Historian's projects and the Clerk reported he will have a display at the August 20th picnic, and will be available for conversations and questions. This year the display will concern the Civil War and Town and area residents' involvement.

14. ANNOUNCEMENTS

The Food Pantry will continue, despite rumors to the contrary. The Birch Bark Deli is sponsoring a pig roast and music on Saturday, August 13th in support of the Food Pantry. As always, donations of money and canned items are appreciated and needed. The Town will donate use of tables and chairs for the August 13th fundraiser.

Congratulations to Wes Wilson for entering and finishing the Ironman and for keeping with his healthy lifestyle.

Thank you again to Zoe McCulley for all her hard work on the garden at the Town Hall. The sunflowers are starting to bloom, and the Town Hall looks welcoming.

15. ADJOURNMENT

There being no further business to discuss or conduct, the meeting adjourned at 8:35PM. Motion (C.Smalley-D.Hamm m/s/p) ALL AYE.

Respectfully submitted, Sandra J. Oliver, Town Clerk

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