



# 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 Organizational and Monthly Town Board Meeting January 12, 2011 - 7:00 PM

#### Board members present:

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

#### Others Present:

Town Clerk Sandra Oliver, Frances Oliver, Doris Hamm, Ed Martin, Bruce Young, Derrick Romeo

#### 1. CALL TO ORDER

Supervisor Arthur P. Willman, Jr. called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited, the Town Clerk called the roll and introduced guests and declared the full board was present.

### ORGANIZATIONAL BUSINESS

#### 1. TOWN OF FRANKLIN 2010 BOARD APPOINTMENTS

**Deputy Supervisor** - Councilman Bradley L. Merrill has been appointed by Supervisor Willman as Deputy Supervisor with the powers and obligations accorded to him by law and will be paid \$500 per year as per budget. (A1220.4)

**Deputy Highway Superintendent.** - Donald Oliver, Brighton, NY as been appointed by Highway Superintendent Jacques DeMars and will be paid \$1,200. per year as per budget, to be renegotiated with each deputy each year. (A5010.11)

**Deputy Town Clerk.** - Lauren LeFebvre Deputy Town Clerk/Tax Collector was selected by Sandra Oliver, Town Clerk. - There is no salary for the position. (A1415.1)

**Budget Officer** - Richard Meagher has been appointed Budget Officer and will be paid \$693. per year as per budget. (A1340.4)

**Town Bookkeeper.** - Richard Meagher will contract with the Town of Franklin for the position of Town Bookkeeper in the amount of \$9,702. per year. (A1320.4)

**Town Historian.** - Kevin Ransom is reappointed Town Historian. A stipend of \$800 is budgeted for this position. (A7510.4)

**Registrar of Vital Statistics.** - Sandra J. Oliver, Town Clerk, will be Registrar of Vital Statistics and will be paid \$400. as per budget. (A4020.4)

**Fixed Assets.** - Sandra J. Oliver, Town Clerk, will be Fixed Asset Officer and will be paid \$400. per year. (A1410.4)

**Court Clerk.** - Meredith Symonds has been re-appointed Court Clerk at an hourly rate of \$11.40. A1130.1

**Supervisor's Confidential Secretary.** - Melissa Begor has been re-appointed Confidential Secretary to the Supervisor at an hourly rate of \$11.40 (A1310.1)

**Codes Enforcement Officer.** - Donald Goff, Vermontville, NY, is Codes Enforcement Officer at the salary of \$9,300. (A3010.1)

**Process Server.** - Brian Manny will continue to serve as Process Server and will receive \$250. per year (A3120.4).

**Cemetery Custodian.** - Vivian Manny will continue to serve as Cemetery Custodian and will receive \$650. per year. (A8810.4)

**Cemetery Worker.** - The Town Custodian/Maintenance will maintain the Cemeteries. (A8810.1)

**Assessor.** - Doug Tichenor will receive a salary of \$18,000. in the year 2011. (A1355.1)

**Health Officer.** - George Cook, M.D., will serve as Health Officer at a yearly salary of \$300. (A4010.4)

**Official Town Newspaper.** - The Adirondack Daily Enterprise will be the Official Town Newspaper.

**Board Liaison Committees.** - The Board Chair shall select non-Board committee members.

Highway Committee - Allen Berg, Donald Hamm

Recreation Committee - Arthur Willman, Allen Berg

Assessor - Arthur Willman, Donald Hamm

Audit Committee - Allen Berg, Bradley Merrill

Celebration Committee - Arthur Willman, Kate Mountain Community Recreation Assn.

Cemetery Committee - Clifford Smalley, Bradley Merrill

Fire/Rescue - Arthur Willman, Allen Berg

Landfill Committee - Arthur Willman, Clifford Smalley

Building Committee - Donald Hamm, Clifford Smalley

Newsletter - Vincent Pagano, Edward Martin

**Medical Insurance.** - The Town of Franklin will offer Health Insurance to the Highway Superintendent and the Buildings & Grounds Maintenance Worker in the NYS Teamster's Health and Hospital Fund Medical Insurance Plan, as defined in the Contract with the Teamsters Union. The Highway Superintendent will be offered a health insurance buyout option.

**Pension Plan.** - The Town of Franklin has joined the New York State Retirement System to establish a legal pension plan and is offered to all town employees. All new employees must join the NYS Retirement Plan. Part-time employee membership in the NYS Retirement Plan is optional.

**Official Depository.** - Community Bank, Broadway, Saranac Lake, NY, is the Official Depository for the Town of Franklin. The Town will also continue to contract with MBIA (CLASS) as a savings depository.

**Petty Cash Fund.** - The Town Clerk/Tax Collector Sandra J. Oliver and Supervisor Arthur Willman have declined the option of a Petty Cash Fund.

**Contracts.** - The Town will contract as follows:

Fire Protection-Bloomingdale Volunteer Fire Department

- Rescue and Ambulance-Village of Saranac Lake;
- Saranac Lake Voluntary Ambulance & Rescue, Inc.
- Basic and Advanced Life Support - FREMSA
- North Country LifeFlight
- Saranac Lake Civic Center
- Franklin Snowmobilers, Inc.
- Employee Assistance Service
- Landfill monitoring - F.X. Browne
- Association of Towns (NY)
- Adirondack Association of Towns
- Franklin County Self-Insurance
- Tri-Lakes Humane Society
- Bloomingdale Boosters

**Town of Franklin 55 Plus Club.** - The Town will continue to sponsor the 55 Plus Club and the Saranac Lake Adult Center as per budget. A6772.4

**Board of Assessment Review Members.** - Jean Baltzly, Katrine Kretser, Roland LaPier, Lauren LeFebvre, and Mildred Vorrath will serve as members of the Board of Assessment Review. A1355.4

**Ethics Committee Members.** - Paul F. Ward, Charlotte Mitchell and a Thomas Bartiss will continue to serve as unpaid members of the Ethics Committee.

**Attorney for the Town.** - James Martineau, Esq., will serve as the Attorney for the Town at the rate of \$100.00 per hour, not to exceed \$\_\_\_\_\_ per year. A1420.4

**Youth Program Director and Youth Program Assistant.** - This position pays \$9.00 per hour; Youth Program Director is appointed by the Town Supervisor upon the recommendation of the Recreation Committee. Kathy Drake has been appointed as Youth Program Director for 2011 and will be paid \$11.67 per hour because of her experience. Assistants will be paid minimum wage.

**Saranac Lake Area Fire Advisory Board.** - Arthur Willman is appointed as Town representative to SLAFAB and Allen Berg is appointed as alternate representative.

**Mileage Allowance.** - Reimbursement for mileage for officers, employees and appointees in performance of business for the Town will be \$.50 cents per mile.

## 2. RULES OF PROCEDURE

The Rules of Procedure for regular and special Town Board meetings, workshops and executive sessions follow and replace and suspend all prior town board rules of procedure:

### REGULAR TOWN BOARD MEETINGS

A regular town board meeting is one in which the town board meets once a month at a fixed time and place throughout the year to conduct town business. In the case of the Town of Franklin, regular town board meetings will be held once a month on the second Wednesday of the month at 7:00 P.M. The board will audit bills prior to the meeting - between 6:30 and 7:00 P.M.

### Notice of Regular Town Board Meetings

After the town board establishes by resolution a regular fixed time and place for its meetings throughout the year, no other notice need be given to the members of the board. The Town Clerk is authorized by the Town Board to publish one Public Notice for the year stating the day, time and place for all regular Town of Franklin Board Meetings.

### Rules of Conduct at a Regular Town Board Meeting

1. The supervisor, when present, shall preside and act as chairperson. In his/her absence, his/her deputy shall act for him/her.
2. Members of the board are to be recognized by the chairperson before addressing the rest of the board or the public.
3. No member of the public shall be permitted to address the town board unless recognized by the chairperson. In that event, the person must identify himself /herself by clearly stating his/her full name and address and then stating the nature of his/her business.
4. A period of 15 minutes will be aside at the start of each meeting for public comment or questions. Members of the public will be given 2 minutes to ask their question or make their comment. A sign-in sheet will be located near the front door. Any person wishing to speak during this comment period must so indicate by signing the sheet.
5. The chairperson may set a limit on the time on each occasion which each member of the public addresses the board.
6. Persons speaking to the town board with the consent of the chairperson shall address their remarks to the town board, not to other members of the audience.
7. No such person has the right to demand an answer to a specific question from a member of the board. All such questions shall be directed to the chairperson, who may either answer them or refer the questions to a board member or the attorney for the town, if present. The answer may be deferred and subject to further review or study and answered at a later date.
8. No member of the public or board shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.

### Town Board Resolutions

The adoption of resolutions is the most frequent type of formal action taken by the town board in its legislative and administrative capacities. Resolutions are often confused with motions. The latter are the vehicle by which resolutions are brought before a town board for action. The two can be used interchangeably. Typical examples of actions that require resolutions are as follows:

1. transferring money from one budget to another
2. establishing a salary
3. designating depositories

### Town Board Voting at a Town Board Meeting

The voting on every issue requiring a resolution, ordinance, or law shall be "ayes" and "nays" and the names of the members present and their votes shall be entered in the minutes of the town board.

1. The supervisor is a member of the board and therefore must vote. He/she may also move or second resolutions.
2. The town clerk or (in his/her absence) his/her deputy calls a roll of town board members on every issue in question before the town board.

3. The town clerk must take minutes and keep a record of all proceedings of the board meetings, even though he/she is not a board member and does not have a vote.

### **Regular Town Board Meeting Agendas**

1. A preliminary agenda will be developed by the supervisor and/or board members prior to the meeting and published via posting in public places, newsletter, and/or news media whenever practical.
2. Because urgent issues may not be presented to the board until shortly before a town board meeting, a final agenda may not be adopted by the supervisor until shortly before the meeting.
3. No additional matters are to be considered until each matter on the prepared agenda has been acted on by the town board.

Members of the public are invited to bring an issue, questions, or comments before the board in one of the following four ways:

1. by written request to be put on the formal agenda at least five business days before the scheduled regular town board meeting, or
2. by addressing the board at a segment set aside per the Agenda at the end of the meeting specifically for that purpose. The supervisor reserves the right to limit each speaker to three minutes. The speaker may request that the board have a special meeting at a later date to consider that particular issue. At the end of this session, the board will decide if such a meeting is feasible and will set a date and time for it, or
3. by addressing the board at the end of the meeting during a questions and answers segment.
  1. Members of the news media may have ten minutes at the conclusion of the meeting to ask questions concerning matters that came up at the meeting.

### **Minutes of Regular Town Board Meetings**

1. The town clerk, when present, will record minutes of the meetings proceedings as prescribed by law and shall make such minutes available within two weeks of the meeting. In the absence of the town clerk, his/her deputy or another person appointed by the board shall take his/her place.

### **TOWN BOARD WORK SESSIONS**

1. A town board work session is held to discuss and deliberate matters that are coming up at the next regular board meeting, special board meetings, or public hearing. No votes will be taken at work sessions. As with all public meetings, the public is free to attend these sessions but are not to participate or ask questions. Members of the board are expected to attend work sessions when called for by the supervisor.

### **PUBLIC HEARINGS BY THE TOWN BOARD**

A public hearing is a meeting of the board and the public regarding an important issue that may have a significant economic, environmental, or other serious impact on the town and its residents.

1. The purpose of a public hearing is to give the public an opportunity to express its views.
2. The public has the right to appear and give evidence and the right to hear and examine witnesses regarding the issue at hand.

### **Notice of Public Hearings**

The supervisor will give notice of public hearings in writing to the board and town clerk ten days before the hearing, when possible. The town clerk will then post a notice of the hearing in at least one public location and will give notice to the news media at least 72 hours prior to the hearing.

### **Preparation for Public Hearing**

A study or report should be prepared by an expert in the subject matter of the hearing, such person to be present to testify in favor of the proposal.

Rules of Conduct at Public Hearings

#### **1. COMMENTS AND QUESTIONS**

1. Oral Comments. The Town Clerk will maintain a sign-in sheet at the public information desk for each person who wishes to make oral comments. Anyone who wants to do so must enter his/her full name and address on the sign-in sheet, in the spaces provided. **ANYONE NOT SIGNING THE SIGN-IN SHEET WILL NOT BE PERMITTED TO ADDRESS COMMENTS TO THE TOWN BOARD.**
2. Questions. The Chairperson will entertain questions from the floor. Questions shall be for the sole purpose of obtaining information about the subject matter of the public hearing or clarifying its provisions. Questions shall not have the intent of provoking a debate between the questioner and the Town Board or any individual in the audience.
3. Written Comments. The Town Board will accept written comments on the subject matter of the public hearing **PROVIDED ALL WRITTEN COMMENTS ARE GIVEN TO THE CHAIRPERSON BY THE END OF THE PUBLIC HEARING.**

### **PRESENTATION OF COMMENTS AND QUESTIONS.**

Presiding Officer. The Town Supervisor or designee will preside over the public hearing, and act as Chairperson. In his/her absence, the Deputy Town Supervisor or designee will act as the Chairperson.

### **GROUND RULES FOR THE PRESENTATION OF COMMENTS**

The purpose of a public hearing is to gather public comment on (subject of Public Hearing). The Board encourages all in attendance to offer comments and ask questions. However, a successful public hearing requires that some

simple ground rules be followed. These ground rules will ensure that all in attendance are treated in a respectful and courteous manner, and that all who desire to speak will have the opportunity to be heard:

1. No one may speak unless recognized by the Chairperson for that purpose. Upon recognition, the person must identify him/herself by clearly stating his/her full name and address.
2. Anyone choosing to speak must address his/her remarks to the Town Board, and not to other members of the audience. Any debate between those "for" and those "against" the proposal must be strictly avoided.
3. Oral comments can generally be delivered in five minutes. If there are a large number of persons wishing to speak, the Chairperson reserves the right, in its sole discretion, to strictly enforce the 5-minute rule, so that all who wish to speak may have an opportunity to do so.
4. The Town Board is here to listen to the public's comments, and to answer questions about the Preliminary Budget. The Board is NOT here to express its own views or opinions thereon. The Board will NOT participate in a debate of the issues. We want your advice and assistance in coming to the proper conclusion on the issues involved. If you are in favor, simply tell us and give us your reasons why; and likewise, if you are opposed.
5. No person has the right to demand an answer to a specific question from a member of the Board. As noted earlier, questions should seek clarification and information and should not lead to a debate of the issues. All questions are to be directed to the chairperson, who may either answer them or refer them to a Board member or the Attorney for the Town. The answer may be deferred and subject to further review or study and answered at a later date.
6. No person may speak a second time until everyone who wants to speak has spoken.
7. No member of the public or Town Board shall engage in any demonstration, booing, handclapping, or otherwise disrupt the formality of the public hearing.

The Town Clerk will be responsible for ensuring that these rules are followed. ANYONE VIOLATING ANY OF THESE GUIDELINES WILL BE ASKED TO REFRAIN FROM DOING SO, AND MAY, IN THE SOLE DISCRETION OF THE CHAIRPERSON, BE ASKED TO LEAVE THE PUBLIC HEARING.

### **SPECIAL TOWN BOARD MEETING**

Special town board meetings may be called by the supervisor at any time for urgent or lengthy issues or for any other important reason determined by the supervisor. Notice of special town board meetings and rules of conduct are the same as for public hearings.

### **EXECUTIVE SESSIONS**

Executive sessions may be held only after an open meeting is convened and a motion to hold an executive session, identifying the area or subject to be considered in such executive session, is adopted by the majority vote in the open meeting.

Executive sessions matters are restricted to:

1. A matter which will imperil the public safety if disclosed.
2. A matter which may disclose the identity of a law enforcement agent or informer.
3. Information with respect to investigation or prosecution of a criminal offense which would jeopardize effective law enforcement if disclosed.
4. Discussions relating to litigation.
5. Matters relating to collective negotiations under the Taylor Law.
6. Medical, financial, credit, or employment history of a particular person or corporation, re relating to appointment, promotion, demotion, discipline, or removal.
7. Preparation, grading, or administration of examinations.
8. Acquisition, lease, or sale of real property or securities when publicity would substantially affect the value.

Attendance is restricted to town board members and any other persons authorized by the board.

### **Minutes of executive session proceedings**

Summary minutes must be made of any final determination taken by formal vote, including the date and the vote thereon; however, such summary should not include any matter which is not required to be made public under the Freedom of Information Law. Such summary minutes shall be available to the public within one week from the date of executive session. If no formal action was taken in an executive session, then no executive session minutes need to be taken.

Supv. Willman highlighted a change in the Rules, that at the beginning of each meeting, 15 minutes would be allotted for public comments and questions. Each individual should sign in, and will have 2 minutes for question or comment.

## **3. ADDITIONAL ITEMS**

**A. Intermunicipal Shared Services Agreements.** The Supervisor is authorized to execute and the Town Clerk is requested to send Intermunicipal shared services agreements to the same municipalities as previously following consultation with the Highway Superintendent.

**B. Prepayment of Certain Claims.** Certain invoices are regularly received by the Town and delaying payment of same for Board approval results in interest being charged to the Town, the Supervisor, as chief financial officer of the Town, is hereby authorized to prepay those certain regularly-occurring claims prior to the monthly Town Board meeting; and the Town Board, at its regularly-scheduled monthly meeting, will approve vouchers for said claims.

## **4. ADOPT ORGANIZATIONAL ITEMS.**



Supv. Willman requested a motion for a resolution accepting the organizational items.  
Motion for resolution (A.Berg-B.Merrill m/s/p) ALL AYE

**RESOLUTION NO. 1: ACCEPT ORGANIZATIONAL ITEMS** WHEREAS, the Town Board has reviewed the preceding organizational items and finds such items acceptable; NOW THEREFORE, BE IT RESOLVED, that the Franklin Town Board accepts the organizational items as set forth above.

Those Voting Aye:

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

Those Absent:

None

Those Abstaining:

None

Those Voting Nay:

None

## 5. OFFICIAL UNDERTAKING

The Town Board has approved the procurement of a blanket undertaking from the Curtis Latremore Agency, Inc., which is duly authorized corporate surety covering the officers, clerks, and employees of the town. Such approval assures that this blanket undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts.

Motion to accept Official Undertaking (C.Smalley-A.Berg m/s/p) ALL AYE

**RESOLUTION NO. 2: ACCEPT OFFICIAL UNDERTAKING** WHEREAS, the Town Board has negotiated with Curtis Latremore Agency, Inc. for procurement of a blanket undertaking, which is duly authorized corporate surety covering the officers, clerks, and employees of the town; NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Franklin approves the purchase of such blanket undertaking which assures that this Undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts. The Clerk is directed to file same with the county clerk. The elected officers of the Town of Franklin hereby execute this undertaking as follows: WHEREAS, Arthur P. Willman, Jr., of the Town of Franklin, County of Franklin, New York, has been elected to the office of SUPERVISOR of the Town of Franklin; and WHEREAS, Allen S. Berg, of the Town of Franklin, County of Franklin, New York, has been elected to the office of COUNCILMAN of the Town of Franklin; and WHEREAS, Clifford P. Smalley, of the Town of Franklin, County of Franklin, New York, has been elected to the office of COUNCILMAN of the Town of Franklin; and WHEREAS, Donald M. Hamm, of the Town of Franklin, County of Franklin, New York, has been elected to the office of COUNCILMAN of the Town of Franklin; and WHEREAS, Bradley L. Merrill, of the Town of Franklin, County of Franklin, New York, has been elected to the office of COUNCILMAN of the Town of Franklin; and WHEREAS, Roger P. Symonds, Sr., of the Town of Franklin, County of Franklin, New York, has been elected to the office of TOWN JUSTICE of the Town of Franklin; and WHEREAS, Jacques DeMars, of the Town of Franklin, County of Franklin, New York, has been elected to the office of SUPERINTENDENT OF HIGHWAYS of the Town of Franklin; and WHEREAS, Sandra J. Oliver has been elected to the office of Town Clerk/Tax Collector of the Town of Franklin; NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Franklin that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and This undertaking of the TOWN SUPERVISOR is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into her hands as such Supervisor; and This undertaking of the TOWN JUSTICE is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property belonging to the Town coming into his hands as such TOWN JUSTICE; and This undertaking of the TOWN CLERK/TAX COLLECTOR is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk/Tax Collector; and The Town does and shall maintain insurance coverage, presently with American Alternative Insurance Group, in the sum of \$20,000.00 plus additional \$350,000.00 for the Town Clerk/Tax Collector, \$50,000.00 for the Town Supervisor and \$50,000.00 for the Town Justice to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions of employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

TOWN OF FRANKLIN

\_\_\_\_\_  
Arthur P. Willman, Jr., Town Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary

_____ Allen S. Berg, Councilman	_____ Date	_____ Notary
_____ Clifford P. Smalley, Councilman	_____ Date	_____ Notary
_____ Donald M. Hamm, Councilman	_____ Date	_____ Notary
_____ Bradley L. Merrill, Councilman	_____ Date	_____ Notary
_____ Jacques DeMars, Highway Superintendent	_____ Date	_____ Notary
_____ Roger P. Symonds, Sr., Town Justice	_____ Date	_____ Notary
_____ Sandra J. Oliver, Town Clerk/Collector	_____ Date	_____ Notary

Those Voting Aye:

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

Those Absent:

None

Those Abstaining:

None

Those Voting Nay:

None

The Undertaking was immediately signed by the Town Board, Town Justice and Town Clerk.

Motion to adjourn organizational portion (D.Hamm-B.Merrill m/s/p) ALL AYE

### MONTHLY TOWN BOARD MEETING

**1. CALL TO ORDER.**

The organizational matters having been adopted, the Pledge of Allegiance having been recited and the roll called, Supv. Willman called the regular monthly meeting to order.

**2. PUBLIC COMMENTS AND QUESTIONS:**

None

**3. BUDGET AMENDMENTS**

**A. 2010 GENERAL FUND BUDGET AMENDMENT #6.** Supv. Willman requested a resolution approving transfers within the General Fund. Motion (B.Merrill-D.Hamm m/s/p) ALL AYE.

**RESOLUTION NO. 3: 2010 GENERAL FUND BUDGET AMENDMENT #7.** WHEREAS, there is need to balance the 2010 General Fund Budget; NOW, THEREFORE, BE IT RESOLVED, the following transfers of funds are made:

<b>FROM ACCOUNT</b>	<b>AMOUNT</b>	<b>TO ACCOUNT</b>	<b>AMOUNT</b>
A1990.4 Contingent	\$3,294.00	A1620.1 Buildings PS	\$3,481.00
A1420.4 Attorney	\$4228.00	A1620.4 Buildings CE	\$3,341.00
		A7140.1 Recreation PS	\$700.00

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

**B. 2010 HIGHWAY FUND BUDGET AMENDMENT.** Supv. Willman requested a resolution approving transfers within the Highway Fund. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

**RESOLUTION NO. 4: 2010 HIGHWAY FUND BUDGET AMENDMENT #3.** WHEREAS, there is need to balance the 2010 Highway Fund Budget; NOW, THEREFORE, BE IT RESOLVED, the following transfers of funds are made:

FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
DA5148.1 Svcs Other Govt	\$8,118.00	DA5110.1 Gen Repairs PS	\$6,960.00
DA5110.4 Gen Repairs CE	\$18,634.00	DA5142.1 Snow Remov PS	\$1,158.00
		DA5130.2 Mach Cap Imp	\$48.00
		DA5130.4 Machinery CE	\$8,119.00
		DA5142.4 Snow Rem CE	\$10,467.00
		A7140.1 Recreation PS	\$700.00

Those voting aye:

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

Those Voting nay:

None

Those Absent:

None

Those Abstaining:

None

**4. AUDIT OF CLAIMS.**

The following claims were submitted for approval and payment on Abstract 1 of 2011:

General Fund	Vouchers 1 - 17	\$ 6,772.36
Highway Fund	Vouchers 1 - 7	\$48,691.89
Prepay General	Voucher 1	\$605.76
Fire Protection	Vouchers 1 - 3	\$73,426.89

Coun. Smalley noticed an increase in the dues for the NYS Association of Towns, and Supv. Willman indicated it increased by \$100, as it is based on the value of the Town. He also stated the Town is a member of the Adirondack Association of Towns & Villages, which has dues of approximately \$400 per year. Motion to pay claims (B.Merrill-C.Smalley m/s/p) ALL AYE

**5. MINUTES**

As the minutes of the December 29, 2010 special meeting were incomplete, acceptance was Tabled to the February 9, 2011 meeting.

**6. SUPERVISOR'S REPORT.**

Balances as of December 31, 2010

General Fund	Checking	11,977.43
	Savings	281.50
	CLASS	107,247.32
	Historian	3,034.09
Highway Fund	Checking	31,275.60
	Savings	86,804.79
	CLASS	188,172.15
	Cap. Proj. Hwy.	46,491.10
Landfill	Checking	6,308.62
	CLASS	44,030.77
Fire Protection	Checking	4,415.66
	CLASS	685.30
Capital Project Building		5,435.08



Motion to accept Supervisor's report (B.Merrill-A.Berg m/s/p) ALL AYE

## 7. TOWN CLERK'S REPORT.

For the month of December 2010:

8 dog licenses	\$138.00
1 Building permits	\$417.50
2 Photocopies	\$0.50
	-----
	\$556.50
Paid to Supervisor	464.38
Paid to County Treasurer (dogs)	\$41.12
Paid to NYS Ag&Mkts (dogs)	\$51.00
	-----
	\$556.50

The Clerk noted the County had returned the check for \$41.12, even though it was for dogs licensed in December 2010, and she would be paying over the funds to the Town. Motion to accept Town Clerk report (A.Berg-C.Smalley m/s/p) ALL AYE

## 8. TAX COLLECTION REPORT.

The amount of the 2011 warrant is \$2,264,464.87; the amount to be paid to the Town is \$1,088,501.00; the amount to be paid to the County Treasurer is \$1,175,963.19. During the week of January 1-8, 2011, \$105,757.74 was collected and deposited, and \$79,454.00 was paid over to the Town Supervisor for the Fire Protection Fund. The Town Clerk will submit a monthly report to the Town Board listing weekly collections, deposits and payments. Motion to accept Tax Collection Report (B.Merrill-C.Smalley m/s/p) ALL AYE.

## 9. HIGHWAY REPORT

**A. SUPERINTENDENT'S REPORT** for the December 9, 2010 to January 12, 2011 period:

### Road work

- Plowed and sanded when necessary

### Equipment

- Truck #2 lost a starter Tuesday afternoon; it is presently being installed
- New radios installed by Wells Communications
- Grizzly in process of being made

### Garage Maintenance

- NYS DEC Spill Response to inspected floor drain holding tank spill on Dec. 10th. All fine.

### Administrative

- Received final CHPS payment
- Planning road improvements for this summer
- Kushaqua-Mud Pond Road split; notifications sent to E911, Fire Dept., NYS Police, Post Office
- MSDS's have been updated
- Road inventory completed and mailed
- Applied for and received new overweight permits
- Applied for and received 2011 beaver permits
- Log of work-related injuries prepared and posted per PESH

## B. HIGHWAY COMMITTEE.

Coun. Hamm postulated the decision to hire the MEO/Mechanic was a good one, as it saved repair costs. Supv. Willman concurred, adding the mechanic was a hard worker. Coun. Hamm noted the mechanic repaired the plow as well as the box. Supv. Willman reported he is now also a CDL driver.

## C. QUESTIONS & COMMENTS RE HIGHWAY MATTERS

Coun. Berg asked whether a pressure washer had been order, and Supv. Willman replied the matter is being explored. Coun. Hamm recalled that BC drilled the well, but that the company had been sold. Supv. Willman reported the mechanic thought a "barnyard hydrant" to generate water pressure could be installed so as to wash the vehicles. Pin holes have been discovered in the body of the red pickup truck, and washing the salt and sand from department vehicles would save them from corrosion. Coun. Berg asked whether Supt. DeMars had hired per diem operators, and Supv. Willman responded that Todd Law had done some training last week, and Jeff Ingham (currently a plow driver) had applied. Supt. DeMars always encourages overtime for staffers and offers weekends, but sometimes employees are unable. The Town's primary responsibility is to maintain the roads, and roads must be plowed in winter, whether employees can accept overtime or not.

## 10. NEW BUSINESS

### A. OPEN BIDS FOR TOWN HALL ELECTRICAL REPAIR.

Requests for prices were published, and a list of necessary repairs was provided to those to those who requested. Four envelopes were received:

Accord Electric PO Box 44 Schuyler Falls	\$3,912.00 w/existing 100 amp service \$4,632.00 w/new 200 amp service
Harold R. Clune, Inc. 30 Prospect St. Ballston Spa	\$7,400.00 w/new 200 amp service
Old Mountain Electrical Service 182 Mountain Lane Lake Placid	\$4,759.00 with new 200 amp service

An envelope was received from Woodhill Electric, but it did not contain a bid. Supv. Willman will contact Woodhill and ascertain whether the bid was faxed, emailed or omitted. Tabled to February meeting.

### B. REPUBLISH RFP FOR TOWN HALL WINDOW REPLACEMENT.

Supv. Willman telephoned several contractors to advise the bid for door replacements only had been awarded to Mr. Sayles, and he also informed them window replacements would also be necessary. He requested they submit bids by January 26th. However, because funds for the window replacements are from a NY Power Authority grant, the Board determined it would republish request for prices on window replacements. Coun. Hamm mentioned the specifications should contain a "prevailing wage" clause. Motion to republish RFP for windows (C.Smalley-B.Merrill m/s/p) ALL AYE.

**RESOLUTION NO. 5: REPUBLISH TOWN HALL WINDOW REPLACEMENT RFP** WHEREAS, the Town received a grant from the NY Power Authority for new furnaces at Town Hall and; and WHEREAS, replacement of doors and windows at the Franklin Town Hall were approved by the Power Authority; and WHEREAS, Town Hall windows and doors leak, causing loss of heat; and WHEREAS, award of the bid for door replacement only was to James Sayles; and WHEREAS, windows at the Town Hall require replacement still; NOW, THEREFORE, BE IT RESOLVED, the Clerk is hereby authorized to republish request for bids for replacement of windows at the Franklin Town Hall.

Those Voting Aye:

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

Those Voting Nay:

Non

Those Absent:

None

Those Abstaining:

None

### C. AUDIT PROCEDURE FOR TAX COLLECTION

Recent events in other municipalities led Supv. Willman and Town Clerk Oliver to draft an audit procedure with checklist for tax collection based on the Justice Court audit model. Supv. Willman appointed Couns. Berg and Merrill to the Audit Committee, which will also oversee the annual audit of the Town Justice and Town Clerk accounts. Supv. Willman indicated he will be part of the audit process, and the Town Clerk noted that although not required by the NYS Comptroller's Office, Board oversight of all officials' accounts who handle funds, is recommended. The Board will reconsider the matter at the February meeting. Tabled.

## 11. OLD BUSINESS

### A. ASSESSMENT UPDATE

Supv. Willman reported that Assessor Douglas Tichenor is nearly ready to mail assessment notices.

### B. INFRASTRUCTURE UPDATE

1) Garage. Supv. Willman and Couns. Berg and Merrill will travel to Champlain in the morning to inspect the single tube radiant heaters installed by All-Trades.

2) Town Hall.

a) Doors. Supv. Willman ordered the doors from Lamb Lumber and contacted Jim Sayles to award the bid for doors. Mr. Sayles asked to be contacted when the doors arrive. The color of the doors will be a deep reddish brown.

b) Windows. Materials for the windows have been ordered and will arrive in February, to be installed in May.

c) Septic. The Town Hall septic system will be kept snow-covered for insulation except on Food Pantry days.

d) Oven. The Town Hall oven was serviced, and required a new thermostat; otherwise, it is in good shape.

## 12. COMMITTEE REPORTS

**A. CEMETERY COMMITTEE.** The General Fund employee should keep the westernmost driveway plowed at the Vermontville Cemetery.

**B. RECREATION COMMITTEE** The General Fund employee is working at the Rec Park to create a skating rink, but the ground is not yet frozen, so water is absorbed into the soil. We would like to get a plastic liner so a skating rink might be created.

## 13. CORRESPONDENCE

**A. FRANKLIN COUNTY TOURISM OFFICE.** Supv. Willman reported this office wants to know whether the Town wants to establish ATV trails. The Board thought it a good idea.

## 14. ANNOUNCEMENTS.

The Association of Towns conference is scheduled for Presidents' Weekend in New York City.

## 15. QUESTIONS AND COMMENTS.

Q/C Are you negotiating with Verizon Wireless for cell coverage? They are looking for sites.

A: Supv. Willman indicated he would look into this, regardless of APA restrictions

Q/C What about our taxes this year? They are so high - a 30% increase just for the Town of Franklin?

A. Both the Supervisor indicated he had received numerous complaints. The Clerk reported she was giving out telephone numbers of both County and State representatives. The Town Board had done its work in cutting the Town's budget. Coun. Hamm stated the County could have made more serious budget cuts. Coun. Berg recalled that when Franklin County Legislator Tim Burpoe last attended a town board meeting, he referenced 50 County layoffs; instead there were only 15 employees laid off. Coun. Hamm noted that in the fall of 2010 Essex County was facing a 66% tax increase. The Board of Supervisors and the County Manager worked very hard to trim the Essex County tax increase down to 8%. The Board concurred that Franklin County could have done more. Supv. Willman reported he had spoken with Franklin County Treasurer Bryon Varin, who explained the very complicated method used to calculate the Town of Franklin's tax increase—the low equalization rate, coupled with the increase in property values in the Town. If the County does not do the work, the burden falls on taxpayers.

## 16. ADJOURNMENT

There being no further business to discuss or conduct, the meeting adjourned at 8:55 PM. Motion (B.Merrill-C.Smalley m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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### Town of Franklin

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