



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 July 13, 2011 - 7:00 PM

Board members present:

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

Board members absent:

Councilman Clifford Smalley

Others Present:

Town Clerk Sandra Oliver Doris Hamm, Frances Oliver, Derrick Romeo, Ed Martin, Alleen Willman, Gerald Swinyer, Kenneth Guerin, Rob Drosdowich

1. CALL TO ORDER

Supv. Willman called the monthly board meeting to order, the Pledge of Allegiance was recited and the roll was called and attendees introduced. The Clerk announced a quorum was present.

2. PUBLIC COMMENTS AND QUESTIONS

FRANCES OLIVER stated that as an observer of local politics for 40 years, she was impressed with the manner in which Ed Martin ran the Republican Caucus and appreciated what she hoped was the beginning of an era of cooperation between the parties.

GERALD SWINYER requested a date when the Highway Dept. would address the water issues on his property. When it rains water runs into his basement, and he has had two pumps operating 24 hours a day for the past 3 months. Coun. Hamm replied that per Mr. Swinyer's attorney's letter, the correction must be done properly. Because the water across the street from Mr. Swinyer's house has existed for 5 years, the matter is now under Adirondack Park Agency jurisdiction and any work performed must have a permit. The paperwork for the permit has been completed, and they are waiting for approval. Coun. Merrill commented the large concrete culvert that

ran under and across the road was removed last fall and was dumped on property on the Paye Road. It should be replaced as it had flushed water from the area for decades. A plastic culvert was placed in the ditch alongside the roadway, but it is now clogged with dirt and rocks and requires cleanout. When the large concrete culvert was removed it created a runoff problem. Coun. Hamm indicated the Highway Dept. will correct the situation as soon as the proper permits are received. Supv. Willman asked Mr. Swinyer if he had installed footing drains, and Mr. Swinyer said he had not. However, he continued, everything in his basement is ruined, and black mold is traveling up the walls. Mr. Swinyer maintained he did not remove the culvert near his house, that years ago, Hwy Supt John Moore approved it. Supv. Willman replied that once water finds a way, it will always follow that path. Mr. Swinyer concluded that he only wants the problem fixed and that he does not think it a personal matter.

3. BUDGET AMENDMENTS. None

4. AUDIT OF CLAIMS

The following claims were submitted for approval and payment on Abstract 7 of 2011:

General Fund	Vouchers 100 - 122	\$7,651.58
Highway Fund	Vouchers 122 - 133	\$13,632.12
Prepay General	Vouchers 20 - 23	\$ 1,276.40

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 June 8, 2011 meeting were accepted as presented. Motion (A.Berg-D.Hamm m/s/p) ALL AYE.

6. SUPERVISOR'S REPORT.

Balances as of May 1, 2011

General Fund	Checking	\$10,222.25
	Savings	127,064.86
	CLASS	107,297.74
Highway Fund	Historian	3,035.60
	Checking	62,028.62
	Savings	394,565.45
	CLASS	188,260.50
Landfill	Cap. Proj. Hwy.	46,513.02
	Checking	4,798.08
	CLASS	44,051.52
Fire Protection	Checking	10,450.64
	CLASS	685.30
Capital Project Building		5,437.68

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

7. TOWN CLERK'S REPORT.

For the month of June 2011

3 dog licenses	\$17.50
3 Building permits	\$1,023.00
Genealogy search	\$11.00

Total	\$1,051.50

Paid to Supervisor	\$1046.50
Paid to NYS Ag&Mkts (dogs)	\$5.00

Total	\$1,051.50

Motion to accept Town Clerk Report (B.Merrill-A.Berg m/s/p) ALL AYE.

8. HIGHWAY REPORT

A. SUPERINTENDENT'S REPORT.

Submitted by Highway Superintendent Jacques DeMars for the period June 9 through July 13, 2011:

Road work

- Ditching: Aderbrook, Alderbrook Park, Swinyer and Paye Roads.

- Relief culvert installed on Alderbrook Park, replacement culverts on Paye, Fletcher Farm and Alderbrook Roads
- Raking and rolling on Goldsmith Road
- Mowing started on sides of all roads
- Paving season begins in August and Department will be working on section of Oregon Plains Road as well as assisting other municipalities.

FEMA

- Supt. DeMars and Supv. Willman met with FEMA officials and State representatives in Malone. Initial paperwork has been filed. However, the County wants to extend the flood period covered through May 2011. Each road repair will be treated as a separate project, and \$63,000 per road would be allocated; however, some road work will exceed the \$63,000 threshold.

Swinyer Road

- Because water accumulation across street from Gerald Swinyer has existed for 5 years, it is now under APA jurisdiction. Met again with County Hwy Supt and with APA officials; APA permit is required before correction of problem can begin. Paperwork has been submitted to APA.

Asphalt

- The Highway Supt. will meet with representative of Midland Asphalt, which has new State contract for reclamation materials.

B. HIGHWAY COMMITTEE.

SAND. Coun. Berg asked whether the Town could use sand from its closed landfill instead of buying it, and Supv. Willman responded that when F.X. Browne inspected the site and indicated it would be acceptable to use the sand. Coun. Merrill commented that the Town of Franklin has a great deal of sand, and the landfill site, which is about 30 acres. The hillside containing the sand goes all the way to the first house. However, he added, the Town must obtain mining permits and equipment operators will require training. Coun. Hamm noted that the mining training is not a large undertaking. Some discussion was held regarding the trees on the site.

C. 284 AGREEMENT RE 2011 ROAD IMPROVEMENTS.

The Board and Highway Superintendent had settled on which roads would be worked on in summer 2011. Supv. Willman read the "Agreement for the Expenditure of Highway Moneys" which is an agreement between the Board and the Highway Superintendent, recorded below:

"Permanent Improvements":

(a) On the road commencing at Bigelow Road and leading to Muzzy Road intersection, a distance of approximately .9 miles, there shall be expended not over the sum of \$99,000. Type: Top, width of traveled surface 20 feet, thickness 2 inches, subbase existing asphalt.

(b) On the road commencing at Muzzy Road and leading to the new asphalt, a distance of approximately .7 miles, there shall be expended not over the sum of \$99,000. Type: Top, width of traveled surface 20 feet, subbase reclamation of existing asphalt."

Motion to accept 284 Agreement (A.Berg-D.Hamm m/s/p) ALL AYE

RESOLUTION NO. 41: ACCEPT AND EXECUTE §284 AGREEMENT TO EXPEND HIGHWAY FUNDS FOR 2011

WHEREAS, the Highway Superintendent having consulted with the Highway Committee and has submitted his recommendations for capital road improvements for 2010 and the Town Board having agreed with same; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin hereby accepts the 284 agreement, as proposed by the Highway Superintendent and Highway Committee; and BE IT FURTHER RESOLVED, said agreement authorizes the following improvements: "Permanent Improvements": (a) On the road commencing at Bigelow Road and leading to Muzzy Road intersection, a distance of approximately .9 miles, there shall be expended not over the sum of \$99,000. Type: Top, width of traveled surface 20 feet, thickness 2 inches, subbase existing asphalt. (b) On the road commencing at Muzzy Road and leading to the new asphalt, a distance of approximately .7 miles, there shall be expended not over the sum of \$99,000. Type: Top, width of traveled surface 20 feet, subbase reclamation of existing asphalt." and BE IT FURTHER RESOLVED, the Highway Superintendent and the Board shall to execute said agreement.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Clifford Smalley

Those Abstaining:

None

The agreement, having been signed by Mr. DeMars, was then signed by Supv. Willman and Couns. Berg, Hamm and Merrill

D. AGREEMENT WITH COUNTY FOR ICE AND SNOW REMOVAL.

The County of Franklin has agreed to pay the Town \$69,971 to remove snow and ice from County roads in the Town - County Routes 26, 48, 55 and 60 - a total of 28.1 miles. For fluctuating costs of salt, the remuneration will be increased or decreased for each .10 per ton. Regarding diesel prices, each .50 difference will be increased or decreased according. Each October 1st in 2011 and 2012, the Supervisor will be notified of the base price for diesel. Motion to accept County agreement (B.Merrill-D.Hamm m/s/p) ALL AYE.

RESOLUTION NO. 43: ACCEPT AGREEMENT WITH FRANKLIN COUNTY FOR REMOVAL OF SNOW AND ICE FROM COUNTY ROADS IN 2012 WHEREAS, an agreement with the County of Franklin for removal of ice and snow from County roads located in the Town of Franklin having been received from the County of Franklin; and WHEREAS, said agreement is subject to review and signature by the Attorney for the Town; NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklin does hereby approve and accept said agreement (pending approval of the attorney for the Town); and BE IT FURTHER RESOLVED, the Highway Superintendent is authorized to execute same/

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Clifford Smalley

Those Abstaining:

None

E. USED ROLLER PURCHASE.

Coun. Merrill produced copies of ads for used rollers he retrieved from the internet and submitted them to Supv. Willman. Coun. Hamm reported that Supt. DeMars was receiving information from Begore on a 2001 Caterpillar roller for \$20-25,000. Kenneth Guerin suggested checking with Becks Equipment near Malone; they have a roller that looks fairly good.

9. NEW BUSINESS

A. CODES OFFICER RESIGNATION Due to personal reasons, Donald Goff, submitted his resignation as Codes Officer to the Town Clerk, leaving his last day to the discretion of the Town Board. Supv. Willman expressed the Board's disappointment as Mr. Goff was diligent and hard-working. Motion (A.Berg-B.Merrill m/s/p) ALL AYE

RESOLUTION NO. 43: ACCEPT RESIGNATION OF DONALD GOFF AS CODES OFFICER WHEREAS, Donald Goff submitted his resignation to the Town Clerk; NOW, THEREFORE, BE IT RESOLVED, the Town Board accepts said resignation with reluctance.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Clifford Smalley

Those Abstaining:

None

The Board then discussed whether the position should be re-advertised, and the general opinion was it should be. The Clerk will submit a "Help Wanted" ad to the Enterprise. Rob Drosdowich, Code Enforcement Officer for the Town of St. Armand volunteered his services to the Town to assist in covering the position.

B. WEBSITE POSTINGS.

The Town Clerk clarified the Town's position on posting documents to its website, townoffranklin.com. Earlier this year, the State of New York requested all municipalities to adopt a "Sunshine Law Resolution" requiring online posting of all notices and documents to be discussed at Board meetings. All departments of the State of New York are required to do this; municipalities are not. The Town of Franklin Town Board determined it would not adopt the "Sunshine Resolution" in order to save money. The Town of Harriestown also did not adopt the resolution. The Clerk reiterated that anyone can request copies of documents, and they will receive them. Coun. Berg asked the Clerk to obtain an estimate of the cost of posting the budget to the website.

C. BOARD OF ETHICS MEETING

. The Clerk reported the Assessor is required to submit an annual personal financial statement to the Town Board of Ethics. The meeting was held Thursday, June 30, 2011 at 7:00 PM. The Board of Ethics, Charlotte Mitchell,

Thomas Bartiss and Paul Ward, opened the sealed envelope, reviewed the financial statement and declared no conflicts of interest. Paul Ward's term on the Board ends on September 30th, and he is willing to serve an additional term. The Board of Ethics meeting adjourned at 7:10 PM. Supv. Willman will place the Mr. Ward's reappointment on the September agenda.

10. OLD BUSINESS

A. ASSESSMENT UPDATE. The final assessment roll has been received.

B. LAND INVENTORY PROJECT. No progress to report.

C. INFRASTRUCTURE UPDATE.

1. Electrical Upgrade of Town Hall. Supv. Willman reported the Franklin Town Hall had its electrical system upgraded to 200 amps; the electrician will return to complete minor repairs.

2. Kitchen. With respect to the kitchen, Coun. Hamm received a report from the 55+ Club that neither plug near the sink was operable. The kitchen is full of tools and ladders and should be cleaned up. Further, a bucket was collecting water under the sink. He recommended that repair to the kitchen roof be performed on an emergency basis and requested Supv. Willman to purchase two 26 gauge sheets for the emergency roof repair.

3. Air Conditioner. The air conditioner has been purchased for the Town Hall and will be installed pending receipt of two parts.

E. HUD GRANT APPLICATION UPDATE. No report.

11. COMMITTEE REPORTS

A. AUDIT COMMITTEE. No report. The tax collection bank statement has not yet been received.

B. CELEBRATION.

1. Repairs to Plots. Coun. Merrill referenced a telephone message he received from the Snickles family regarding repairs to a retaining wall at their site at their expense. He stated any repairs should be approved first by the Cemetery Custodian, Vivian Manny. He will visit the site tomorrow.

2. Survey. Stacey Allot estimated a cost of \$1,670 to update the Odone survey and grid out the Vermontville Cemetery and \$925 for Merrillsville. The Town will purchase plastic "corners" which will be replaced with concrete corners once the grave is used. The procedure will be to stake out blocks of 40 x 44 feet which will allow for 11 or 12 gravesites. Currently the Town uses a 48-inch plot. Coun. Hamm advised staying with 48 inches due to soil and rock conditions. Coun. Merrill proposed gridding first and then constructing the circular roadway. He stated cemeteries need to connect new plots to existing ones. All local cemeteries have circular drives, Fortune-Keough recommended the Town install them. He urged the Board to authorize payment for the work sooner rather than later.

C. RECREATION.

1. SUMMER YOUTH PROGRAM. Supv. Willman reported the summer youth program is up and running. The School District is supplying lunches again this year, but unlike the hot lunches in 2010, there are only sandwiches and milk provided. Mary Ellen Keith is once again making sandwiches, and the kids and parents are very grateful. Parents have increased their contributions of time and materials this year as well.

2. ELECTRICAL SYSTEM AT REC PARK. Derrick Romeo indicated that on August 20th, he will need an additional 400 amps of electricity for the seven bands the Kate Mountain Community Recreation Association has contracted with. He asked if the Town could supply the additional electricity necessary. Supv. Willman replied he would contact the electrical inspector and request a survey of the Park needs.

12. CORRESPONDENCE The Adirondack High Peaks Dog Training Club which uses the Rec Park on Thursday evenings contributed \$100. Thank you so very much!

13. ANNOUNCEMENTS

The 55-Plus Club has organized a July 20th trip to 3 museums in Plattsburgh to visit the Champlain Valley Transportation Museum, The Battle of Plattsburgh Museum and the Clinton County Historical Association Museum.

Thank you to Zoe McCulley for all her hard work on the front garden at the Town Hall. It looks better than it has in years!

Thank you to the Ed Martin and the Republican Party for donating their extra pens to the Town. It is very much appreciated!

14. ADJOURNMENT

There being no further business to conduct, the meeting adjourned at 8:20 PM. Motion (A.Berg-D.Hamm m/s/p) ALL AYE.

Respectfully submitted, Sandra J. Oliver, Town Clerk

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