



The Town of Franklin

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Town of Franklin Board Meetings

MINUTES OF THE PUBLIC HEARING ON 2012 PRELIMINARY BUDGET AND FIRE PREVENTION FUND
and MONTHLY TOWN BOARD MEETING
NOVEMBER 9, 2011 - 6:00 PM

This is a Draft

Board members present:

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

Absent:

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

Others Present:

Budget Officer Richard Meagher Highway Supt. Jacques DeMars Town Clerk Sandra Oliver Frances Oliver Alleen Willman Derrick Romeo Karen Smalley Mary LaBrake Ed Martin Ed Baltzly Dick Jar vis Chris Knight, Adirondack Daily Enterprise

PUBLIC HEARING ON 2012 PRELIMINARY BUDGET AND FIRE/RESCUE

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 a quorum was present.

2. REVIEW OF 2012 PRELIMINARY BUDGET.

Budget Officer Richard Meagher reviewed the preliminary budget, and stated the Town Board stayed within the 2% State-mandated tax levy cap. The Town will save \$17,400 on the ambulance-rescue contract. Expenditures in both the General and Highway funds rose only 2.6%; fund balances were used offset the expenditures, and the tax levy is at 2%. The rise in expenditures includes the 9% increase in retirement. Workers compensation rose a bit as well. Although expenditures were made for emergency repairs to roads as a result of the spring flooding and Hurricane Irene, FEMA will be reimbursing a percentage of those expenditures. The Town is in very good shape, owing to careful cost-cutting by the Town Board and the exemplary management of Highway Superintendent DeMars.

3. QUESTIONS AND COMMENTS

Coun. Merrill stated there were salary increases for elected officials and pointed to the increase in Highway Supt. DeMars' salary. Budget Officer Meagher explained Supt. DeMars received a \$6,000 health insurance buyout which the Town Board decided to pay along with his salary. Mr. DeMars received a 2.5% increase. Supv. Willman added that the health insurance buyout of \$6,000 means that the Town saved about \$13,000. If a future highway superintendent is elected, and he wants health insurance, he would have to negotiate it with the Town Board. Supt. DeMars commented that the Town is not paying into NYS Retirement for him either.

ED MARTIN thanked the Board for doing such a good job and for keeping within the 2% tax levy cap.

DICK JARVIS expressed his appreciation to the Supervisor and the Board for not budgeting an increase in salaries once more. With contractual obligations and mandates the board did a good job of keeping the budget at a 2% increase. The Board has worked hard on the highway and town hall improvements. "Now the board needs to direct more attention and a small amount of the budget towards another valuable facility - Kate Mountain Recreation Park. An effort to facilitate improvements over multiple years should be started in 2012. I encourage a small amount, around \$5,000 from the attorney and contingency accounts, be redirected towards playground equipment (A7140.2) and planning (A8020.4). The town board should improve the Park infrastructure, like the electric and potable water, with citizen and interest group participation."

DERRICK ROMEO, president of Kate Mountain Community Recreation Assn., asked if the Town would be willing to set up a special dedicated fund for recreational and youth activities in the Town. He also requested if the Town had not spent all the 2011 budgeted amounts for recreation, whether the unexpended balance could be rolled over to 2012 so that improvements to the Rec Park could be made.

Budget Officer Meagher advised that too many dedicated funds tend to be messy, however, funding extra for the recreation programs can be drawn from the Contingency Fund which the Board could accomplish with budget amendments.

Supv. Willman responded to both Messrs. Jarvis and Romeo that in 2012 the Town will work with the Dept. of Environmental Conservation to get some of the trail systems started.

4. ADJOURNMENT

There being no further comments, the public hearing adjourned at 6:27 PM. Motion (A.Berg-C.Smalley m/s/p) ALL AYE.

MONTHLY TOWN BOARD MEETING

1. CALL TO ORDER

Supv. Willman called the monthly Town Board meeting to order at 6:30 PM, the Pledge of Allegiance and roll call having already been accomplished. Kenneth Guerin and Virginia Switzer joined the audience at 6:50 PM.

2. QUESTIONS AND COMMENTS

COUN. BERG, continuing the subject of the Kate Mountain Community Recreation Association, asked Derrick Romeo where the donated money from all the fundraiser dinners goes, and Mr. Romeo responded it is placed in the Association's bank account and stated further the Association was still in process of obtaining the 501(c)(3) not for profit tax status. The process was time-consuming.

COUN. SMALLEY inquired how much money the Association had, and Mr. Romeo replied it did not have very much.

DICK JARVIS, in response to the questions posed about the Kate Mountain Community Recreation Association maintained a Town Board meeting was not an appropriate venue for such a discussion.

MARY LaBRAKE asked Derrick Romeo what the purpose of the KMCRA was if not to raise funds for the Kate Mountain Recreation Park and the Town's programs. Mr. Romeo read from the Association's charter. He reviewed the Association's Charter and indicated it would have a financial report ready within a month.

3. BUDGET AMENDMENTS- None

4. AUDIT OF CLAIMS

The following claims listed on Abstract 10 were approved for payment:

General Fund	Vouchers 182 - 198	\$8,258.10
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Highway Fund	Vouchers 165 -	\$39,735.69
Prepay General Vouchers	35 - 37	\$877.78
The following claim listed on Abstract 3 were approved for payment		
Landfill	Voucher 5	\$336.38
Motion to approve claims (A.Berg-C.Smalley m/s/p) ALL AYE		

5. MINUTES.

The minutes of the October 12 board meeting and October 17, 2011 budget workshop and special board meeting

6. SUPERVISOR REPORT.

Balances as at October 1, 2011:

General Fund	Checking	\$34,891.35
	Savings	\$52,080.98
	CLASS	\$107,302.82
Highway Fund	Historian	\$3,036.36
	Checking	\$91,279.75
	Savings	\$319,655.29
	CLASS	\$188,269.54
Landfill	Cap. Proj. Hwy.	\$46,515.23
	Checking	\$3,658.41
	CLASS	\$44,053.54
Fire Protection	Checking	\$10,453.29
	CLASS	\$685.30
Capital Project Building		\$5,437.85

7. TOWN CLERK REPORT: The October Clerk report:

Balances as at September 1, 2010:

19 dog licenses	\$142.00
5 Building permits	\$1,155.00
Copies (FOIL) - 2 -35 pg	\$8.75

	\$1,305.75
Paid to Supervisor	\$1,265.75
Paid to County Treasurer(dogs)	\$40.00

	\$1,305.75

Motion accept Clerk report (B.Merrill-C.Smalley m/s/p) ALL AYE

8. CODES REPORT. None**9. HIGHWAY REPORT****A. SUPERINTENDENT'S REPORT.**

Highway Supt. Jacques DeMars gave the following report on progress of the Department from October 13 to November 8:

- With the aid of the County's equipment, the Department put shoulders on Oregon Plains Rd.
- Ditched sections of Fletcher Farm, Cold Brook, Tyler and Bass Lake Roads
- Replaced culverts on Oregon Plains, Swinyer, Tyler and Bass Lake Roads
- Removed the huge boulder on the Muzzy Rd that was pushing up the blacktop; the area was later patched with blacktop
- Regraded sections of the Plank Rd and added some crusher run
- A local trapper indicated his willingness to trap problem beavers at no charge as long as the Department provides transportation
- CHPS paperwork submitted
- The Department has changed to winter hours - Mon thru Fri - 6am to 2pm.

B. GENERAL FUND REIMBURSEMENT

Supt. DeMars requested the Highway Fund be reimbursed by the General Fund for gasoline supplied to the General Fund pickup. Supv. Willman indicated the matter would be addressed. Motion accept Highway report (A.Berg-C.Smalley m/s/p) ALL AYE.

10. NEW BUSINESS**A. AWARD BID FOR SMALL DUMP TRUCK.**

Requests for bids having been published and opened at the October board meeting, and the Board and the Highway Superintendent having reviewed each bid, it was determined that Vision Ford, 4545 Ridge Road West, Rochester, NY, would be awarded the bid. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

RESOLUTION NO. 64: AWARD BID FOR SMALL DUMP TRUCK TO VISION FORD, ROCHESTER, NY

WHEREAS, requests for bids having been published and bids were received and opened at the October 12, 2011 Board meeting; and WHEREAS, the bid submissions were reviewed by each Town Board member and the Highway Superintendent; NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby awards the bid for a 2012 Ford F150 dump truck with stainless steel box to Vision Ford, 4545 Ridge Road West, Rochester, NY in sum of \$57,101.00.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Donald Hamm

Those Abstaining:

None

B. OPEN BIDS FOR INSURANCE

Requests for bids having been published and opened at the October board meeting, and the Board and the Highway Superintendent having reviewed each bid, it was determined that Vision Ford, 4545 Ridge Road West, Rochester, NY, would be awarded the bid. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

NYMIR	Total Subscriber Premium plus fees	\$25,919.59
LaBarge Agency	Annual Capitalization fees	\$409.78
Ellenberg Depot, NY		
Trident		
LaBarge Agency	Total premium	\$25,890.19
Ellenberg Depot, NY		
Glatfelter Public Practice		
NBT-Latremore	Total premium	\$24,605.00
Plattsburgh, NY		

C. ADOPT 2012 BUDGET.

The public hearing having been held on the 2012 Preliminary Budget, and comments received, Supv. Willman requested a resolution adopting the 2012 Budget. Motion (A.Berg-C.Smalley m/s/p) ALL AYE.

RESOLUTION NO. 65: ADOPT 2012 BUDGET WHEREAS, a public hearing on the 2012 Preliminary Budget was held on November 9, 2011, and public comments received; and WHEREAS, further revisions to reduce the tax levy were made following the public hearing; NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby adopts the 2012 Preliminary Budget as the 2012 Budget for the Town of Franklin.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Donald Hamm

Those Abstaining:

None

D. DISCUSSION - PLANK RD.

Supt. DeMars reported the Plank Road has been worked on as far as the Town can on its own. Supv. Willman commented that FEMA will not replace the culvert but will repair what was scoured out by the flooding. It is not a perfect situation because the culverts will fail completely in 20 years or less. However, it is the best the Town can do. In addition, the Town must wait to hear from FEMA before advertising for bids.

E. DISCUSSION - SENIORITY ISSUE.

As Coun. Hamm was absent, Supv. Willman requested a motion to table this matter. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

11. OLD BUSINESS

A. FIRE-RESCUE UPDATE.

1. Ambulance-Rescue Contract. Supv. Willman reported the Saranac Lake Fire Advisory Board, after meetings with the Saranac Lake Fire Dept. and the Saranac Volunteer Ambulance-Rescue Squad, as well as officials from the Village of Saranac Lake and participating communities, developed a choice of two systems for charging towns. The first system was based on real property assessments, and the second was based on a "per-usage" system. The drivers of the trucks are available 24 hours a day for all participating communities. The cost of the rescue contract would be divided by the percentage of calls to a participating town. The Village of Saranac Lake had a problem with the system based on assessed value. In the end the Town of Franklin's cost for the rescue contract was \$21,600.

2. "Jaws of Life" Equipment and Training for Bloomingdale Vol. Fire Dept. The Bloomingdale Volunteer Fire Department has applied for a grant to purchase the "jaws of life" equipment, and as soon as it learns whether it receives the grant, some funds will be allocated to purchase of the equipment and training. If this occurs, it will save both St. Armand and Franklin money, as they will no longer need to pay the Village of Saranac Lake for the use of the Saranac Lake equipment.

B. LAND INVENTORY UPDATE. No progress on this.

C. HUD GRANT UPDATE. Supv. Willman reported Friends of the North Country should learn whether or not the grant was awarded within the next 6 weeks. If the grant was not awarded, FONC will not charge for the reapplication. Coun. Smalley asked if applications for householders who had applied already would be honored in the same order, and Supv. Willman replied they would.

D. ROAD SAND FROM LANDFILL. Supv. Willman and Couns. Berg and Merrill were to inspect the closed landfill site in contemplation of removing sand for use by the Highway Dept. No date for the inspection was scheduled, but Coun. Merrill opined an updated survey map would be required, and then test holes would need to be drilled.

E. FIRE PLATFORM. Coun. Berg reported the Town could erect a new dry hydrant and fire platform if a contractor for same could be found to construct and install.

12. COMMITTEE REPORTS

A. AUDIT - No report

B. CEMETERIES. Geomatics forwarded contracts for the gridding of both the Vermontville and Merrillville Cemeteries for a total of \$1,670, plus additional services. Coun. Merrill indicated the work would have to wait until spring and until the cemeteries could be cleaned up. However, he recommended the Board accept the Geomatics contract. Supv. Willman requested a motion. Motion (C.Smalley-B.Merrill m/s/p) ALL AYE

RESOLUTION NO. 66: ACCEPT CONTRACT WITH GEOMATICS LAND SURVEYING WHEREAS, Geomatics Land Surveying was requested to estimate the cost of creating a grid for both the Union Cemeteries in Vermontville and in Merrillville; NOW, THEREFORE, BE IT RESOLVED, the Town Board accepts the contract with Geomatics in sum of \$1,670 and authorizes the Supervisor to execute same.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman Donald Hamm

Those Abstaining:

None

C. RECREATION. No report.

13. CORRESPONDENCE. None to report.

14. ANNOUNCEMENTS. The Board wished all a Happy Thanksgiving.

15. QUESTIONS AND COMMENTS: EDWARD MARTIN requested the following letter be placed in the record:

"November 9, 2011

To: Franklin Town Board and Councilman Brad Merrill.

From: Edward T. Martin, Taxpayer.

To Brad Merrill: In my opinion the way you conducted yourself during this past election of Nov. 8, 2011 with your lies, false statements in the press and on the radio, you should be brought up on charges or at least investigated for these statements. You don't represent me or any of the majority of the voters in this past election. I personally feel you can't be trusted or even listened to from this point on! You should in good faith resign from the Town of Franklin Town Board.

Respectfully submitted, Edward T. Martin."

Coun. Merrill responded he would not resign and stated he made no false statements. His call to the radio call-in show was in response to previously broadcast innuendos. He expressed dismay that the Adirondack Daily Enterprise forwarded his first letter to Supv. Willman, and stated if it could be shown to them, it should be published for everyone. He maintained that the manner in which the decision to expend additional funds for repair of the Alder Brook Park Road and subsequent revision of the 284 agreement was illegal. He emphasized he wanted the work done correctly, the agreement accepted legally, and that he wanted to make an issue of it. In addition, he stated his letter to the Enterprise contained nothing that was false.

Supv. Willman disagreed, noting that in his son's campaign for the position of Highway Superintendent, Coun. Merrill omitted facts, repeated partial truths and exhibited blatant dishonesty to spin a negative impression of Highway Supt. DeMars and the current Town Board. The purpose of the campaign was to damage the reputations of Supt. DeMars and the Town Board. Regarding Coun. Merrill's remarks on the local radio call-in show, Supv. Willman stated they demonstrated Coun. Merrill's "desire to damage the image and reputation of the Town Board without regard to facts." Supv. Willman announced he was removing Coun. Merrill as Deputy Town Supervisor, effective immediately. He considered removing Coun. Merrill's committee assignments, but did not as he felt Coun. Merrill had a contribution to make.

Coun. Merrill apologized to the Board for his unflattering characterization of them. He maintained that all matters involving expenditure of Highway funds over \$3,000 should come before the entire board in public.

Coun. Smalley retorted that the issue had been discussed at two board meetings and in a four to one vote, the Alder Brook Park Road repairs were approved. Ed Baltzly commented that the flooding experienced this past spring was a 500-year event and stated, "When you're in an ambush, you don't convene a meeting of the joint chiefs."

Supt. DeMars indicated he had spoken with Joyce Morency, St. Armand Town Supervisor with 30 years experience in local government, and she indicated the Board approves the 284 agreement and the St. Armand Highway Supt. uses his discretion in spending it. Supv. Willman indicated the Board would revise its 284 procedures by setting an amount which can be spent on emergency repairs over and above the agreed-upon 284.

16. ADJOURNMENT.

There being no further business to conduct, the meeting adjourned at 9:40 PM. Motion to adjourn (B.Merrill-C.Smalley m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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