



# The Town of Franklin

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## Town of Franklin Board Meetings

### MINUTES OF THE MONTHLY TOWN BOARD MEETING December 12, 2012 – 7:00 PM

#### Board members present:

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

#### Others Absent:

Councilman Donald Hamm

#### Others Present:

Highway Supt. Jacques DeMars, Codes Officer Robert Drosdowich, Town Clerk Sandra Oliver, Ed Martin

#### 1. CALL TO ORDER

Supervisor Arthur P. Willman called the meeting to order at 7:00 PM. The Clerk called the roll, introduced guests and declared a quorum was present.

#### 2. MOMENT OF SILENCE.

In memory of Teresa Eshelman, former Town Historian, compiler of the THEY TOLD ME SO booklets, Court Clerk and enthusiastic supporter of all Town of Franklin activities. And in memoriam for Joyce Morency 30-year Supervisor of the Town of St. Armand. And in memoriam of Mrs. Marion Flint Fletcher, oldest person in the Town and known and loved by all.

#### 3. BUDGET AMENDMENTS

**A. 2012 GENERAL FUND BUDGET AMENDMENT #3** Supv. Willman requested a resolution transferring \$18,235.00 funds within the General Fund. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

**RESOLUTION NO. 77: 2012 GENERAL FUND BUDGET AMENDMENT NO. 3** Supv. Willman requested a resolution transferring \$18,235.00 funds within the General Fund. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

WHEREAS, in order to maintain a balanced budget, the following sums are to be transferred:

	FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
	A7140.1 Playgrounds PS	\$ 1,000	A1620.1 Buildings PS	\$2,500
	A8810.1 Cemeteries PS	\$ 1,500		
A1620.1 Buildings PS	\$ 2,500			
A1990.4 Contingent	\$15,735			
A1670.4 Central Mail	\$ 200			
	A7310.4 Youth Programs CE \$35			
	A8810.4 Cemeteries CE \$500			

Those voting aye:

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

Those Voting nay:

None

Those Absent:

- Councilman. Donald Hamm

Those Abstaining:

None

**B. 2012 HIGHWAY FUND BUDGET AMENDMENT #1.** Supv. Willman requested a resolution transferring \$70,000.00 within the Highway Fund. Motion (C.Smalley-A.Berg m/s/p) ALL AYE

**RESOLUTION NO. 78: 2012 HIGHWAY FUND BUDGET AMENDMENT NO. 1**

WHEREAS, in order to maintain a balanced budget, the following sums are to be transferred:

FROM ACCOUNT	AMOUNT	TO ACCOUNT	AMOUNT
DA 3960 Increased Income FEMA	\$70,000	DA5130.2 Machinery Cap Imp	\$70,000

Those voting aye:

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

Those Voting nay:

None

Those Absent:

- Councilman. Donald Hamm

Those Abstaining:

None

**4. QUESTIONS AND COMMENTS.** None

**5. AUDIT OF CLAIMS**

The following claims were submitted for approval and payment on Abstract 12 of 2012:

General Fund	Vouchers 212 - 232	\$15,022.60
Highway Fund	Vouchers 127 -	\$ -
Prepay General	Vouchers 38 - 40	\$1,665.05

Coun. Berg inquired by the electric bill for the Rec Park was \$100 higher than the one for the Merrillsville Town Hall, and Supv. Willman explained that one of the refrigerators was left on. That situation has now been corrected.

Coun. Smalley queried the cost of add-ons to the contract for repair of the fascia, etc. at the Vermontville Town Garage and the status of the door replacement. Supv. Willman responded that the door was not replaced but that Doug Snickles borrowed the Town's frontloader to dig some dirt away so the difference between the add-ons and original contract was minimal.

Motion to pay claims (C.Smalley-A.Berg m/s/p) ALL AYE

**6. MINUTES**

The minutes of the November 14, 2012 Public Hearing on the 2013 Budget and Board Meeting were accepted as

presented. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

## 7. SUPERVISOR'S REPORT.

Balances as of November 1, 2012

General Fund	Checking	\$38,835.83
	Savings	\$57,101.39
	CLASS	\$107,322.80
	Historian	\$3,037.43
Spec Sav Rec Pk	\$725.00	
Spec Sav Cemeteries	\$200.00	
Highway Fund	Checking	\$32,253.33
	Savings	\$193,452.36
	CLASS	\$538,345.44
	Cap. Proj. Hwy.	\$46,524.16
Landfill	Checking	\$8,445.30
	CLASS	\$34,060.47
Fire Protection	Checking	\$683.34
	CLASS	\$685.30
Capital Project Building		\$5,438.62

Supv. Willman the Cap Project Building Fund would receive \$20,000 deposit from 2011 and 2012, as \$10,000 per year was and is budgeted. Motion to accept Supervisor's Report (C.Smalley-B.Merrill m/s/p) ALL AYE.

## 8. TOWN CLERK'S REPORT

for the month of November 2012

5 dog licenses	\$44.00
1 Building Permits	\$120.00
10 - Vitals death	\$100.00
	-----
Total	\$264.00
<hr/>	
Paid to Supervisor	\$252.00
Paid to NYS Ag&Mkts (dogs)	\$12.00
	-----
Total	\$264.00

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

## 9. CODES REPORT:

Codes Officer Robert Drosdowich reported that one building permit and one Certificate of Occupancy issued during the month of November for \$120.00 and 6 site visits were completed. He noted at this time of year things slow.

## 10. HIGHWAY REPORT

**A. SUPERINTENDENT'S REPORT.** Highway Superintendent Jacques DeMars reported progress of the Department for the period covering November 15-December 12, 2012:

- Guide rails replaced on Cold Brook Rd near Lou Myers residence
- Unit 3 repaired and will be ready for service following State inspection.
- Extension to driveway culvert added to residence on Tyler Road
- Replaced culvert on Fletcher Farm Rd near Roddy residence
- Cut brush and ditched on Alder Brook Road
- Plowed and sanded as needed

**B. HIGHWAY COMMITTEE.** No report

**D. QUESTIONS AND COMMENTS ON HIGHWAY MATTERS** No report

## 11. NEW BUSINESS

**A. REPUBLISH RFP FOR WATER TREATMENT SYSTEM** Tabled to January 2013.

**B. SCHEDULE YEAR END MEETING.** A special board meeting will be scheduled for Thursday, December 27, 2012 at 7:00 PM in the kitchen to pay any outstanding invoices received before year end

**C. DISCUSS POSSIBLE POLE BARN AT ROUTE 3 GARAGE** Supv. Willman stated that additional storage space might be accomplished to house the roller and trailer securely if a pole barn were to be constructed at the Town

Garage. The proposed structure would measure 80x20 feet and would be built onto the existing building. Coun. Smalley asked what use is the Merrillville Barn being used for, and Supt. DeMars indicated the mowers were stored there and that hydroseeding mulch will be delivered shortly. Coun. Merrill indicated his preference that a separate building be constructed at the Vermontville Garage. Codes Officer Robert Drosdowich commented that any structure of the proposed size must meet building code standards and will require engineering plans. Coun. Berg inquired as to the timing of the construction, and Supv. Willman responded in 2013, and that quotes would be required so that the structure can "fit" the 2013 budget. Supv. Willman requested that the Board consider all possible options.

**D. ACCEPT AND RATIFY CONTRACT WITH TEAMSTERS UNION** After 4 months of friendly negotiations, a new contract has been reached with the Teamsters' Union and ratified by its membership. Councilman Merrill indicated his disapproval of the overtime call-out procedure. He also stated that he felt that the employees should pay for their healthcare. Therefore, he would not vote in favor of the contract. Supv. Willman recalled that the contract was reviewed in executive session at the Nov. 14th Board meeting after 4 months of negotiations and regular updates to the Board. At that time Councilman Merrill had no objection to the healthcare proposal and only had a problem with the call-out procedure. Supv. Willman stated that the vote was delayed to allow time for Coun. Merrill to meet with him to discuss the call-out procedure. Coun. Merrill never took advantage of the opportunity. Coun. Merrill repeated that he did not approve of the health insurance in the proposed contract and recommended that the Town delve into the possibility of health insurance buyouts for some senior employees. Supv. Willman countered that this had been done and, although a plan from Blue Cross/Blue Shield appeared attractive, this plan could not guarantee a stable 3-year rate and that the program has been known to have high premium increases, as much as 20%, whereas after 2013, the Teamsters' plan would increase only by 2.5% in 2014 and 2% in 2015. Supv. Willman reminded Coun. Merrill that the employees agreed to "step down" a level to a more moderately priced plan in place of the current plan. Also, they agreed to no pay increases for the first two years of the contract, with a 2% increase coming in the third year. Letting go of the contributions for health care will allow the employees to absorb some of the additional cost of health care while at the same time saving the Town some money. Coun. Smalley commented that the Board had reviewed the proposed contract, its additions, and revisions several times since September and that the new contract as it stands is fair. Coun. Berg offered a Motion to ratify the contract, and Coun. Smalley seconded it. AYE: Willman/Berg/Smalley; NAY: Merrill; ABSENT: Hamm.

**RESOLUTION NO. 79: ACCEPT, APPROVE AND RATIFY 2013 CONTRACT WITH TEAMSTERS UNION**

WHEREAS, negotiations for a new contract with the Teamsters Union have taken place over the past five months; and WHEREAS, the parties to the Contract, the Employees, the Union and the Town of Franklin agree on all aspects of this contract; NOW, THEREFORE, BE IT RESOLVED, the Town of Franklin Town Board hereby accepts, approves and ratifies the negotiated contract with the Teamsters Union (term January 1, 2013 through December 31, 2015); and BE IT FURTHER RESOLVED, the Supervisor is authorized to sign such document.

Those voting aye:

Supervisor Arthur P. Willman  
Councilman Allen Berg  
Councilman Clifford Smalley

Those Voting nay:

Councilman Bradley Merrill

Those Absent:

Councilman. Donald Hamm

Those Abstaining:

None

**E. BOARD OF ASSESSMENT REVIEW APPOINTMENT**

Keith Silliman submitted an application for the Board of Assessment Review, the only one the Town received. He is well qualified to sit on the BAR. Coun. Merrill asked if Mr. Silliman was a resident of the Town. Supv. Willman remarked he had not asked him that question but will speak with Mr. Silliman in the morning. Tabled to December 27, 2012 meeting.

**12. OLD BUSINESS**

**A. ADIRONDACK LEADERSHIP EXPEDITIONS** A telephone tree and email alert system has been set up to alert Onchiota residents of escapes. Anyone wishing to be included on either the telephone tree or email alert should contact Supv. Willman. This matter is concluded and will be removed from the Agenda for future meetings.

**B. MERRILLVILLE GARAGE REPAIR.** The repairs have been completed. Overhead Door of Plattsburgh has not yet contacted Supv. Willman yet; if they do not respond quickly, Supv. Willman will order a new door from North Country Overhead Door, as the difference in the price bid was \$5.

**C. VERMONTVILLE GARAGE REPAIR.** The repair is complete. Supv. Willman, in consultation with Couns. Berg and Hamm, Supt. DeMars and Doug Snickles, decided not to replace the vestibule door. The concrete floor underneath it has buckled and will need to be removed and replaced prior to door replacement.

**D. HUD GRANT APPLICATION UPDATE.** No word yet on the grant award, Supervisor Willman reported, but perhaps before the end of the year.

**E. JAWS OF LIFE FOR BLOOMINGDALE VFD.** Supv. Willman reported the truck has been outfitted and the BVFD is working with the tools. The Town owes \$5,000 for the equipment, which will be paid in January 2013. Coun.

Smalley reported he had seen a junk car at the BVFD so that the department can practice using the equipment. Supv. Willman indicated the Town will have a \$5,000 balance payable to BVFD in 2013. This matter is deemed completed and will be removed from future Agendas.

**F. OIL-WATER SEPARATOR.** No progress to report thus far. In 2013 Supv. Willman and Hwy. Supt. DeMars will travel to the Town of Champlain to inspect its installation.

**G. DEFIBRILLATORS FOR TOWN HALL AND GARAGE.** Coun. Merrill researched the matter and distributed materials to Supv. Willman. All were in favor of purchasing the type of defibrillator that requires little training. Because the Town Hall hosts gatherings of the public and is an emergency shelter, a defibrillator will be purchased for it first. Supv. Willman will research grants through the Bloomingdale Volunteer Fire Dept., Adirondack Health and the Red Cross.

### 13. COMMITTEE REPORTS

**A. AUDIT.** The Town Justice's accounts were reviewed on November 29, 2012, by Supv. Willman and found to be in order and commended Justice Roger Symonds on his impeccable bookkeeping. Motion accept Justice accounting (B.Merrill-A.Berg m/s/p) ALL AYE

**RESOLUTION NO. 80: ACCEPT JUSTICE COURT ACCOUNTING** WHEREAS, Town Justice Roger Symonds, in compliance with NYS Comptroller guidelines, requested an audit of his accounts; and WHEREAS, Town Supervisor Arthur P. Willman inspected said records on November 29, 2012, bank statements and accounts, inclusive, and found them to be in good order; NOW, THEREFORE, BE IT RESOLVED, that the Town of Franklin Town Board hereby accepts and approves of the accounting records maintained by Town Justice Roge

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman. Donald Hamm

Those Abstaining:

None

**B. CELEBRATION.** The Town Board held a holiday party for children on Saturday December 8, 2012 from noon to 3:00 PM. About 15 children attended, and each received a wrapped gift from Santa as well as a grab bag gift. Pizza, cookies, banana bread, hot chocolate, cider and Kool-Aid were enjoyed by all. Many thanks to Jon MacDowell for his generous donation, to Ed Martin for playing Santa, and to Cliff & Doe Smalley for their assistance and home-baked goodies, to the Birch Bark Deli for donating 2 pizzas and to the Bloomin' Market for its donation of hot chocolate.

#### C. CEMETERIES.

**1. SIGNS.** Cemetery rules and regulations have been posted at the Vermontville and Merrillsville Cemeteries. The rules sign will be posted at Franklin Falls Cemetery in the spring.

**2. CEMETERY CUSTODIAN.** Long-time Cemetery Custodian, Vivian Manny, has expressed her desire to step down from the position and has recommended Timothy Goff as her replacement. Couns. Merrill and Smalley will meet with Mr. Goff on Tuesday. The Board expressed its appreciation to Mrs. Manny for all her efforts at the Town Cemeteries over the years.

**3. GEOMATICS CONTRACT FOR MERRILLSVILLE CEMETERY.** Copies of the contract proffered by Geomatics for the surveying of the cemetery at Merrillsville for a total \$1,350, with retainer of \$675. Supv. Willman requested a resolution accepting the contract. Motion (C.Smalley-B.Merrill m/s/p) ALL AYE

**RESOLUTION NO. 81: ACCEPT CONTRACT WITH GEOMATICS FOR SURVEY OF CEMETERY AT MERRILLSVILLE** WHEREAS, at the request of the Town, Geomatics Land Surveying, PC, Saranac Lake, has submitted a contract for professional services for surveying the Town Cemetery at Merrillsville; and WHEREAS, having reviewed the proposed contract, the Town Board finds it in order; NOW, THEREFORE, BE IT RESOLVED, the Town Board of Franklin hereby accepts the contract with Geomatics; and BE IT FURTHER RESOLVED, the Town Supervisor is hereby authorized to execute the contract and return it to Geomatics with the \$675 retainer fee.

Those voting aye:

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

Those Voting nay:

None

Those Absent:

Councilman. Donald Hamm

Those Abstaining:

None

**4. FEES FOR CEMETERY PLOTS.** As discussed previously any fees collected by the Cemetery Custodian for plots for non-residents will be turned over to the Town Clerk.

**D. RECREATION.**

**1. SKATING RINK.** In years past efforts have been made to establish a skating rink at the Kate Mountain Recreation Park. So far this year the temperatures have not been cold enough to do so. Coun. Berg asked whether the Recreation Committee might try a heavy-gauge tarp to cover the ground so the water would not seep out before freezing. Heavy gauge tarps can be purchased at a hardware store for \$100-\$150, and obtain some 2x6's to frame the tarp. Coun. Smalley recommended moving the proposed rink to a flatter spot. Supv. Willman considered the experiment with the tarp in the Town Hall cellar to be a good idea.

**2. NEW FIELDS.** Franklin County Soil & Water has donated hydroseeding mulch, and Leavitt Sand & Gravel, Gabriels, NY, submitted a written proposal for topsoil, which will be acted upon in Spring 2013. Soil & Water is seeking grant funding and is enthusiastic about the new fields at the Recreation Park.

**14. ANNOUNCEMENTS** None

**15. CORRESPONDENCE**

**GARDEN ROAD.** Hwy. Supt. DeMars received a letter from Evans Breacy, representing Kenneth Guerin who is anxious for the Town to complete the Garden Road repairs. Supv. Willman telephoned Mr. Breacy and explained to him, as he had in the past to Mr. Guerin, the Highway Dept. had urgent FEMA repairs to complete which must be completed before work can begin again on Garden Road. Some of these FEMA repairs have been made this year, but some cannot be completed until spring-summer 2013. The Town simply cannot work on the Garden Road at this time. Mr. Breacy understood the Town's position and indicated he had expressed same to his client.

**16. QUESTIONS AND COMMENTS.** None

**17. ADJOURNMENT**

There being no further business to discuss or conduct, the meeting adjourned at 8:30 PM. Motion (A.Berg-C.Smalley m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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