



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 February 8, 2012 - 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:

Highway Superintendent Jacques DeMars, Town Clerk Sandra Oliver, Doris Hamm, Frances Oliver, Ed Martin

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.

2. PUBLIC COMMENTS AND QUESTIONS: - None

3. BUDGET AMENDMENT - None

4. AUDIT OF CLAIMS.

The following claims were submitted for approval and payment on Abstract 2 of 2012:

General Fund	Vouchers 17 -	\$38,047.10
Highway Fund	Vouchers 13 -	\$40,977.19
Prepay General	Vouchers 2 - 4	\$1,718.18

The following claims were submitted for approval and payment on Abstract 1 of 2012:

Fire Protection	Vouchers 1 - 2	\$57,050.00
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Coun. Berg asked about the \$500 the Town is paying the Saranac Lake Civic Center and how many Town residents are able to use the facility. Supv. Willman indicated children and adults use it for ice skating. Coun. Smalley

commented that "free skate" is squeezed in between paid league time. Often the free skate times vary widely, and are not posted. Coun. Merrill noted that the league programs which are paid, are used by kids, and Coun. Hamm added that even in Lake Placid there was no free skating. Coun. Berg requested that request in writing to the Civic Center be sent to schedule free skating requesting they publish a calendar.

Coun. Smalley complimented the Highway Dept. on its purchase of brake parts for the 2006 Dodge pickup. He then asked about the way in which the fuel bills were paid. Supv. Willman indicated the General Fund is responsible for heating and propane, and the Highway Fund paid the cost of gasoline and diesel. Coun. Smalley asked if HomEnergy's service was satisfactory, and Supv. Willman responded it was satisfactory, and apparently, the Town paid more last year.

Coun. Berg noticed the \$2400 or so paid to the Tri-Lakes Humane Society and asked what they do for the Town, and Supv. Willman responded dog control.

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

5. MINUTES

The minutes of the January 11, 2012 meeting were accepted as presented. Motion (C.Smalley-A.Berg m/s/p) ALL AYE

6. SUPERVISOR'S REPORT.

Balances as at January 1, 2012

General Fund	Checking	\$394,712.22
	Savings	2,091.65
	CLASS	107,302.96
	Historian	3,036.79
Highway Fund	Checking	24,980.37
	Savings	751,653.83
	CLASS	188,269.80
	Cap. Proj. Hwy.	46,515.28
Landfill	Checking	1,069.97
	CLASS	44,053.59
Fire Protection	Checking	10,455.19
	CLASS	685.30
Capital Project Building		5,437.85

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

7. TOWN CLERK:

For the month of January 2012

6 dog licenses	\$65.50
1 copy	\$0.25
2 Donations	\$10.00
1 Hist Book	\$10.00

Total	\$85.75
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Paid to Supervisor	\$68.75
Paid to NYS Ag&Mkts (dogs)	\$17.00

Total	\$85.75

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

8. TAX COLLECTION REPORT:

As of February 2, 2012, the Town was fully funded. Collections at present are at 70%, with total receipts of \$1,291,567. \$50,000 was remitted to the County Treasurer on Monday. Motion (A.Berg-C.Smalley m/s/p) ALL AYE.

9. HIGHWAY REPORT

A. SUPERINTENDENT'S REPORT. covering December 14, 2011 to January 11, 2012 period:

- Plowed and sanded when necessary
- Grader used several times on ice buildup on roads. Will do more as weather permits
- Frost heaves formed on some town and county roads. Department has been marking town roads with red flagging at sites and will continue to do so. County roads are generally flagged with a yellow marker.

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

B. HIGHWAY COMMITTEE.

1. Proposed New Roller. Coun. Hamm reported he had seen a medium-sized roller for \$25,000. The Highway Committee is looking for a used one, perhaps one from a contractor going out of business. Supv. Willman asked if the Town could justify the purchase of a new one, and Coun. Hamm opined it would be more cost efficient to purchase a gently used one. The Department needs a medium-sized roller for portability. After raking a dirt road, it should be rolled.

2. Plank Road Culverts. Supv. Willman reported that the FEMA project sheets for Hurricane Irene were returned with engineer determination that no additional damage to the Plank Road culverts would be considered for reimbursement. Therefore, the Town will remove the additional items from the FEMA reimbursement. However, he added, there is still a great deal of outstanding work to be done.

10. NEW BUSINESS

A. OPEN BIDS FOR HIGHWAY AND TOWN HALL LIGHTING REPLACEMENT. Requests for proposals having been published the week of January 23, 2012, only one bid was received, from Jeremy Schenk, Adirondacks Accomplished, PO Box 111, Ray Brook, NY 12977 - to replace or install lighting materials in the Town Hall and Garage for \$1,850.

Discussion ensued concerning the lack of response to the newspaper ads, and it was the Clerk's opinion that there may have been some miscommunication regarding the bidders' receipt of information from National Grid and a possible republishing of the RFP. Supv. Willman thought he had been clear when he spoke with various electricians and asked the Board whether it wished to republish the RFP or accept Mr. Schenk's bid. Coun. Hamm counseled caution, and Coun. Merrill recommended republishing the RFP. Coun. Smalley indicated that since Mr. Schenk was the only bidder to follow instructions, he should be given the contract. Coun. Hamm suggested a reference check on Mr. Schenk and to republish the RFP. Motion to republish RFP (D.Hamm-B.Merrill m/s/p) ALL AYE.

RESOLUTION NO. 8: REQUEST COUNTY TO LOWER SPEED LIMIT ON CO RT 60 WHEREAS, requests for proposals for lighting replacement/improvement in the Town Hall and the Town Garage were published in the Adirondack Daily Enterprise during the week of January 23, 2012; and WHEREAS, only one bid was received; NOW, THEREFORE, BE IT RESOLVED, the Town Board will publish a combined RFP for both the Town Hall and Garage lighting replacement, bids due at 6:00 PM on Wednesday, March 14, 2012.

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. SPEED LIMIT REDUCTION ON COUNTY ROUTE 60

Supv. Willman introduced Peter and Julie Woodcock, residents of County Route 60, and read into the record their February 1, 2012 letter to the Town Board:

"Date: Wednesday February 01, 2012

Town of Franklin, Vermontville, NY 12989

Attn: Art Willman, Supervisor and Town Board Members

Re: Review of Speed Limit on County Route 60 - aka Onchiota/Gabriels Road connecting State Route 3 to State Route 86.

We live on County Route 60 in the Vermontville/Merrillsville area at the turnoff from State Route 3. We live one mile down CR 60, which is the first turnoff just after the State Highway Garage on State Route 3. We are writing you today requesting a review of the speed limit (or lack thereof) on County Route 60 from the SR 3 turn off through the first two mile residential area.

Summary of the road itself: CR 60 is an approximately 11 mile stretch of road that seems to have become the main connector for traffic traveling from State Rte. 3 to get to Paul Smith's and the Malone area - AND - State Rte 86 to get to Plattsburgh. This is also the main access to the Buck Pond Campground from May to September. In the past ten years, the residential settlement of this road has gone from a few farm type houses with massive acres of property to smaller homes with smaller acreage. This first 1-1/2 - 2 miles of this road consists of two "S" curves and a "straight-a-way", and at night it is completely dark. As you turn onto CR 60 from SR3, the first mile and a half is a residential area consisting of 17 homes. As you turn off SR 3, there is no speed limit posting aside from an immediate yellow 45 mph sign warning of the first winding "S" curve. There is no speed limit posted at all until you reach the Buck Pond Campground turnoff in Onchiota where it becomes 35 mph... (within this stretch of road, the land is uninhabited) - once you leave the small enclave of Onchiota, the speed limit goes from 35 mph to a

"posted" 55 mph until you reach the Rainbow Lake Post Office ... within this 55 mph area, there is no significant amount of residences - HOWEVER, there is soon to be a large development of eight homes called "Rainbow Ridge" built there as lots are currently being sold ... once you get to the Rainbow Lake Post Office (Town of Brighton) the speed limit drops down to a "posted" 40 mph and stays that way through Gabriels to the end of the road in Brighton and the St Rt 86 turnoff. *

*[N.B. After the closed Gabriels prison, the speed limit on Rt 86 increases to 55 mph to the Easy St hill, where it is 40 mph and after Jones Pond Road where it again increases to 55 mph to the Paul Smiths intersection.]

Main Concern: the first 1-1/2 to 2 miles of this road from the turnoff of SR 3 has no speed limit signage at all ... we are lobbying for a 40 mph speed with appropriate signage in this residential stretch of road to conform with the same speed limits in the Rainbow Lake/Gabriels residential areas (FYI: Onchiota is 35 mph)

Number of residences in the 1-1/2 to 2 miles from Rt 3: as you turn onto CR 70 from St Rt 3, there are 17 residences.

Rush hour: There is a rush hour of commuters (mostly from Vermont it seems) and commercial vehicles taking CR 60 from SR 3 to SR 86 and it usually occurs between 6:30 am and 8 am; rush hour in the afternoon is in reverse around 3:30 pm to about 5-5:30 pm ... it is fairly heavy traffic on what is really a country road, and they travel well over 55 mph, including through the residential area.

Traffic and types of vehicles: the type of vehicles that travel CR 60 consist of commuters in cars, pickups and SUV's, tractor trailers - some of which are "piggy backs"; garbage trucks; logging trucks; FedEx and UPS trucks; school buses; oil delivery trucks; campers of all sizes; vehicles with canoes and kayaks and boats of all sizes ... (just for "kicks" as they say, I decided to count the number of tractor trailers and log trucks on a particular recent day, and I counted 17 of these vehicles combined in the daylight hours).

Children and school bus stops: In the first 1-1/2 to 2 miles (from SR 3) there are 5 hours on CR 60 that have children ... there is only one "School Bus Stop" sign on this road, and it is on the first "S" curve facing the direction headed back out east to St Rt 3 (two houses with children here) - the 3 houses where the majority of different age groups of children live shows no bus stop signage at all.

Pedestrians: The pedestrian traffic consists of the residents walking that live on this road, along with people who run and people who ride bicycles from the campground in the warmer seasons ... the high rate of speed of vehicular traffic through this area makes doing so completely unsafe ... drivers have a total lack of regard for pedestrians, even going so far as failing to move over when encountering someone on the side of the road.

Passing zone: Ridiculously enough in the residential section lies a 2-way passing zone directly in front of the majority of the houses' driveways ... residents trying to turn out of their driveways have to exercise extreme care to be sure no vehicles are approaching - or when signaling the intent to turn into a driveway, residents have actually experienced vehicles passing them on the driver's side as they begin to make their driveway turns because they are being tailgated by those driving too fast to notice someone needs to turn.

Maintenance of road in winter: This road is maintained by the Town of Franklin, it is done in the same manner as other back roads maintained by the town as a country road "not clear to pavement" like your main roads with 55 mph speed limits (e.g., St Rt 3 or 86) ... it is a mixture of ice patch/snow cover and sand with some salt; and almost never a dry pavement after a storm ... there is usually a snow pack when can melt to a sand and icy roadway at best ... this road is maintained as a back country road (which is logical since that is what it is) and not a major highway thus making 55 mph too fast for any given conditions.

Wildlife present: We have an abundance of wildlife on this road at all hours consisting of moose, bear, deer, coyote, fox and an occasional bobcat ... in my recent walk I found a beautiful red fox that had been hit by a vehicle on the left side of the road ... in the spring the road at night is swarming (yes, I do mean that) with rabbits - that lasts a few weeks.

Suggested speed limit: While we would like to see the speed limit posting on the first 1-1/2 to 2 miles of CR 60 starting from the turnoff of SR 3 to be 40 mph (and the same in the reverse direction) ... we feel this is a safe speed limit through the residential area. The Buck Pond Campground and the enclave of Onchiota is 35 mph ... the speed limit posted from Rainbow Lake to Brighton is 40 mph, and we feel we should have the same uniformity in speed limit at our end of CR 60 from SR 3

Our Goal:

1. To have a speed limit designed in the first 1-1/2 to 2 miles of CR 60 from the SR 3 turnoff to be 40 mph - to be in the same conformity with residential areas in Rainbow Lake and Gabriels sections of this road.
2. To have a yellow speed limit warning sign with orange flagging alerting motorists to the 40 mph speed limit, or at the very least a white "speed zone ahead" sign - one being posted immediately as you turn onto CR 60 from SR 3 and the other in the opposite direction as you approach from Onchiota at the "S" curve just before address 2159.
3. To have 40 mph speed limit signs posted in logical regularity through the first 1-1/2 to 2 miles from the turnoff from SR 3.
4. To have the 2-way passing zone eliminated and a double yellow line painted in front of the stretch of homes on CR 60 in the first two miles.

Julie and Peter Woodcock
2239 County Route 60
Vermontville, NY 12989"

Discussion of the letter ensued, with the Board unanimously in favor of the requested speed limit reduction. Motion for resolution requesting County to query NYS Dept. of Transportation for permission to lower speed limit on Co Rt 60 (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 8: REQUEST COUNTY TO LOWER SPEED LIMIT ON CO RT 60 WHEREAS, residents of County Route 60 have expressed concern over the lack of signage and 55 mph speed limit of County Route 60; and WHEREAS, the Town Board agrees that the lack of signage and 55 mph speed limit represent a risk to the residents of the area; NOW, THEREFORE, BE IT RESOLVED, the Town of Franklin Town Board requests the County of Franklin Superintendent of Highways to implore the NYS Dept. of Transportation to impose a 40 mph speed limit on the eastern end of the first 2 miles of County Route 60 (from the State Route 3 turnoff); and BE IT FURTHER RESOLVED, that the County of Franklin request removal of the passing zone in the eastern residential end of County Route 60 and replace it with a double yellow line; and BE IT FURTHER RESOLVED, that the County of Franklin post "school bus stop" signs on the right side of the eastern residential end of County Route 60; and BE IT FURTHER RESOLVED, that the County of Franklin and the NYS Dept. of Transportation place speed limits and signage on County Route 60 so as to conform both ends of the road; and BE IT FURTHER RESOLVED, that the February 1, 2012 letter from Mr. & Mrs. Peter Woodcock be included with any correspondence or forms sent to Franklin County or NYS Dept. of Transportation.

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

C. INTRODUCE AMENDMENT TO DOG LICENSING LAW. Supv. Willman indicated as a result of suggestions from residents and breeders of purebred dogs, the Town of Franklin Dog Control and Licensing Law (Local Law #4 of 2010) be changed. The proposed amended law will read as follows (changes in bold and italic face):

"Town of FRANKLIN (Franklin County)
 State of New York
 Local Law No. 1 of 2012

A Local Law AMENDING DOG CONTROL AND LICENSING LAW FOR THE TOWN OF FRANKLIN
 Be it enacted by the TOWN BOARD of the Town of FRANKLIN as follows:

SECTION 1 Purpose: The Town Board of the Town of Franklin finds that the running at large and other uncontrolled behavior of licensed and unlicensed dogs has caused physical harm to persons, damage to property and has created nuisances within the Town. The purpose of this Local Law is to protect the health, safety and well being of persons and property by imposing restrictions on the keeping and running at large of dogs within the Town.

SECTION 2 Authority: This Local law is enacted pursuant to the provisions of (Article 7, chapter 39, Part T) of the Agriculture and Markets law and the Municipal Home Rule Law of the State of New York

SECTION 3 Title: The title of this Local Law shall be the Dog Control and Licensing Law of the Town of Franklin.

SECTION 4 Definition of Terms: As used in this Local law the following words shall have the following respective meanings:

- (a) "Dog" means male and female, licensed or unlicensed, members of the species *canis familiaris*.
- (b) "Owner" means person entitled to claim lawful custody and possession of a dog and who is responsible for purchasing the license for such dog unless the dog is or has been lost and such loss was promptly reported to the dog control officer and a reasonable search has been made. If a dog is not licensed, the term "owner" shall designate and cover any person or persons, firm, association or corporation, who or which at any time owns or has custody or control of, harbors, or is otherwise responsible for any dog which is kept, brought or comes within the Town. Any person owning or harboring a dog for a period of one (1) week prior to filing any complaint charging a violation of this Local Law, shall be held in and deemed to be the owner of any dog found to be in violation of this chapter shall be under 18 years of age, the head of the household in which said minor shall be deemed to have custody and control of said dog and shall be responsible for any acts of the said dog in violation of this Local Law.
- (c) "Leashed" means restrained by a leash which is attached to a collar or harness of sufficient strength to restrain the dog and which shall be held by a person having the ability to control the dog. All dogs in the Town of Franklin must be leashed or otherwise under the control of the owner (see SECTION 5(a)).
- (d) Tag" means the prenumbered Town tag with license identification number. This tag is permanent. The dog will only receive one of these.
- (e) "License" means the annual renewal of the dog license. The license will be issued by the Town Clerk with the "tag" number" imprinted upon it. Licenses can be purchased for a period of one, two or three years, depending on date of rabies vaccination expiration. Unexpired single and multiple year licenses issued under NYS Dept. Agriculture & Markets will be honored if rabies vaccination has not expired.
- (f) "Run at large" means to be in a public place or on private land without the knowledge, consent and approval of

the owner of such lands.

(g) "Town" means the Town of Franklin, Franklin County, State of New York.

(h) "Purebred License" means licenses of dogs registered with the American Kennel Club or other similar organization. A Purebred License may be purchased by purebred kennel owners with all dogs meeting proof requirements for current rabies vaccinations. Purebred licenses shall list all dogs on one license form. Owners of purebred dogs shall insure that dogs are obedience trained, housed in individual kennels or cages and that the surrounding property adequately fenced.

SECTION 5 Restrictions: It shall be unlawful for any owner of any dog in the Town to permit or allow such dog to:

(a) Run at large unless the dog is accompanied by its owner or a responsible person and under the full control of such owner or person. Dogs shall not run at large unless the dog is leashed or otherwise accompanied by its owner or a responsible person and under the full control of such owner or person. For the purpose of this Local Law, a dog or dogs hunting in the company of a hunter or hunters or being trained to hunt shall be considered as accompanied by its owner.

(b) Engage in habitual and loud howling, barking, crying or whining or conduct as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of such dog.

(c) Uproot, dig or otherwise damage any vegetables, lawns, flowers, garden beds or other property without the consent or approval of the owner.

(d) Chase, jump upon or otherwise harass any person in such manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm.

(e) Habitually chase, run alongside or bark at motor vehicles, motorcycles or bicycles while on a public street, highway or place, or upon private property without the consent or approval of the owner of such property.

(f) Create a nuisance by defecating, urinating or digging on public property or upon private property without the consent or approval of the owner of such property.

(g) Kill or injure any dog, cat or other household pet.

(h) If an unspayed female dog, when in heat, be off the owner's premises, unrestrained by a leash. Establishment of the fact(s) that the owner of a dog has allowed or permitted such dog to commit any of the acts prohibited by this SECTION 5 of this law shall be presumptive evidence against the owner of such dog that he or she has failed to properly confine, leash or control such dog.

SECTION 6 Licensing of Dogs

(a) All dogs in the Town of Franklin must be licensed with the Town Clerk by the age of 4 months and are required to present a current Certificate of Rabies Vaccination at the time of licensing or the renewal of an existing license.

(b) Licenses may be purchased for a period of one year, two years or three years, and will expire on the date of expiration of the rabies vaccination. Owners with multiple dogs will be issued a "multiple dog license".

(c) Fees for Licensing of Dogs: The fee for a spayed or neutered dog will be \$3.50 per year (which includes the assessment of \$1.00 for the purpose of carrying out animal population control) and the fee for unspayed or unneutered dog will be \$12.50, (which includes assessment of a \$3.00 surcharge for the purpose of carrying out animal population control) with such fees being reviewed by the Town Board periodically and which may be changed by a resolution of the Town Board, if deemed necessary.

(d) Enumeration Fee: When the town Board determines the need for a dog enumeration, a fee of \$5.00 will be assessed for each dog found unlicensed or renewed at the time the enumeration is conducted.

(e) Purebred License: The Town of Franklin will NOT be issuing Purebred licenses. All dogs will be licensed individually as per fee system stated above. Purebred licenses will be based on the number of purebred dogs maintained on the premises of the owner, as follows:

1 to 10 dogs @ \$25.00 plus \$3.00 per dog for spay/neuter program

11 to 25 dogs @ \$50.00 plus \$3.00 per dog for spay/neuter program

26 plus dogs @ \$100.00 plus \$3.00 per dog for spay/neuter program

(f) Service Dogs: The Town of Franklin will NOT require a license for any guide dog, service dog, hearing dog or detection dog.

(g) The Town of Franklin DOES NOT ALLOW the licensing of dogs by a shelter. The shelter must send the adoptive dog to the Town Clerk of the Town or City in which the dog will be harbored for licensing OR to the Town Clerk of the Town of Franklin if the dog is harbored in the Town of Franklin.

(h) All dog licenses may be purchased by visiting the Town offices or by regular mail. If licensing or renewing a license by mail, the appropriate fee must accompany the forms. There will be NO refund of fees.

(i) All fees will be used in funding the administration of this Dog Control and Licensing Law in the Town of Franklin.

(j) Fees for Seizure of Dogs. The fee for seizure and impoundment of dogs in violation of this law or the Laws of the New York State Department of Agriculture and Markets Law are as follows: First Offense: The same impoundment and euthanasia fee per animal that are charged to the town for such service. Second Offense: \$60.00 plus the impoundment and euthanasia fee per animal.

SECTION 7 Procedure for Seizure of Dogs

(a) The Dog Control Officer or any peace officer shall seize:

1) Any unlicensed dog whether on or off the owner's premises.

2) Any dog not wearing a tag, and after June 15, 1985, not identified, and which is not on the owner's premises,

3) Any dog found in violation of paragraphs (a) through (h) of SECTION 5 of this Local Law. Such seized dog shall be kept and/or disposed of in accordance with the provisions of Article 7 of Agriculture and Markets Law and see that the order of the Town Justice of the Town of Franklin in such case is carried out.

(b) The Dog Control Officer or peace officer observing a violation of this Law in his presence shall issue and serve an appearance ticket for such violation. Said Law should be considered a Petty Offense and not a Misdemeanor.

(c) Any person who observes a dog in violation of this Local Law may file a complaint under oath with the Town

Justice of the Town of Franklin specifying the nature of the violation, the date thereof, a description of the dog and the name and a residence, if known, of the owner of such dog. Such complaint may serve as a basis for enforcing the provisions of this Local Law.

(d) No action shall be maintained against the Town of Franklin, any duly designated Dog Control Officer, or any other agent or officer of the Town, to recover the possession or value of any dog, or for damages for injury or compensation for the destruction of any dog seized or destroyed pursuant to the provisions of this Local Law.

SECTION 8 Penalties. Any person convicted of a violation of this Local Law shall be liable for a civil penalty of \$25.00 for the first violation; of \$50.00 for a second violation and \$75.00 for each subsequent violation.

SECTION 9 Separability. Each separate provision of this Local Law shall be deemed independent of all other provisions hereof and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 10 Repealer. This Local Law shall supersede all prior Local Laws, Ordinances, Rules and Regulations relative to the control of dogs within the Town of Franklin, and they shall be upon the effectiveness of this Local Law, null and void.

SECTION 11 Effective Date. This Local Law shall be effective immediately upon filing with the Secretary of State."

The Board agreed that if amending the law would have a less deleterious effect on purebred owners of multiple animals, it should be subject to a public hearing. Motion for public hearing (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION 9: SCHEDULE PUBLIC HEARING ON AMENDMENT TO DOG CONTROL AND LICENSING LAW (PROPOSED LOCAL LAW #1 OF 2012) WHEREAS, the current fee structure of Local Law #4 of 2012 - Town of Franklin Dog Control and Licensing - produces a financial hardship on owners of multiple purebred dogs; and WHEREAS, residents have requested leashing or control of dogs; NOW, THEREFORE, BE IT RESOLVED, the Town Board schedules 6:30 PM on Wednesday March 14, 2012 as time and date to hear public comments on the proposed amendment.

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. FRANKLIN COUNTY TRAFFIC [COURT] DIVERSION PROGRAM Supv. Willman reported that Justice Symonds had spoken with him about this program and was in favor of it. Because local courts are so busy, first offenders (except those charged with reckless driving, DUI, passing a school bus, leaving scene of an accident, speeding in construction zone or any incident involving personal injury) would be permitted to opt out of going to court and instead attend a "defensive driving and traffic [court] diversion" program. The first offender would pay a \$150 fine, shared by the Town and County and once the course is completed, his record would be expunged. The Board concurred this was a good idea. Motion accept traffic court diversion program (C.Smalley-A.Berg m/s/p) ALL AYE.

E. BACKUP GENERATOR FOR TOWN HALL. Because this area experiences a power outage on average of at least once every six weeks and because the Town Hall is designated as an emergency shelter, Supv. Willman proposed purchasing a 14KW propane generator. He noted the cost of a Generak generator would be around \$2,880. He noted D. Sheffield has NYS contracts on generators with transfer switches and will quote cost for the entire building with an automatic transfer switch. Coun. Hamm commented that a \$15,000 Kohler generator was installed recently in Loon Lake and covers the entire building. He suggested that Supv. Willman inspect Elwin Hall's systems at his trailer park. Coun. Berg asked what the "hook-up" cost would be, and Supv. Willman estimated \$900 or so; bringing total estimated cost to \$6,000.

11. OLD BUSINESS

A. FIRE PROTECTION AND RESCUE CONTRACTS.

1. Contracts with the Bloomingdale Volunteer Fire Department and the Saranac Lake Volunteer Rescue-Ambulance Squad have been signed and as of today, paid.

2. Jaws of Life. Coun. Hamm asked about providing Bloomingdale VFD with the jaws of life, and Supv. Willman indicated the department were still considering which they wanted. He reported the Town has a \$10,000 surplus in the fire protection fund, and because costs were lower, the Town would have another surplus in the fund at the end of 2012.

3. Fire Platform at Loon Lake. The Bloomingdale VFD reviewed the proposed site for the platform and decided it was not a good place for it. There will, however, be a dry hydra

B. INFRASTRUCTURE.

1. Oil-Water Separator at Garage. This will be investigated and discussed further in the spring.

2. Town Hall Bathrooms. The general fund employee will purchase the new toilets and install them as well next week.

C. HUD GRANT APPLICATION. Supv. Willman reported he is waiting to hear from Friends of the North Country.

12. COMMITTEE REPORTS

A. AUDIT. The Tax Collector audit will take place once the bank statement is received.

B. CELEBRATION. No update received from the Kate Mountain Community Recreation Assn.

C. CEMETERY.

1. Correspondence. Supv. Willman reported he had received several emails from St.Armand resident Robert Shaw regarding the Franklin Falls Cemetery and referred the matter to Couns. Merrill and Smalley. After perusing Mr. Shaw's correspondence, Coun. Merrill opined Mr. Shaw may not be fully informed.

2. Cemetery Maintenance. Coun. Merrill suggested the cemeteries be limed

3. Gridding. Supv. Willman requested a motion for a resolution authorizing him to execute the agreement with Geomatics regarding the Merrillsville Cemetery. Motion (B.Merrill-C.Smalley m/s/p) ALL AYE.

RESOLUTION NO. 10: AUTHORIZE EXECUTION OF AGREEMENT WITH GEOMATICS RE MERRILLSVILLE CEMETERY WHEREAS, Geomatics has presented an agreement in sum of \$_____ for gridding the cemetery at Merrillsville; NOW, THEREFORE, BE IT RESOLVED, the Supervisor is hereby authorized to execute same.

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

13. ANNOUNCEMENTS.

The Adirondack Park Agency Local Government Conference will be held March 20 and 21 at the Crown Plaza Resort in Lake Placid. Those wishing to attend should submit their registration forms to Supv. Willman before March 7th.

14. QUESTIONS AND COMMENTS None**15. ADJOURNMENT**

There being no further business to discuss or conduct, the meeting adjourned at 8:38 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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