



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 June 13, 2012 - 6:30 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 Tim Burpoe, Franklin County Legislator Doris Hamm Derrick Romeo Gill Bouchard John Houghton

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. MOMENT OF SILENCE: was called in memory of Eunice Tormey, former Town Board member and Milton Cass, former Highway Superintendent. Both individuals served the Town of Franklin for a number of years, and their contributions to our community will be missed.

3. PUBLIC COMMENTS AND QUESTIONS: None

4. BUDGET AMENDMENTS None

5. AUDIT OF CLAIMS

The following claims were submitted for approval and payment on Abstract 6 of 2012:

General Fund	Vouchers 87 - 113	\$5,076.18
Highway Fund	Vouchers 45 -	\$58,193.45

Prepay General	Vouchers 18 - 21	\$5,076.18
The following claim was submitted for approval and payment on Abstract 1 of 2012		
Landfill	Voucher 1	\$ 588.07

Coun. Smalley asked why the repairs to the backhoe were so high and requested the status of and hours on the vehicle. Supv. Willman replied that the mechanic noticed the unit needed pins and bushings and one piston on the swing arm gouged down through the chrome, brass and into the steel so it had to be replaced. Coun. Berg stated the backhoe had 850 hours on it. Coun. Merrill commented on the amount paid for the back bucket and said he saw the same, new bucket at an auction for \$75. Coun. Hamm replied municipalities cannot purchase from auctions, and in response to Coun. Smalley's queries, added his personal backhoe had all its pins and bushings replaced last year, and that vehicle had 5,000 hours on it. Coun. Hamm further stated that the backhoe and excavator are in constant use by the Highway Dept. Supv. Willman announced the Highway Dept. was using a new, better type of grease from a new supplier

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

6. MINUTES

The minutes of the May 9, 2012 meeting were accepted as presented. Motion (C.Smalley-D.Hamm m/s/p) ALL AYE

7. SUPERVISOR'S REPORT.

Balances as of May 1, 2012

General Fund	Checking	\$217,204.57
	Savings	2,091.90
	CLASS	107,305.28
	Historian	3,037.28
Highway Fund	Checking	137,280.05
	Savings	777,622.86
	CLASS	188,273.72
	Cap. Proj. Hwy.	46,516.30
Landfill	Checking	1,070.10
	CLASS	44,054.40
Fire Protection	Checking	16,682.94
	CLASS	685.30
Capital Project Building		5,437.86

Supv. Willman indicated he would be transferring half of the General Fund checking amount into the General Fund savings account. Motion to accept Supervisor's Report (B.Merrill-A.Berg m/s/p) ALL AYE.

8. TOWN CLERK:

for the month of May 2012

9 dog licenses	\$70.00
11 Building Permits	\$698.50
Vitals -17 cps Death ctfs	\$161.00
Donation 3-Cems, Rec, Billboard	\$110.00

Total	\$1,039.50
<hr/>	
Paid to Supervisor	\$1,019.50
Paid to NYS Ag&Mkts (dogs)	\$20.00

Total	\$1,039.50

The Clerk noted the disparity in the Codes report and hers in that although Mr. Drosdowich may have received the checks in April, it might not be recorded in her records until May.

She also reported that the free rabies vaccination clinic was held on Monday June 11th at the Town Hall; approximately 45 dogs and cats were vaccinated with no incidents. Motion accept Clerk's report (B.Merrill-A.Berg m/s/p) ALL AYE.

9. CODES REPORT:

Codes Enforcement Officer Robert Drosdowich was unable to attend the meeting; however, his written report indicated he had issued 9 building permits in May for \$495.50, and had made 15 inspections or site visits. With respect to the mileage report submitted, the Town Clerk commented Mr. Drosdowich frequently visits several sites in one area.

10. HIGHWAY REPORT**A. SUPERINTENDENT'S REPORT.** May 10 - June 10, 2012:

- Most of the roads in Town have been swept, and sand was picked up in some areas
- Raked Merrill, McManus, Goldsmith, Garden, Mensink, French Roads and Blue Spruce Drive
- Rolled the Route 3 end of Goldsmith and French Roads
- Cut trees and ditched on Fletcher Farm Road
- Cut fallen trees blocking Alder Brook Park and Oregon Plains Roads
- Assisted the County by loading their trucks (with our loader) at state complex near Co Rt 60. They were hauling material for use on a road in Brighton.
- Contacted Dept. Environmental Conservation about ongoing dumping on Bigelow and Merrill Roads.
- Two loads of crusher run added to Merrill Road
- Two loads of crusher run added to McManus Road
- Two loads of crusher dust added to Goldsmith Road
- Started hauling materials to garage for FEMA projects
- Department has been operating with 5 employees this spring as 2 men were on medical leave. One has returned, but Todd Law resigned.

B. HIGHWAY COMMITTEE. No report**C. HIGHWAY QUESTIONS AND COMMENTS.** No report

Coun. Smalley asked if the Highway Supt. had been looking for replacements for his staff. Supv. Willman replied a possible candidate has surfaced, a former employee, who is working to regain his CDL. As for laborers, the Department is looking to One Work Source, however, due to federal and state budget cutbacks, there is difficulty. A meeting with several representatives is scheduled for next week. As for the Deputy position, an offer has been made to an employee who is currently out of town and is considering it.

Motion accept Highway Report (C.Smalley-D.Hamm m/s/p) ALL AYE

11. TIMOTHY BURPOE

Mr. Burpoe, Franklin County Legislator representing the Town of Franklin, reported on developments at the County level. The new County Manager Thomas Leitz, is doing a good job. He has good ideas and is an excellent communicator.

The County had an independent audit review its procedures and were criticized on recurring problems, among which were too much overtime and per diem employees becoming part-time with benefits. Last year at this time the County was estimating a 65% increase in its budget, but with layoffs and cutbacks, kept the increase to a manageable level. A 24% increase is projected for 2012-13, however, they will work to combine many social service departments. He noted that New York State reimburses the County at less than these services cost. The County fund balances are stable, although revenues fluctuate.

Receipts from the nursing home are 2-3 years behind, and this is a problem. The nursing home is being transferred to Alice Hyde Medical Center; the County is anticipating a written agreement shortly. The County will be paying Alice Hyde \$1 million per year for the next 10 years, as the County has supported the nursing home at more than that for quite some time. Coun. Smalley asked if part of the proposed agreement with Alice Hyde will guaranteeing a certain number of beds, and Mr. Burpoe replied Alice Hyde anticipates cutting nursing home beds but will supplement with assisted living quarters. Although it is more desirable and financially feasible to keep people out of nursing homes and in their homes, the County was forced to cut back those social services which allow people to remain in their homes.

Mr. Burpoe continued, reporting that the St. Lawrence Gas project is starting to move forward. If jobs can be created in the northern end of the County, property values in the northern end will rise, and perhaps the northern end of the county will assume some of the 65% tax levy now experienced in the southern end. By the end of 2013, Chateaugay will be hooked into the gas line.

There is support for a 3% "bed tax" in Franklin County. Mr. Burpoe is a member of the task force studying this idea with the proposed aim of supporting community development. He has asked Ernest Hohmeyer to chair the task force. Coun. Berg queried whether there would be any more jobs in the southern part of the county, and Mr. Burpoe responded that tourism is the major industry in the southern part of Franklin County. Hopefully some of the bed tax proceeds will create jobs in hotels and restaurants.

Coun. Berg asked whether the County was interested in the Lake Clear Airport, and Mr. Burpoe replied the County is very interested in looking to have the airport managed better and less expensively. He indicated he was a member of the committee studying the matter, but it is not going the way he thought it would.

When asked about County roads in the Town, Mr. Burpoe indicated Jon Hutchins, Franklin County Highway Superintendent, was to have joined him at this meeting, but Mr. Hutchins may have been called away to address any number of situations and could not attend. Mr. Burpoe indicated that Jon Hutchins is a very generous and friendly County Hwy Supt. and works cooperatively with the various communities.

The Board then thanked Mr. Burpoe for his attendance and information, and he left the meeting.

12. NEW BUSINESS**A. OPEN BIDS FOR MERRILLSVILLE GARAGE REPAIR.**

BIDDER:	AMOUNT:	NON-COLLUSION:	CTF OF INSUR:
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Jeremy Schenk	\$ 3,100	no	no			
Ametal Construction	\$ 4,200	yes	no			
Doug Snickles	\$ 2,100	yes	yes			
C. COMBINED BID						
Scalzo Construction PO Box 344, Moriah	\$27,800	no	yes			
D. OPEN BIDS FOR LOW-PROFILE TRAILER						
BIDDER:	MAKE & MODEL:	GROSS WEIGHT:	VEHICLE CAPACITY	DECK LENGTH	PRICE	DELIVERY DATE
Versatile Trailer Sales 2146 Rt 22B Morrisonville	CAM Superliner 10CAM825E	26,450 lb	20,000 lb	25ft 20ft flat beavertail	\$9,599	50 days
Versatile Trailer Sales 2146 Rt 22B Morrisonville	CAM 10CAM825TA 2008 new w/Airbrakes	26,450 lb	20,000 lb	25ft 20ft flat beavertail	\$12,000	In stock
STS Trailer & Truck 3496 Court St Syracuse	Trail King HD Tag Trailer TK-30-LP	38,000 lb	30,000 lb	21ft	19,740	Sep/Oct
Kaufman Trailers 702 No Silver St. Lexington, NC	TD Deluxe Pintel 10K axles	25,900 lb	--	25 ft	\$8,190 plus dlvy \$700	5 wks
Kaufman Trailers 702 No Silver St. Lexington, NC	TD Paver Pintel 10K axles	25,900 lb	--	25 ft	\$8,890 plus dlvy \$700	5 wks

The Board then scheduled a special meeting for Wednesday, June 27, 2012 at 6:30 PM to award the bids. The Clerk will publish notice. Motion (A.Willman-C.Smallley m/s/p) ALL AYE

E. AMEND CULVERT POLICY AND APPLICATION. In order to streamline the procedure to reimburse the Town for culvert installation, the Codes Officer asked that the reimbursement be directed to the Town Clerk. The Highway Dept. will forward the amounts due to the Town Clerk, the Clerk will bill the property owner and record payments. Therefore, the culvert policy and the application require amendment. Motion (C.Smallley-D.Hamm m/s/p) ALL AYE

RESOLUTION NO. 37: AMEND CULVERT POLICY AND CULVERT APPLICATION WHEREAS, the current culvert policy specifies the Codes Enforcement Officer review the site and receive payment for culverts, although Codes does not have a bank account; and WHEREAS, the Highway Department establishes the costs but does not have a bank account; and WHEREAS, the Town Clerk receives all payments to the Codes Officer; NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk, upon receiving the appropriate information from the Highway Department will invoice the subject property owner and record payment received; and BE IT FURTHER RESOLVED, the Culvert Policy is amended to read as follows:

"CULVERT POLICY

Commencing August 12, 2010, property owners who need to install a new culvert for the purpose of creating a roadway entrance must follow the following procedures:

1. The property owner or his representative will meet with the Highway Superintendent at the site to discuss and determine the location of the roadway entrance.
2. Upon determination of the roadway entrance and size of culvert is determined, the culvert will be ordered. The property owner will be responsible for the cost of the culvert materials and crushed stone required to install same.
3. Highway Department personnel will install the culvert at no additional cost to the property owner.
4. Existing culverts will be replaced entirely at Town expense providing culvert replacement is performed in connection with capital road improvements and/or routine maintenance (ditching, grading, etc.). Culverts requiring replacement not in connection with capital road improvements will be replaced at the property owner's expense by Highway Department personnel.
5. An invoice will be mailed to the property owner after culvert installation is completed. Reimbursement to the Town should be made payable to the Town Clerk";

AND BE IT FURTHER RESOLVED, the Application for Culvert Installation will read as follows:

CULVERT POLICY

Commencing August 12, 2010, property owners who need to install a new culvert for the purpose of creating a roadway entrance must follow the following procedures:

1. The property owner or his representative will meet with the Highway Superintendent at the site to discuss and determine the location of the roadway entrance.
2. Upon determination of the roadway entrance and size of culvert is determined, the culvert will be ordered. The property owner will be responsible for the cost of the culvert materials and crushed stone required to install same.
3. Highway Department personnel will install the culvert at no additional cost to the property owner.
4. Existing culverts will be replaced entirely at Town expense providing culvert replacement is performed in connection with capital road improvements and/or routine maintenance (ditching, grading, etc.). Culverts requiring replacement not in connection with capital road improvements will be replaced at the property owner's expense by Highway Department personnel.
5. An invoice will be mailed to the property owner after culvert installation is completed. Reimbursement to the Town should be made payable to the Town Clerk.

APPLICATION FOR CULVERT INSTALLATION

_____ New culvert

_____ Replacement (not part of capital road improvement project)

PROPERTY OWNER INFORMATION

Name: _____

Address: _____

Tax Map No.: _____ Site of culvert _____

Property Owner Signature _____

Date of meeting with Highway Superintendent _____

Highway Superintendent Approval _____

Date payment to Town Clerk _____ \$ _____ (Amt)

CULVERT PERMIT NO. _____ "

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

F. AMEND CONTRACTS FOR PUBLIC USE OF TOWN FACILITIES. Supv. Willman reported the Town's insurance carrier, NYMIR, recommended amendment of the Town's contracts for public use of Town facilities by including a "hold-harmless" clause. Copies of the proposed amended contracts were distributed to the Board, and Supv. Willman requested a motion for a resolution amending the contracts. Motion (A.Berg-C.Smalley m/s/p) ALL AYE.

RESOLUTION NO. 38: AMEND CONTRACTS TO USE TOWN FACILITIES WHEREAS, the public uses both the Town Hall and the Kate Mountain Recreation Park; and WHEREAS, the Town has adopted separate contracts for use of same which include rules, regulations and clean-up provisions; and WHEREAS, the Town's current insurance carrier, NYMIR, has recommended inclusion of a hold harmless clause; NOW, THEREFORE, BE IT RESOLVED, the Contract for Public Use of the Town Hall is hereby amended as follows:

"RULES GOVERNING PUBLIC USE OF THE TOWN HALL OF THE TOWN OF FRANKLIN

I. INTRODUCTION.

The Town Hall of the Town of Franklin is available for the short-term use of residents of the Town and their guests. At least one event participant must be a resident of the Town of Franklin. Examples of permitted events include meetings of area non-profit organizations, wedding and funeral receptions, community dinners, and family reunions.

Use of the Town Hall is free of charge, but the Town will accept contributions from users.

If more than one proposed user wishes to use the Town Hall at the same time, use will be awarded to the proposed user who first submits an application for such use to the Town representative.

II. RESPONSIBLE PERSON. The proposed user of the Town Hall must designate one or more person as the "responsible person" or "responsible persons." "Responsible persons" are charged with serving as the user's contact with the representative of the Town designated for this purpose, and with ensuring that the rules governing such use are complied with.

Each "responsible person":

- Must be a competent adult, at least 21 years of age.
- Must be a resident of the Town of Franklin.
- Must execute a contract prescribed by the Town for the proposed use of the Town Hall and its facilities and premises, which shall contain:
 1. A statement of the nature and length of the proposed use.
 2. A certification that each responsible person:
 - Has received a copy of the rules governing public use of the Town Hall of the Town of Franklin, and has read them;
 - Has received a copy of these rules; and
 - Agree to execute the hold harmless agreement; and
 - Will ensure that the rules and any other requirements imposed by the Town in connection with the proposed use will be complied with; and
 - After the event, has ensured that these rules and any other requirements imposed by the Town representative have been complied with.
 - As directed by the Town representative, must pick up the key to Town Hall before the event, and after the event, return the key.

At least one "responsible person" must be physically present at the event at all times.

Designation of a "responsible person" shall in no way limit the liability of any other persons or entities from which the Town may seek remedy under the law in the event of damage or other injury to the Town Hall or its facilities and premises.

III. USE OF TOWN HALL AND FACILITIES AND PREMISES: SPECIFIC RULES.

- Return the Town Hall and its facilities and premises to their condition before the event, including cleaning all areas and facilities used and returning all furniture and other contents of the Town Hall as they were before the event.
- No smoking in the Town Hall.
- No alcoholic beverages in the Town Hall or on its premises.
- Use of cooking facilities in the kitchen is NOT permitted, except that upon request, the Town representative may provide advance, written authorization for the use of these facilities.
- No open fires, including candles.
- No commercial or business activities.
- Remove all property belonging to event participants. The Town is not responsible for any items belonging to event participants that are lost or stolen.
- All litter, debris, or garbage generated by the event must be collected and disposed of by the user.
- After the event, ensure that the Town Hall is secure, with all lights turned off and all doors and windows closed and locked.

V. EMERGENCY NUMBER AND OTHER NUMBERS.

- For further information about the use of Town Hall and its facilities and premises, call the Town representative at the number noted in the contract for the use of the Town Hall.
- In case of fire or for rescue squad, call 891-2211.
- For State police, call 897-2000.

CONTRACT FOR PUBLIC USE

TOWN HALL

TOWN OF FRANKLIN

In return for obtaining the permission of the Town of Franklin to use the Town Hall and its facilities and premises, the responsible person, on behalf of the user, agrees to provide the following information and to make the specified certifications. This document represents the terms and conditions agreed upon between the Town of Franklin and the "responsible person" for the use of Town Hall and its facilities and premises.

I. APPLICATION AND APPROVAL

A. GROUP OR ORGANIZATION REQUESTING USE:

Name of Applicant: _____

Address: _____

Phone Number: _____

Is at least one event participant a resident of the Town of Franklin? _____

B. EACH "RESPONSIBLE PERSON" DESIGNATED BY THE USER:

Name(s): _____

Address(es): _____

Phone Number(s): _____

Is the "responsible person" a resident of the Town of Franklin? _____

C. PURPOSE OF THE REQUESTED USE, INCLUDING DATES AND TIMES REQUESTED:

D. AS A CONDITION OF APPROVAL, EACH "APPLICANT" and "RESPONSIBLE PERSON" must certify that he or she:

- Has received a copy of the rules governing public use of the Town Hall of the Town of Franklin, and has read them;
- Has received a copy of these rules; and
- Executed the "hold harmless agreement; and
- Will ensure that the rules and any other requirements imposed by the town in connection with the proposed use will be complied with.

AGREEMENT

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the municipality for the use and care of the facilities. He/she on behalf of the above-named Applicant and Responsible Person do hereby covenant and agree to defend, indemnify and hold harmless the Town of Franklin from and against any and all liability, loss, damages, claims or actions (including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the property of the Town of Franklin, its facilities and/or services by the Applicant and Responsible Person.

Applicant Responsible Person

Print Name _____ Print Name _____

Address _____ Address _____

Certification of "responsible person(s):" _____

Date: _____ "

AND BE IT FURTHER RESOLVED, the contract for public use of the Kate Mountain Recreation Park are hereby amended as follows:

"TOWN OF FRANKLIN RULES GOVERNING PUBLIC USE OF THE RECREATION PARK

INTRODUCTION.

The Recreation Park of the Town of Franklin is available for the short-term use of residents of the Town and their guests. These rules apply to group events that are scheduled in advance, and include items such as wedding receptions, community dinners, athletic events, field days, and family reunions. They do not include informal visits, such as a walk through the park or a family cook-out.

For events subject to these rules, at least one event participant must be a resident of the Town of Franklin.

Use of the Recreation Park is free of charge, but the Town will accept contributions from users.

If more than one proposed user wishes to use the same area of the Recreation Park at the same time, use will be awarded to the proposed user who first submits an application for such use to the designated Town representative.

RESPONSIBLE PERSON.

The proposed user of the Recreation Park must designate one or more persons as the "responsible person" or "responsible persons." "Responsible persons" are charged with serving as the user's contact with the representative of the Town designated for this purpose, and with ensuring that the rules governing such use are complied with. Each "responsible person":

- Must be a competent adult, at least 21 years of age.
- Must be a resident of the Town of Franklin.
- Must execute a contract prescribed by the Town for the proposed use of the Recreation Park and its facilities and premises, which shall contain:
 1. A statement of the nature and length of the proposed use.
 2. A certification that each responsible person:
 - Has received a copy of the rules governing public use of the Recreation Park of the Town of Franklin, and has read them;
 - Has received a copy of these rules;
 - Will ensure that the rules and any other requirements imposed by the Town in connection with the proposed use will be complied with; and

- After the event, has ensured that these rules and any other requirements imposed by the Town representative have been complied with.

At least one "responsible person" must be physically present at the event at all times.

Designation of a "responsible person" shall in no way limit the liability of any other persons or entities from which the Town may seek remedy under the law in the event of damage or other injury to the Recreation Park or its facilities and premises.

USE OF RECREATION PARK AND FACILITIES AND PREMISES SPECIFIC RULES.

- The facilities and premises of the Recreation Park, including the Pavilion, must be returned to their condition before the event. The Pavilion must be cleaned, and all tables and other contents of the Pavilion must be returned as they were before the event.

ATVs and snowmobiles are prohibited.

Passenger vehicles may only be driven into the Recreation Park, but only on roads and parking facilities designated for that purpose.

Alcoholic beverages in the Recreation Park, including the Pavilion, are prohibited.

Open fires, including bonfires, are prohibited, except that users may use barbecue grills and other self-contained cooking facilities for the purpose of serving food to the users.

Commercial or business activities in the Recreation Park or on its premises are prohibited.

All personal property belonging to event participants must be removed after the event. The Town is not responsible for any items belonging to event participants that are lost or stolen.

All litter, debris, or garbage generated by the event must be collected and disposed of by the user in receptacles provided for this purpose. If there are no receptacles, or if all receptacles are full, the user shall remove the litter, debris, and garbage from the Recreation Park.

EMERGENCY NUMBER AND OTHER NUMBERS.

For further information about the use of Recreation Park and its facilities and premises, call the Town representative at the number noted in the contract for the use of the Recreation Park.

In case of fire or for rescue squad, call 911.

For State police, call 897-2000.

TOWN OF FRANKLIN CONTRACT FOR PUBLIC USE OF KATE MOUNTAIN RECREATION PARK

In return for obtaining the permission of the Town of Franklin to use the Recreation Park and its facilities and premises, the responsible person, on behalf of the user, agrees to provide the following information and to make the specified certifications. This document represents the terms and conditions agreed upon between the Town of Franklin and the "responsible person" for the use of Recreation Park and its facilities and premises.

I. APPLICATION AND APPROVAL

1. GROUP OR ORGANIZATION REQUESTING USE:

Name: _____

Address: _____

Phone Number: _____

Is at least one event participant a resident of the Town of Franklin? _____

2. EACH "RESPONSIBLE PERSON" DESIGNATED BY THE USER:

Name(s): _____

Address(es): _____

Phone Number(s): _____

Is the "responsible person" a resident of the Town of Franklin? _____

3. PURPOSE OF THE REQUESTED USE, INCLUDING DATES AND TIMES REQUESTED:

4. AS A CONDITION OF APPROVAL, EACH "RESPONSIBLE PERSON" AND "APPLICANT" must certify that he or she has received a copy of the rules governing public use of the Recreation Park of the Town of Franklin, and has read them; and

- Has received a copy of this form; and
- Will ensure that the rules and any other requirements imposed by the town in connection with the proposed use will be complied with, and
- Agrees to sign the following "hold-harmless" agreement:

AGREEMENT

The undersigned is over 21 years of age and has read this form and attached regulations and agrees to comply with them. He/she agrees to be responsible to the municipality for the use and care of the facilities. He/she on behalf of the above-named Applicant and Responsible Person do hereby covenant and agree to defend, indemnify and hold harmless the Town of Franklin from and against any and all liability, loss, damages, claims or actions

(including costs and attorneys fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of the property of the Town of Franklin, its facilities and/or services by the Applicant and Responsible Person.

Applicant _____, Print Name _____,
Address _____

Responsible Person _____, Print Name _____,
Address _____

Certification of "responsible person(s):" _____

Date: _____ "

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

G. AMEND RESOLUTION #26. In April of this year, the Board adopted Resolution #26 appointing Lester G. Parker as the replacement for Gene Goff to the Association of Senior Citizens in Franklin County, Inc. Mr. Parker was named as 55+ Club representative. The Clerk received word from Gene Goff that he had been representative of the Town to the Association and that the resolution should be amended to reflect that. Supv. Willman requested a motion for a resolution amending Resolution #26. Motion (C.Smalley-A.Berg m/s/p) ALL AYE

RESOLUTION NO. 39: AMEND RESOLUTION NO. 26 TO APPOINT LESTER G. PARKER, AS TOWN OF FRANKLIN REPRESENTATIVE TO ASSOCIATION OF SENIOR CITIZENS IN FRANKLIN COUNTY, INC.

WHEREAS, in April 2012 Resolution no. 26 was adopted appointing Lester G. Parker, Jr. as 55+ Club liaison to Association of Senior Citizens in Franklin County, Inc. replacing Gene Goff; and WHEREAS, Gene Goff, who resigned the position, has advised the resolution is incorrect; NOW, THEREFORE, BE IT RESOLVED, the Franklin Town Board hereby amends and corrects Resolution 26 to reflect that Lester G. Parker, Jr. replaces Gene F. Goff as Town of Franklin representative to the Association of Senior Citizens in Franklin County, Inc.

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

H. BIGELOW ROAD

A continuing problem with illegal trash dumping on both the Bigelow and Merrill Roads has recurred over the years. Supv. Willman reported that in discussions with Rob Daly, NYS Dept. Environmental Conservation, it proposed to block the Bigelow Road with a locked gate permitting limited access by bicycle, snowmobile and foot. NYS DEC would redeck the bridge over the water. Coun. Hamm opined it inadvisable for the DEC to block access to a Town road. History has proven that it would be impossible for anyone to access the road. Coun. Merrill indicated that although NYS DEC promised the Town there would be public access to State lands, access was severely restricted if not completely prohibited. He further commented that the Bigelow Road is the only access to a very popular fishing spot for seniors and others with mobility problems. Supv. Willman stated something needed to be done about the area, that individuals use their trucks and tear up the Bigelow Road during mud season and that many people complain about the condition of the area. Coun. Hamm noted the Highway Dept. would need to pay more attention to the site and suggested erecting barriers during mud season and further, to grade and broom the road. Coun. Smalley advised declining the DEC offer about the gate and bridge. Coun. Merrill added that the Bigelow Road is an asset to the Town, and earns \$2,800 in CHPS funding. Supv. Willman indicated that a temporary road closure is more feasible, with signs advising the road is closed due to a water hazard.

13. OLD BUSINESS

A. JAWS OF LIFE FOR BLOOMINGDALE VFD. John Houghton, a member of the Executive Committee of the Bloomingdale Volunteer Fire Department, reported that the entire membership had approved the purchase of the Jaws of Life equipment and retrofitting of a truck. The total cost of the equipment and retrofit approximates \$42,000, and the Towns of Franklin and St. Armand will split the cost. The Town of St. Armand has agreed to pay for the truck retrofitting by "borrowing" \$7,000 a year from the BVFD for the next 3 years and having that \$3,000 per year added onto its annual contract. Supv. Willman reported \$16,682.94 is in the Town's Fire Protection Fund; he checked with all appropriate authorities and was informed the Town cannot transfer the any funds from Contingency into Fire Protection. Therefore, he suggested the Town of Franklin pay the BVFD \$16,000 for the Jaws of Life equipment immediately with the balance of the amount added onto its contract for 2013. Mr. Houghton indicated the total amount might not be as high as \$21,000. Following a short discussion, Supv. Willman requested a motion for a resolution to pay the Bloomingdale Volunteer Fire Department \$16,000 for the Jaws of Life equipment. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

RESOLUTION NO. 40: AUTHORIZE PAYMENT OF \$16,000 TO BLOOMINGDALE VOLUNTEER FIRE DEPARTMENT FOR PURCHASE OF JAWS OF LIFE EQUIPMENT WHEREAS, when an vehicle accident occurs in the Towns of Franklin or St. Armand and the "Jaws of Life" equipment is required to remove a person trapped in a vehicle, the Saranac Lake Fire Department must be called to use and operate its equipment; and WHEREAS, the Saranac Lake Fire Department is financed by the Village of Saranac Lake, and the Village of Saranac Lake has heavily billed both the Town of Franklin and Town of St. Armand; and WHEREAS, precious time and lives will be saved by equipping the Bloomingdale Volunteer Fire Department with the Jaws of Life; NOW, THEREFORE, BE IT RESOLVED, that the Towns of Franklin and St. Armand have agreed to fund the purchase of Jaws of Life equipment and the retrofit of one of its trucks; and BE IT FURTHER RESOLVED, that the Town of Franklin will immediately pay the Bloomingdale Volunteer Fire Department \$16,000 to purchase the Jaws of Life equipment, the balance remaining to be added onto its 2013 contract for fire protection with the BVFD; and with the understanding that the Town of St. Armand will fund the retrofit of the truck by having \$3,000 added onto its fire protection contract for the next seven years.

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. LAND INVENTORY. No progress.

C. OIL-WATER SEPARATOR. No progress

D. FOUNDERS' DAY. The Town of Franklin and the Kate Mountain Community Recreation Association will work together on the music festival on Saturday, August 18th.

E. UPDATE ON RFP's. The pavement roller was delivered and is still situated on Goldsmith Road where it is being used. The standby generator for the Town Hall has been ordered, a down payment made, and will be delivered and installed.

14. COMMITTEE REPORTS

A. AUDIT. No audits, no reports.

B. CEMETERIES. The rules and regulations covering the cemeteries were approved by the Board on August 11, 2010 by Resolution No. 63, as follows:

"GUIDELINES & RULES FOR TOWN OWNED CEMETERIES

Responsibilities of Cemetery Custodian

*Assignment of all cemetery plots

**Supervision of placement of stones (head, foot, corner)

Shall keep a ledger of interments and map of gravesites – coordinate same with town clerk Cooperate with funeral directors, etc. as needed Notify town board as to needs of cemetery ground plane changes, buildings, etc.

Costs

All cost of burials, headstones, footstones, cornerstones, etc. are the responsibility of the individual to whom the plot was assigned There is no cost to Town of Franklin residents for plots, however, donations are encouraged and greatly appreciated. Town of Franklin performs all maintenance of the Union Cemeteries

Gravesites

All burials must be administered by Cemetery Custodian
 Concrete vaults are mandatory
 Plot corner markers are mandatory and shall be at ground level
 No in-ground plantings of trees, shrubs, etc.
 No gravesite ground plane changes by other than the Town or approved by Town
 No artificial enclosures of any kind
 Ornamentation, plotted plants, etc. shall be placed on headstones so as not to impede mowing or other maintenance
 Ornamentation shall not consist of glass, wire or other materials that may become a hazard.

Removal of Ornaments

It is the responsibility of the assigned plot holders to keep ornaments, etc. safely and orderly and periodically removed.

Any ornaments found to be deteriorated or a hazard will be removed and disposed of by the Town of Franklin.

* Assignment of predetermined (reserved) cemetery plots shall be limited to two (2) grave sites. All consideration shall be made to accommodate family plots and location whenever possible.

** Vertical monuments shall be on west side of plot"

Couns. Merrill and Smalley will have amendments to the above guidelines and rules in the future. In addition, in the 1970's a fee structure was established but never implemented. That fee structure will be reviewed, possibly revised and implemented in the future. Couns. Merrill and Smalley recommended creating a special cemetery fund to receive donations made specifically for the cemeteries. Supv. Willman indicated that could be accomplished and will discuss the recommenda-tion with the Budget Officer.

It was agreed a sign should be ordered posting the rules and regulations.

Coun. Hamm then reported that a huge pine tree split and fell on the Town's portion of the Franklin Falls Cemetery.

C. RECREATION. The Kate Mountain Community Recreation Association, represented by Derrick Romeo, had nothing to report. Supv. Willman reported that The County had loaned the Town its bulldozer and the Groundsman was using it to move the fill piles in order to create additional playing fields. The DEC permit had been filled out and Franklin County Soil & Water created a stormwater runoff policy which will be permanently posted at the Park. (One of the Highway Dept. employees complained that the Groundsman was using a bulldozer, but Supv. Willman checked with the Teamsters Union, which confirmed the Recreation Park was not under aegis of the Highway Dept.)

The plans for additional playing fields have been sized down, as there are wetlands at the northeast corner of the site, and Stacey Allott, Geomatics will incorporate these into the map. The trails will be rerouted.

In addition, Supv. Willman reported that the Franklin County Soil & Water have received grant funding from the Lake Champlain Basin program and the Town may receive some funding towards the new fields. In addition, they will loan the Town the hydro-seeder. Coun. Hamm then estimated the cost of finishing the new fields at \$10,000 to \$20,000, complete with screened soil, lime, good seed and grading. Supv. Willman indicated there would be a problem with manpower, that there are large rocks and boulders to be moved and estimated completion of two 110 meter fields by June 2013.

15. CORRESPONDENCE. None

16. ANNOUNCEMENTS.

There is an opening on the Board of Assessment Review for a term starting October 1, 2012 to September 30, 2015, as well as a 55+ Club representative to the Franklin County Senior Citizens organization. The Food Pantry is scheduled to be held on Thursday June 21st. July 5th will be the next date the mobile dental clinic is in Vermontville.

17. ADJOURNMENT

There being no further business to discuss or conduct, the meeting adjourned at 9:29 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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