



# The Town of Franklin

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## Town of Franklin Board Meetings

### Minutes of the Monthly Town Board Meeting April 10, 2013 – 7:00 PM

**THIS IS A DRAFT**

**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, Deputy Hwy Supt Brian Snickles, Doris Hamm, Frances Oliver, Mary Ellen Keith, Lora Couture, Glenn Swinyer, Ernie Mason, Goss Dodge Chrysler

**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. QUESTIONS AND COMMENTS**

GLENN SWINYER reported that a certain elected official and staff, on Town time and in Town vehicles, were tracking his movements, like the time he left for lunch and then returned to work. He requested that the Board investigate the situation. Supv. Willman indicated he would do so.

**3. BUDGET AMENDMENTS.** None

**4. AUDIT OF CLAIMS**

The following claims were submitted for approval and payment on Abstract 3 of 2013:

General Fund	Vouchers 64 - 82	\$10,415.58
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Highway Fund	Vouchers 40 - 49	\$14,414.59
Prepay General	Voucher 8-11	\$1,766.25
Motion pay claims (C.Smalley-A.Berg m/s/p) ALL AYE		

**5. MINUTES**

The minutes of the March 13, 2013 meeting were accepted as presented. Motion (A.Berg-C.Smalley m/s/p) ALL AYE

**5. SUPERVISOR'S REPORT.**

Balances as of March 1, 2013

General Fund	Checking	\$75,207.51
	Savings	\$ 170,442.22
	CLASS	\$ 87,323.50
	Historian	\$ 3,037.53
	Kate Mt Sp Reserve Fund	\$ 1,125.03
	Cemeteries Sp Reserve Fund	\$200.00
Highway Fund	Checking	\$40,179.45
	Savings	\$712,016.14
	CLASS	\$538,349.43
	Cap. Proj. Hwy.	\$46,524.47
Landfill	Checking	\$7,325.80
	CLASS	\$ 34,060.70
Fire Protection	Checking	\$32,364.75
	CLASS	\$685.30
Capital Project Building		\$25,438.73

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

**6. TOWN CLERK'S REPORT**

For the month of March 2013

8. Dog licenses: 8 licenses	\$56.00
Permits – 1 permit issued	\$110.00
	-----
Total	\$166.05
<hr/>	
Paid to Supervisor	\$150.05
Paid to NYS Ag&Mkts (dogs)	\$16.00
	-----
Total	\$166.05

**TAX COLLECTION REPORT:**

Local tax collection ended on April 1st. As of April 10th, collections were at 86%, with total receipts of \$1,596,390.75. Reconciliation with the County Treasurer took place this afternoon, at \$38,841.15.

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

**9. CODES REPORT.**

Codes Officer Robert Drosdowich submitted a written report: one building permit was issued and 8 inspections or site visits were made.

**10. HIGHWAY REPORT**

**A. SUPERINTENDENT'S REPORT.** covering March 14 through April 10, 2013 period:

- Plowed and sanded when necessary.
- Roads checked daily for potential water problems
- Pothole patching will begin soon
- A press release from Sen. Betty Little's office indicates an increase in CHPS funding this year – by 27.8%, or \$164,054.91. Dave Powell, CHPS representative confirmed the numbers and that a confirmation letter will be sent in May.
- All the Town Highway Superintendents met with Jon Hutchins, the Superintendent of Franklin County Highways,

regarding his request that towns try mowing the County roads in our towns.

- Supv. Willman, Coun. Berg and Coun. Hamm met with Town of Harrietstown Highway Superintendent and members of the Harrietstown Board regarding possible joint purchase of a "Zipper" road grinding machine.

## **B. HIGHWAY COMMITTEE.**

**1. Possible Joint Purchase of Road Grinder w/Town of Harrietstown.** Supv. Willman reported on the meeting with Harrietstown representatives held April 9th. The Town of Franklin would share the cost of the road grinder of \$165,000 in five annual payments of \$36,456.69, providing the purchase details and shared equipment agreement can be worked out. If ordered now, the Towns could have the grinder by this summer. The machine would be housed in the Harrietstown facility. One employee from each town would be trained as a technician, and when Franklin uses the machine, the Harrietstown tech would be on hand, and when Harrietstown uses it, a Franklin tech would be on hand. A road grinder is the most efficient method of improving road conditions. The "Zipper" grinds up the pavement into much smaller pieces; the old pavement can be packed down and used again for building a new road or transported. Insurance costs will be covered by Harrietstown, as the machine will be stored in its facility and added to its Inland Marine policy with Franklin named as co-insurer. Franklin would reimburse Harrietstown for half the insurance costs, which are not as high as for a tandem. The maintenance contract for one year is only \$739 and covers grease, etc. Harrietstown's attorney, James Maher, will draft the shared equipment agreement, which will also be reviewed by Franklin's attorney, James Martineau. Further, Supv. Willman spoke with both Assemblywoman Janet Duprey and Senator Betty Little who indicated they would seek some shared services grant funding to defray the cost of the road grinder. Because Harrietstown will face a tough financial year in 2014, Franklin will make the first full payment, and Harrietstown the second full payment in 2015. Thereafter, payments will be shared. Originally this Board considered purchasing the road grinder outright on its own; however, sharing the cost, maintenance and insurance is a better idea, especially if grant funding can be found. Coun. Hamm commented that a "Zipper" was purchased by and is shared by three towns near Massena and opined sharing the equipment is efficient and cost-saving. Coun. Berg noted that the rental of a road grinder is approximately \$7,000 to \$8,000 per week, and renters must work around the owner's schedule and also possibly pay for the owner's operator as well as cutter teeth. Coun. Smalley inquired how many hours is the "Zipper" good for, and Coun. Hamm indicated the 3 towns sharing one have been using it for 15 years with no problems. Coun. Smalley asked about the delivery, and Supv. Willman replied the grinder could be delivered within 4 weeks from the order date. Supv. Willman asked the Board if this should be pursued. Couns. Hamm, Berg and Smalley were in favor; Coun. Merrill expressed reservations about sharing the equipment. Supv. Willman replied the problem with renting is more than a week's time... it's scheduling around the owner's commitments, purchasing cutter teeth and paying the operator. Coun. Smalley added with sharing the machine, we pay for it for 5 years and then Franklin and Harrietstown own it. Coun. Berg noted Franklin has more miles of road than Harrietstown, and our roads are in worse shape than Harrietstown's. Coun. Hamm indicated his approval of the possible joint purchase. Supv. Willman requested a resolution to pursue investigation of the possible joint purchase. Motion (A.Berg-C. Smalley m/s/p) ALL AYE.

**RESOLUTION NO. 15: PURSUE FURTHER INVESTIGATION OF POSSIBLE SHARED PURCHASE OF A "ZIPPER" ROAD GRINDER WITH TOWN OF HARRIETSTOWN** WHEREAS, a road grinder is the most efficient and cost-savings method of improving a road as the repair lasts longer; and WHEREAS, some Town Board members witnessed the operation of the "Zipper" road grinder in 2012; and WHEREAS, the "Zipper" road grinder is attached to a front loader by a clamp instead of pins and chains and would be purchased from the sole manufacturer of the Zipper; and WHEREAS, the Town of Franklin Board has considered purchasing this piece of equipment on its own; and WHEREAS, the Town of Harrietstown expressed interest in the same; and WHEREAS, a meeting with representatives of both towns occurred on April 9, 2013 concerning a proposed shared purchase of this item; and WHEREAS, the attorney for Harrietstown will draft a shared equipment agreement; and WHEREAS, if purchased, the grinder would be stored in a Harrietstown facility and added to its Inland Marine insurance policy, with Franklin being added as co-insurer and sharing half the premium; and WHEREAS, it is proposed that one employee from each Town be trained as an operator; and WHEREAS, shared services grant funding is being sought; NOW, THEREFORE, BE IT RESOLVED, the Town Board deems further investigation of this possible shared purchase to be advantageous.

Those voting aye:

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

Those Voting nay:

None

Those Abstaining:

None

**2. Mowing County Roads.** As mentioned previously, the County of Franklin requested the Town of Franklin to mow all county roads within the Town on a trial basis for one year at \$200 per mile. The County Highway Department is reducing its workforce by attrition, and has requested all towns in the county to do this. Franklin Highway Supt. DeMars mentioned to the Highway Committee and Supv. Willman that Jon Hutchins, Franklin County Supt. of Highways, has been quite generous with equipment and assistance, and recommended the Town try this, although he opined the Town could only mow county roads once, not twice. Coun. Smalley asked if mowing County roads would crowd the Highway Dept.'s schedule and whether it had adequate staffing. Supv. Willman indicated the Department was adequately staffed, and Coun. Hamm commented there are only 20 miles of County road to be

mowed and in 2012 County roads were only mowed once. Coun. Merrill suggested that county mowing be coordinated with Town mowing. Supv. Willman emphasized that the remaining FEMA-reimbursed repairs will be the first priority and requested a resolution accepting the County agreement. Motion (C.Smalley-A.Berg m/s/p) ALL AYE

**RESOLUTION NO. 16: ACCEPT AGREEMENT WITH COUNTY OF FRANKLIN FOR ONE-YEAR TRIAL OF MOWING COUNTY ROADS WITHIN TOWN OF FRANKLIN** WHEREAS, the County of Franklin Highway Department has or will be reducing its workforce by attrition; and WHEREAS, the County of Franklin Highway Dept. has been generous with the Town of Franklin both in equipment and workforce assistance; and WHEREAS, the County Highway Dept. has requested the Town of Franklin Highway Department to mow all county roads within the Town of Franklin on a trial basis at the rate of \$200 per mile; NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby accepts the "Mowing Contract with Municipality" agreement proffered by the County, as follows: "MOWING CONTRACT WITH MUNICIPALITY This contract made the \_\_\_ day of \_\_\_\_ 2013 by and between the Town of Franklin hereinafter called "Town" and Franklin County Highway Department, hereinafter called "County". Article 1 – Scope of Work. The Town shall furnish all of the equipment and perform all o the work described in Project Specifications attached. Article 2 – Time of Completion. The work to be performed under this contract shall be the first mowing should be completed by July 1, 2013 with the second mowing to be completed by September 15, 2013. Article 3 – The Contract Sum. The County shall pay the Town for performance of the Contract in current funds at the rate of \$100 per mile for each mowing with a total of \$200 per mile per season, 20 miles equaling Four Thousand (\$4,000) upon completion of the work and submission of a properly certified invoice. Upon receipt of notice that the work is ready for final inspection and acceptance, the County will promptly make such inspection, and when it finds the work acceptable under the contract fully performed, it shall promptly approve payment for the entire amount due the Town. The making and acceptance of the final payment shall constitute a waiver of all claims by the County, except those arising from unsettled liens, from faulty work appearing after payment or from requirements of the specifications, and of al claims by the Town except those previously made and still unsettled. Article 4 – Contract Documents. The Project Specifications together with this agreement form the contract and they are as fully a part of the contract as if hereto or herein repeated. IN WITNESS WHEREOF, the parties hereby have executed this Agreement, the day and year first above written. COUNTY OF FRANKLIN TOWN OF FRANKLIN Jonathan Hutchins, Superintendent Supervisor Franklin County Highway Department Highway Superintendent"

Those voting aye:

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

Those Voting nay:

None

Those Abstaining:

None

**3. §284 Agreement for 2013.** Copies of the first part of the §284 Agreement for 2013 (Agreement for the Expenditure of Highway Moneys) made between the Town Board and Highway Superintendent had been distributed to the Town Board. The first part of the 284 Agreement covers all remaining FEMA-reimbursed repairs to be performed for \$86,377.44. The FEMA-reimbursed repair work is the Department's first priority. Supv. Willman requested a resolution accepting the first part of the §284 Agreement for 2013. Motion (C.Smalley-A.Berg m/s/p) ALL AYE.

**RESOLUTION NO. 17: ACCEPT AND EXECUTE FIRST PART OF §284 AGREEMENT TO EXPEND HIGHWAY MONEYS FOR 2013** WHEREAS, section 284 of NYS Highway Law mandates an agreement be executed between the Town Board and the Highway Superintendent regarding road work to be performed; and WHEREAS, there is still outstanding and incomplete repair work from 2011 heavy spring rains and Hurricane Irene; NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the first part of the §284 Agreement for 2013 pertaining to the completion of the FEMA-reimbursed repair work.

Those voting aye:

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

Those Voting nay:

None

Those Abstaining:

None

The Town Board members each signed the Agreement in duplicate. The Agreement awaits the signature of the Town of Franklin Highway Superintendent; the Clerk will then forward same to the Franklin County Highway Superintendent.

**C. QUESTIONS AND COMMENTS RE HIGHWAY MATTERS.** Mary Ellen Keith asked if the Town had a protocol in place for sharing equipment purchases, and Supv. Willman indicated that if necessary, the Town would develop

one.

**5. Road Grinder.** Coun. Hamm reiterated the best way to rebuild a road is to grind the existing pavement and reuse it. He reported it was possible that sharing the cost of a Zipper Road Grinder with the Town of Harrietstown, which contains nearly the same amount of road mileage as Franklin, might be a possibility. In the long run it would benefit the Town of Franklin financially to do so because the cost of hiring a contractor doubles the cost of each project. Coun. Hamm indicated he would like to grind the road from the bridge at Woodchuck Hill for one mile but the cost of contracting the work would be \$50,000. The Town could purchase 50% of the Zipper Grinder which hitches to the loader with a down payment of \$25,000 and finance it at 2 or 3% over several years. Coun. Merrill indicated he was leery about sharing a piece of equipment, but that he would be in favor of such a purchase if the Town could afford it. Coun. Hamm will encourage Supt. DeMars to do research on the matter and to broach the subject with Harrietstown.

**C. QUESTIONS AND COMMENTS RE HIGHWAY.** None.

## 11. NEW BUSINESS

**A. OPEN BIDS FOR TWO PICK UP TRUCKS.** Request for bids was published in the Adirondack Daily Enterprise and Press Republican and 7 bidders responded, as follows:

Vendor	Reg Cab PU	Price	Ext Cab PU	Price
<b>West Herr Ford Hamburg, NY</b>	2013 Ford F250	\$27,992	2013 Ford F250	\$30,267
<b>Knight Automotive Plattsburgh, NY</b>	2013 GMC 1/4 Ton	\$29,270	2013 GMC 1/4 Ton	32,320
<b>High Peaks Ford Ray Brook, NY</b>	2013 Ford F250	\$27,149	2013 Ford F250	\$29,272
<b>Vision Ford Ray Brook, NY</b>	2013 Ford F250	\$26,797	2013 Ford F250	\$29,105
<b>Goss Dodge Chrysler So.Burlington, VT</b>	2013 Dodge 3/4 Ton 4x4	\$29,449	2013 Dodge 2500 3/4 Ton 4x4 ext cab	\$29,993
<b>Basil Ford Buffalo, NY</b>	2013 Ford F250	\$37,660	2013 Ford F250XL	\$37,660
<b>Adirondack Auto Elizabethtown, NY</b>	1/4 Ton HD Reg Cab	\$30,437	1/4 Ton HD Crew Cab	\$30,657

The bids will be photocopied for each Board member. A decision will be made and bid accepted at the May 8, 2013 Board meeting.

**B. 2013 POLLING SITE AGREEMENT.** The Franklin County Board of Elections sent its annual Agreement for use of the Town's polling site. Both Districts 1 and 2 will vote at the Franklin Town Hall, 7 Cold Brook Road, Vermontville, NY. The primary election will be held Tuesday, September 10, 2013 from noon to 9PM, and the General Election will be held on Tuesday, November 5, 2013 from 6:00 AM to 9:00 PM. Supv. Willman requested a resolution accepting the Agreement. Motion (B.Merrill-C.Smalley m/s/p) ALL AYEtelephoned vendors and requested quotations. He distributed copies to the Board from:

**RESOLUTION NO. 18: ACCEPT 2013 POLLING SITE AGREEMENT** WHEREAS, the Board of Elections has assumed management and supervision of elections; and WHEREAS, it has requested the use of the Franklin Town Hall as a polling site; NOW, THEREFORE, BE IT RESOLVED, the Franklin Town Board hereby accepts said agreement and authorizes the Supervisor to execute same.

Those voting aye:

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

Those Voting nay:

None

Those Abstaining:

None

**C. FUND DEPUTY CLERK LINE** Clerk Oliver announced that her deputy, Lauren LeFebvre, having assisted with 2013 tax collection, has decided to seek election to the Office of Town Clerk. Starting in May it is planned that Mrs. LeFebvre will staff the office on Mondays and Tuesdays, and Clerk Oliver will staff it on Wednesdays and Thursdays. Clerk Oliver stated that since she is retiring this year, she wants a smooth transition for the Town, and the two days Mrs. LeFebvre will spend in the office will bring her up to date on the Clerk's duties. Furthermore, the Deputy Town Clerk budget line was been funded mid-term by the Town twice before. Coun. Merrill stated that since the Clerk is elected and the \$18,000 salary has been published, he did not think it possible for the salary to be split. Supv. Willman said he would do further research, and the matter was TABLED to the May meeting.

**D. RESIGNATION.** Les Parker submitted his resignation to the Town Clerk from the position of Town representative to the Association of Senior Citizens in Franklin County, Inc. The Town Board will seek another



representative.

## 12. OLD BUSINESS

**A. DEFIBRILLATOR UPDATE.** A meeting of the Saranac Lake Area Fire Advisory Board was held on February 21st, and Supv. Willman and Coun. Berg attended. There was much discussion concerning the absence of representatives of the Saranac Lake Volunteer Ambulance and Rescue Squad; therefore, no business was conducted.

**B. WATER TREATMENT SYSTEM FOR TOWN HALL.** Supv. Willman requested Codes Enforcement Officer Robert Drosdowich to look at the Garage property to ascertain whether an attachment to the Garage or a separate stand-alone structure would be better for equipment storage.

**C. ADDITIONAL STORAGE (POLE BARN) AT VERMONTVILLE GARAGE.** No progress

**D. NEW FIELDS AT THE RECREATION PARK.** Nothing to report.

**E. LAND INVENTORY.** No progress, no report.

**F. OIL-WATER SEPARATOR.** No progress.

**G. UNION MATTER.** Supv. Willman requested the Board adjourn into Executive Session to discuss a Union matter. Motion to enter Executive Session (A.Berg-C.Smalley m/s/p) ALL AYE.

## 12. EXECUTIVE SESSION convened at 8:27 PM

**13. RECONVENE BOARD MEETING.** At 8:51 PM, on motion of Coun. Smalley, seconded by Coun. Merrill, the Board meeting resumed. Supv. Willman reported no action was taken in Executive Session, but the grievance filed by the Teamsters Union was discussed. The Board accepts receipt of the grievance, and Supv. Willman will speak with the Shop Steward concerning resolution of the matter.

## 14. COMMITTEE REPORTS

**A. AUDIT.** No report.

### B. CELEBRATION.

1. The Kate Mountain Community Recreation Association will hold its Music Fest on Saturday June 15 at the Rec Park. The Association has asked permission to use Town tents, tables and chairs.

2. The Town will hold a Founders Day Celebration on Saturday, July 21 at the Rec Park. Supv. Willman has found a band to play and then asked for volunteers to help with set up, booth manning and cleanup. The Clerk volunteered for set up and tear down/cleanup.

**C. CEMETERY.** No report. A discussion ensued between the Cemetery Committee and Groundsman Glenn Swinyer regarding placement of monuments and grave digging.

**D. RECREATION.** No report.

## 15. CORRESPONDENCE

Supv. Willman received correspondence from NYCLASS indicating that it was changing investment companies. Additional information will be forthcoming.

## 16. ANNOUNCEMENTS.

The Food Pantry will be held Thursday April 18, 2013 at 3:30 PM.

## 17. QUESTIONS AND COMMENTS..

None

## 18. ADJOURNMENT

There being no further business to discuss or conduct, the meeting adjourned at 9:06 PM. Motion (C.Smalley-D.Hamm m/s/p) ALL AYE

Respectfully submitted, Sandra J. Oliver, Town Clerk

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