



# The Town of Franklin

P.O. Box 209, Route 3, Vermontville, NY 12989 • 518-891-2189 • Fax: 518-891-6389 • [www.townoffranklin.com](http://www.townoffranklin.com)



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## Town of Franklin Board Meetings

### Organizational Meeting January 10, 2018 5:30PM

#### BOARD MEMBERS PRESENT:

Supervisor Art Willman, Councilman Tom Bartiss, Councilman Don Hamm and, Councilman Cliff Smalley

#### BOARD MEMBERS ABSENT:

Councilman Pete Woodcock

#### OTHERS PRESENT:

Doris Hamm, Highway Superintendent Jacques DeMars and, Ed Martin, Dick Jarvis, Tim Santos, Karen Smalley and, Town Clerk Lauren LeFebvre

#### CALL TO ORDER

Supervisor Willman called the Organizational Meeting to order at 5:30pm. The Pledge of Allegiance was recited and the Town Clerk called the roll noting a quorum present.

#### NOTABLE ANNOUNCEMENTS

Supervisor Willman wished a Happy 97th Birthday to former Councilwoman Fran Oliver.

#### 1. TOWN OF FRANKLIN 2018 BOARD APPOINTMENTS

**Deputy Supervisor** Clifford P. Smalley has been appointed by Supervisor Willman as Deputy Supervisor with all the powers and obligations accorded to him by law and will be paid \$500 per year as per budget. (A1220.4)

**Deputy Highway Superintendent.** Brian Snickles has been appointed by Highway Superintendent DeMars and will be paid \$1,576 per year as per budget. The stipend will be renegotiated with each deputy each year. (A5010.11)

**Deputy Town Clerk.** Sandra Oliver has been appointed First Deputy Town Clerk and Autumn LeFebvre has been appointed Second Deputy Town Clerk by Lauren LeFebvre. There is no salary for this position {A1451.1}

**Budget Officer.** Richard Meagher has been appointed Budget Officer and will be paid \$804 per year as per budget (A1340.4)

**Town Bookkeeper.** Richard Meagher will contract with the Town for the position of Bookkeeper in amount of \$11,255 per year as per budget (A1320.4)

**Town Historian.** Phyllis King has been appointed Town Historian and will be paid an \$800 stipend per year as per budget (A7510.4)

**Registrar of Vital Statistics.** Lauren LeFebvre, Town Clerk will serve as Registrar and will be paid \$400 per budget. (A4020.4)

**Fixed Asset Manager.** Lauren LeFebvre will serve as fixed asset manager at \$400 per year. {A1410.4}

**Court Clerk.** Meredith Symonds has been re-appointed Court Clerk at an hourly rate of \$12.91. (A1130.1)

**Supervisor's Confidential Secretary.** Melissa Begor has been re-appointed Confidential Secretary to the Supervisor at an hourly rate of \$12.91. (A1310.1)

**Codes Enforcement Officer.** Paul Blaine has been re-appointed as Codes Enforcement Officer at a salary of \$10,362 per year. (A3010.4)

**Process Server.** Brian Manny will continue to serve as Process Server and will receive \$250 per year. (A3120.4)

**Cemetery Custodian.** Timothy Goff has been appointed as Cemetery Custodian and will receive \$800 per year. Susan Goff has been appointed Assistant Cemetery Custodian and will be paid \$12.91 per hour, not to exceed \$200 per fiscal year.(A8810.4)

**Cemetery Worker.** The Grounds Maintenance employee will maintain the Cemeteries. (A8810.1)

**Assessor.** Doug Tichenor will receive a salary of \$18,000 per year. (A1355.1)

**Health Officer.** Lisa Neuman will serve as Health Officer at a yearly salary of \$300. (A4010.4)

**Official Town Newspaper.** The Adirondack Daily Enterprise is designated as the Official Town Newspaper.

**Board Liaison Committees.** The Board Chair will select non-Board committee members:

**Highway Committee** - Peter Woodcock, Donald Hamm

**Recreation Committee** - Arthur Willman, Peter Woodcock

**Assessment Committee** - Peter Woodcock, Donald Hamm

**Audit Committee** - Clifford Smalley, Tom Bartiss

**Celebration Committee** - Arthur Willman, Clifford Smalley

**Cemetery Committee** - Clifford Smalley, Tom Bartiss

**Fire/Rescue Committee** - Arthur Willman, Peter Woodcock

**Landfill Committee** - Tom Bartiss, Clifford Smalley

**Building Committee** - Donald Hamm, Clifford Smalley

**Newsletter** - Vincent Pagano, Lauren LeFebvre

**Salaries. All salaries of elected and appointed officials are set out in the 2016 budget, as follows:**

**Supervisor** - \$20,120

**Council Members** - \$18,108 (4 members)

**Town Clerk** - \$19,380

**Highway Superintendent** - \$61,200

**Justice** - \$10,362

**Medical Insurance.** The Town has offered health insurance to the Buildings & Grounds general fund employee in the NYS Teamsters Health & Hospital Insurance Plan, as defined in the contract with the Teamsters Union.

**Pension Plan.** The Town is a member of the NYS Retirement System and is offered to all Town employees. All new employees are obliged to join the Retirement Plan. Part-time employee membership in the Plan is optional.

**Official Depository.** Community Bank, Broadway, Saranac Lake, NY, is the Official Depository for the Town. The Town will also continue to contract with MBIA (CLASS) as a savings depository.

**Petty Cash Fund.** The Supervisor and the Town Clerk have declined the option of a petty cash fund.

**Contracts.** The Town will contract as follows:

**Fire Protection** -Bloomingdale Volunteer Fire Department \$42,250

**Ambulance** -Saranac Lake Voluntary Ambulance & Rescue, Inc. \$27,849

**Ambulance** -North Country LifeFlight \$1500

**Children s Activities** -Saranac Lake Civic Center \$1550

**Recreation** -Franklin Snowmobilers, Inc. \$300

**Employee Services** -Employee Assistance Service \$40 per person (All Employees, Elected Officials and Appointed Officials are included)

**Landfill monitoring** -Tisdell Associates

**Municipal support** -Association of Towns of the State of NY \$899

**Municipal support** -Adirondack Association of Towns \$449

**Workers Compensation** -Franklin County Self-Insurance

**Animal Control** -Tri-Lakes Humane Society \$2870

**Children's Recreation** -Bloomingdale Boosters \$500

**Senior Citizens Activities** -Town of Franklin 55+ Club (A6772.4) \$1500

**Saranac Lake Adult Cen.** -\$1000

**Board of Assessment Review:** Members are Jean Baltzly, Jon MacDowell, Jennifer Norman, Mildred Vorrath and Edward Martin. Member stipend is \$50 for Grievance Day and mileage to/from required training. {A1355.4}

**Board of Ethics:** Members Paul F. Ward, Aaron Caiazza and Marie Van Nortwick will serve as unpaid members.

**Town Attorney.** Edward Murphy, Esq. will serve as Town Attorney pro bono.

**Saranac Lake Area Fire Advisory Board. Arthur Willman is designated Town representative to the SLAFAB, and Peter Woodcock is designated alternate representative.**

**Mileage Allowance** – Reimbursement for mileage for officers, employees and appointees in performance of business for the Town will be \$.58 cents per mile.

## 2. RULES OF PROCEDURE

The Rules of Procedure for regular and special Town Board meetings, workshops and executive sessions follow and replace and suspend all prior town board rules of procedure:

**REGULAR TOWN BOARD MEETINGS** A regular town board meeting is one in which the town board meets once a month at a fixed time and place throughout the year to conduct town business. In the case of the Town of Franklin, regular town board meetings will be held once a month on the second Wednesday at 5:30pm. The board will audit the bills a half hour prior to the meeting start.

**Notice of Regular Town Board Meetings** - After the town board establishes by resolution a regular fixed time and place for its meetings throughout the year, no other notice need be given to the members of the board. The Town Clerk is authorized by the Town Board to publish one Public Notice yearly. Rules of Conduct at a Regular Town Board Meeting

The supervisor, when present, shall preside and act as chairperson. In his/her absence, his/her deputy shall act for him/her.

Members of the board are to be recognized by the chairperson before addressing the rest of the board or the public.

No member of the public shall be permitted to address the town board unless recognized by the chairperson. In that event, the person must identify himself /herself by clearly stating his/her full name and address and then stating the nature of his/her business.

A period of 15 minutes will be aside at the start of each meeting for public comment or questions. Members of the public will be given 2 minutes to ask their question or make their comment. A sign-in sheet will be located near the front door. Any person wishing to speak during this comment period must so indicate by signing the sheet. The chairperson may set a limit on the time on each occasion which each member of the public addresses the board.

Persons speaking to the town board with the consent of the chairperson shall address their remarks to the town board, not to other members of the audience.

No such person has the right to demand an answer to a specific question from a member of the board. All such questions shall be directed to the chairperson, who may either answer them or refer the questions to a board member or the attorney for the town, if present. The answer may be deferred and subject to further review or study and answered at a later date.

No member of the public or board shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.

**Town Board Resolutions** - The adoption of resolutions is the most frequent type of formal action taken by the town board in its legislative and administrative capacities. Resolutions are often confused with motions. The latter are the vehicle by which resolutions are brought before a town board for action. The two can be used interchangeably. Typical examples of actions that require resolutions are as follows:

1. transferring money from one budget to another
2. establishing a salary
3. designating depositories

**Town Board Voting at a Town Board Meeting** - The voting on every issue requiring a resolution, ordinance, or law shall be "ayes" and "nays" and the names of the members present and their votes shall be entered in the minutes of the town board.

The supervisor is a member of the board and therefore must vote. He/she may also move or second resolutions.

The town clerk or (in his/her absence) his/her deputy calls a roll of town board members on every issue in question before the town board.

The town clerk must take minutes and keep a record of all proceedings of the board meetings

### Regular Town Board Meeting Agendas

A preliminary agenda will be developed by the supervisor and/or board members prior to the meeting and published via posting in public places, newsletter, and/or news media whenever practical.

Because urgent issues may not be presented to the board until shortly before a town board meeting, a final agenda may not be adopted by the supervisor until shortly before the meeting.

No additional matters are to be considered until each matter on the prepared agenda has been acted on by the town board.

Members of the public are invited to bring an issue, questions, or comments before the board in one of the following four ways:

1. by written request to be put on the formal agenda at least five business days before the scheduled regular town board meeting, or
2. by addressing the board at a segment set aside per the Agenda at the end of the meeting specifically for that purpose. The supervisor reserves the right to limit each speaker to two minutes. The speaker may request that the board have a special meeting at a later date to consider that particular issue. At the end of this session, the board will decide if such a meeting is feasible and will set a date and time for it, or
3. by addressing the board at the end of the meeting during a questions and answers segment.
4. Members of the news media may have ten minutes at the conclusion of the meeting to ask questions concerning matters that came up at the meeting.

### **Minutes of Regular Town Board Meetings**

The town clerk, when present, will record minutes of the meetings proceedings as prescribed by law and shall make such minutes available within two weeks of the meeting. In the absence of the town clerk, his/her deputy or another person appointed by the board shall take his/her place.

### **TOWN BOARD WORK SESSIONS**

A town board work session is held to discuss and deliberate matters that are coming up at the next regular board meeting, special board meetings, or public hearing. No votes will be taken at work sessions. As with all public meetings, the public is free to attend these sessions but are not to participate or ask questions. Members of the board are expected to attend work sessions when called for by the supervisor.

### **PUBLIC HEARINGS BY THE TOWN BOARD**

A public hearing is a meeting of the board and the public regarding an important issue that may have a significant economic, environmental, or other serious impact on the town and its residents.

The purpose of a public hearing is to give the public an opportunity to express its views. The public has the right to appear and give evidence and the right to hear and examine witnesses regarding the issue at hand.

**Notice of Public Hearings** The supervisor will give notice of public hearings in writing to the board and town clerk ten days before the hearing, when possible. The town clerk will then post a notice of the hearing in at least one public location and will give notice to the news media at least 72 hours prior to the hearing.

**Preparation for Public Hearing** A study or report should be prepared by an expert in the subject matter of the hearing, such person to be present to testify in favor of the proposal. Rules of Conduct at Public Hearings

### **Comments and Questions**

**Oral Comments. The Town** Clerk will maintain a sign-in sheet at the public information desk for each person who wishes to make oral comments. Anyone who wants to do so must enter his/her full name and address on the sign-in sheet, in the spaces provided. ANYONE NOT SIGNING THE SIGN-IN SHEET WILL NOT BE PERMITTED TO ADDRESS COMMENTS TO THE TOWN BOARD.

**Questions.** The Chairperson will entertain questions from the floor. Questions shall be for the sole purpose of obtaining information about the subject matter of the public hearing or clarifying its provisions. Questions shall not have the intent of provoking a debate between the questioner and the Town Board or any individual in the audience.

**Written Comments.** The Town Board will accept written comments on the subject matter of the public hearing PROVIDED ALL WRITTEN COMMENTS ARE GIVEN TO THE CHAIRPERSON BY THE END OF THE PUBLIC HEARING.

### **Presentation of Comments and Questions.**

Presiding Officer. The Town Supervisor or designee will preside over the public hearing, and act as Chairperson. In his/her absence, the Deputy Town Supervisor or designee will act as the Chairperson.

### **GROUND RULES FOR THE PRESENTATION OF COMMENTS**

The purpose of a public hearing is to gather public comment on (subject of Public Hearing). The Board encourages all in attendance to offer comments and ask questions. However, a successful public hearing requires that some simple ground rules be followed. These ground rules will ensure that all in attendance are treated in a respectful and courteous manner, and that all who desire to speak will have the opportunity to be heard: No one may speak unless recognized by the Chairperson for that purpose. Upon recognition, the person must identify him/herself by clearing stating his/her full name and address. Anyone choosing to speak must address his/her remarks to the Town Board, and not to other members of the audience. Any debate between those "for" and those "against" the proposal must be strictly avoided.

Oral comments can generally be delivered in two minutes. If there are a large number of persons wishing to speak, the Chairperson reserves the right, in its sole discretion, to strictly enforce the 5-minute rule, so that all who wish to speak may have an opportunity to do so.

The Town Board is here to listen to the public's comments, and to answer questions about the Preliminary Budget. The Board is NOT here to express its own views or opinions thereon. The Board will NOT participate in a debate of the issues. We want your advice and assistance in coming to the proper conclusion on the issues involved. If you are in favor, simply tell us and give us your reasons why; and likewise, if you are opposed. No person has the right to demand an answer to a specific question from a member of the Board. As noted earlier, questions should seek clarification and information and should not lead to a debate of the issues. All questions are to be directed to the

chairperson, who may either answer them or refer them to a Board member or the Attorney for the Town. The answer may be deferred and subject to further review or study and answered at a later date.

No person may speak a second time until everyone who wants to speak has spoken..

No member of the public or Town Board shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of the public hearing.

The Town Clerk will be responsible for ensuring that these rules are followed.

**ANYONE VIOLATING ANY OF THESE GUIDELINES WILL BE ASKED TO REFRAIN FROM DOING SO, AND MAY, IN THE SOLE DISCRETION OF THE CHAIRPERSON, BE ASKED TO LEAVE THE PUBLIC HEARING. SPECIAL TOWN BOARD MEETING**

Special town board meetings may be called by the supervisor at any time for urgent or lengthy issues or for any other important reason determined by the supervisor. Notice of special town board meetings and rules of conduct are the same as for public hearings.

### **EXECUTIVE SESSIONS**

Executive sessions may be held only after an open meeting is convened and a motion to hold an executive session, identifying the area or subject to be considered in such executive session, is adopted by the majority vote in the open meeting.

Executive sessions matters are restricted to:

1. A matter which will imperil the public safety if disclosed.
- 2.
3. A matter which may disclose the identity of a law enforcement agent or informer.
4. Information with respect to investigation or prosecution of a criminal offense which would jeopardize effective law enforcement if disclosed.
5. Discussions relating to litigation.
6. Matters relating to collective negotiations under the Taylor Law.
7. Medical, financial, credit, or employment history of a particular person or corporation, re relating to appointment, promotion, demotion, discipline, or removal.
8. Preparation, grading, or administration of examinations.
9. Acquisition, lease, or sale of real property or securities when publicity would substantially affect the value.
10. Attendance is restricted to town board members and any other persons authorized by the board.

**Minutes of executive session proceedings** - Summary minutes must be made of any final determination taken by formal vote, including the date and the vote thereon; however, such summary should not include any matter which is not required to be made public under the Freedom of Information Law. Such summary minutes shall be available to the public within one week from the date of executive session. If no formal action was taken in an executive session, then no executive session minutes need to be taken.

### **3. ADDITIONAL ITEMS**

**A. Inter municipal Shared Services Agreements.** The Supervisor is authorized to execute and the Town Clerk is requested to send Inter municipal shared services agreements to the same municipalities as previously following consultation with the Highway Superintendent.

**B. Prepayment of Certain Claims.** Certain invoices are regularly received by the Town and delaying payment of same for Board approval results in interest being charged to the Town, the Supervisor, as chief financial officer of the Town, is hereby authorized to prepay those certain regularly-occurring claims prior to the monthly Town Board meeting; and the Town Board, at its regularly-scheduled monthly meeting, will approve vouchers for said claims.

**C. Authorization to Publish Public Notices.** The Town Clerk is hereby authorized to publish and post all public notices as required by the Town Board in the Official Newspaper, Adirondack Daily Enterprise, and other local newspapers.

### **4. ADOPT ORGANIZATIONAL ITEMS.**

Supv. Willman requested a motion for a resolution accepting the organizational items.

Motion (C.Smalley-T.Bartiss m/s/p) ALL AYE

RESOLUTION NO. 1: ACCEPT ORGANIZATIONAL ITEMS

WHEREAS, the Town Board has reviewed the preceding organizational items and finds such items acceptable; NOW THEREFORE, BE IT RESOLVED, that the Franklin Town Board accepts the organizational items as set forth above.

Those Voting Aye:

Supervisor Arthur P. Willman, Jr.  
Councilman Clifford Smalley  
Councilman Donald Hamm  
Councilman Thomas Bartiss

Those voting No: None

### **5. OFFICIAL UNDERTAKING.**

The Town Board has approved the procurement of a blanket undertaking from the LaBarge Agency, Inc., which is duly authorized corporate surety covering the officers, clerks, and employees of the town. Such approval assures that this blanket undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts.

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

## **RESOLUTION NO. 2: ACCEPT OFFICIAL UNDERTAKING**

whereas, the Town Board has negotiated with LaBarge Agency, Inc. for procurement of a blanket undertaking through Trident, which is duly authorized corporate surety covering the officers, clerks, and employees of the town; NOW, THEREFORE,

BE IT RESOLVED that the Town Board of the Town of Franklin approves the purchase of such blanket undertaking which assures that this Undertaking indemnifies against losses caused by the failure of officers or employees to faithfully perform their duties or by their fraudulent or dishonest acts. The Clerk is directed to file same with the county clerk. The elected officers of the Town of Franklin hereby execute this undertaking as follows:

WHEREAS, Arthur P. Willman, Jr., of the Town of Franklin, County of Franklin, New York, has been elected to the office of Supervisor of the Town of Franklin; and WHEREAS, Peter Woodcock, of the Town of Franklin, County of Franklin, New York, has been elected to the office of Councilman of the Town of Franklin; and WHEREAS, Clifford P. Smalley, of the Town of Franklin, County of Franklin, New York, has been elected to the office of Councilman of the Town of Franklin; and WHEREAS, Donald M. Hamm, of the Town of Franklin, County of Franklin, New York, has been elected to the office of Councilman of the Town of Franklin; and WHEREAS, Thomas Bartiss of the Town of Franklin, County of Franklin New York has been elected to the office of COUNCILMAN; WHEREAS, Roger P. Symonds, Sr., of the Town of Franklin, County of Franklin, New York, has been elected to the office of TOWN JUSTICE of the Town of Franklin; and WHEREAS, Jacques DeMars, of the Town of Franklin, County of Franklin, New York, has been elected to the office of SUPERINTENDENT OF HIGHWAYS of the Town of Franklin; and WHEREAS, Lauren LeFebvre has been elected to the office of Town Clerk of the Town of Franklin; NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Franklin that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and This undertaking of the TOWN SUPERVISOR is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and This undertaking of the TOWN JUSTICE is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property belonging to the Town coming into his hands as such TOWN JUSTICE; and This undertaking of the TOWN CLERK/TAX COLLECTOR is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk/Tax Collector; and The Town does and shall maintain insurance coverage, presently with American Alternative Insurance Group, in the sum of \$20,000.00 plus additional \$350,000.00 for the Town Clerk/Tax Collector, \$50,000.00 for the Town Supervisor and \$50,000.00 for the Town Justice to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions of employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under.

Those Voting Aye:

Supervisor Willman  
Councilman Hamm  
Councilman Bartiss  
Councilman Smalley

Those voting No: None

**ADJOURN ORGANIZATIONAL PORTION OF MEETING.** As no further organizational items required discussion or action, Supv. Willman requested adjournment at 5:50 PM.

Respectfully submitted, Lauren LeFebvre, Town Clerk

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