



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

Regular Meeting - February 9, 2022 5:30PM

BOARD MEMBERS PRESENT:

Supervisor Dorothy Brown, Council Member Gail Huston, Council Member Rachelle Waters, Council Member Richard Jarvis and Council Member Leo Demong

OTHERS PRESENT:

Allison Trombley—FONC, Jacques DeMars—Highway Superintendent and Lauren LeFebvre—Town Clerk

CALL TO ORDER

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

REVIEW/APPROVAL OF JANUARY 12, 2022 MINUTES-

D.Jarvis-R.Waters m/s/p All Aye

SUPERVISOR'S REPORT: Balances on hand as of January 31, 2022

General Fund

Checking	\$404,278.56
Savings	\$41,162.66
Historian	\$3,040.21
Kt. Mt SRF	\$2,058.52
Cemetery RF	\$5,608.75
CLASS	\$24,928.18
Kate Mt. CLASS	\$46,669.40

Highway Fund

Checking	\$1,150,124.45
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Savings	\$1,681.45
Cap Proj. HW	\$4,156.25
CLASS	\$410,971.17
Landfill Clos. CR	
Checking	\$3,112.06
CLASS	\$8,064.16
Fire Protection	
Checking	\$83,055.33
CLASS	\$1,517.61
Capital Proj Bldg	
CLASS	\$912.35
(Huston-Demong m/s/p) All Aye	

2021 BUDGET AMENDMENTS

RESOLUTION #7 GENERAL FUND BUDGET AMENDMENT #1

On a motion by Council Member Jarvis, second by Council Member Huston, BE IT RESOLVED, that the following general fund line item transfers are approved:

FROM	TO
A1420.4: \$19,018.00	A1310.1: \$4,759.00
	A3010.2: \$30.00
	A1620.1: \$662.00
	A7140.1: \$3,766.00
	A7140.2: \$182.00
	A7310.1: \$1319.01
	A7310.4: \$4506.00
	A9080.8: \$1504.00
	A1650.4: \$207.00
	A1670.4: \$2083.00

Those Voting Aye:

- Supervisor Dorothy Brown
- Council Member Dick Jarvis
- Council Member Leo Demong
- Council Member Gail Huston
- Council Member Rachelle Waters

Those Voting Absent: None

RESOLUTION #8 HIGHWAY FUND BUDGET AMENDMENT #1

On a motion by Council Member Huston, second by Council Member Waters, BE IT RESOLVED that the following highway fund line item transfers are approved:

FROM	TO
DA5110.4: \$45,580.00	DA5110.1: \$6060.00
	DA5130.4: \$7519.00
	DA5140.4: \$17182.00
	DA5142.1: \$4963.00
	DA5142.4: \$6874.00
	DA 9089.8: \$1806.00
	DA9050.8: \$1176.00

Those Voting Aye:

- Supervisor Dorothy Brown
- Council Member Dick Jarvis
- Council Member Leo Demong
- Council Member Gail Huston
- Council Member Rachelle Waters

Those Voting Absent: None

December 15, 2021 minutes will reflect there was no Public Hearing. (Jarvis-Demong m/s/p) All Aye

APPROVAL OF CLAIMS

The board audited and approved the following claims:

General Fund	Abstract 2	Claims 17-42	\$131,865.96
Highway Fund	Abstract 2	Claims 10-23	\$20,695.96

Fire Protection

Abstract 2

Claim 3-7

\$1497.14

(Jarvis-Demong m/s/p) All Aye

HIGHWAY SUPERINTENDENT'S REPORT - Superintendent DeMars read the following:

1. Plowed and sanded when needed
2. Had men out several times to cut trees as needed
3. Ongoing beaver issues
4. Gas & Fuel sheet given to Town Clerk.

RESOLUTION #9 Authorizing Implementation and Funding of 100% of the Costs of the Culvert Project, of which Qualified Costs May Be Reimbursed from Bridge NY Funds

On motion by Council Member Jarvis, second by Council Member Waters, the following resolution was adopted on February 9, 2022:

Whereas, a project for the Replacement of Swinyer Road over Lyon Brook, PIN 775407, the project is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

Whereas, the Town of Franklin will design, let and administer all phases of the Project.

Whereas, the Town of Franklin desires to advance the Project by making a commitment of 100% of the costs of preliminary and final design, right of way and construction including inspection work for the Project of portions thereof.

NOW THEREFORE, the Town of Franklin Town Board, duly convened does hereby

RESOLVE that the Town of Franklin hereby approves the Project; and it is hereby further

RESOLVED authorizes the Town of Franklin to pay 100% of the cost of preliminary and final design, right of way and construction, including inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$1,000,000 is hereby appropriated from the Town of Franklin Highway Budget and is made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED that the Town of Franklin Board hereby agrees that the Town of Franklin shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from Bridge NY Funding awarded to the Town of Franklin; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Town of Franklin shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Highway Superintendent thereof, and it is further

RESOLVED that the Town of Franklin Board agrees that Town of Franklin hereby commits that constructions of the Project shall begin no later than twenty-four (24) months after award and the constructions phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Town of Franklin Highway Superintendent be and is hereby authorized to execute all necessary agreements, certifications or reimbursements requests with NYSDOT for State Aid/or Bridge NY funding on behalf of the Town of Franklin in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the Town of Franklin will be responsible for all maintenance of the Project and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this resolution take effect immediately.

Those Voting Aye:

Supervisor Dorothy Brown
 Council Member Dick Jarvis
 Council Member Leo Demong
 Council Member Gail Huston
 Council Member Rachelle Waters

Those Voting Absent: None

NEW BUSINESS

A. Friends of the North Country Allison Trombley updated the board on the status of current rehab projects.

RESOLUTION #10 APPROVAL OF CDBG CAPITAL EXPENDITURE

A Motion was made by Council Member Jarvis, and Seconded by Council Member Huston to authorize the capital expenditure of \$27,700, plus administrative, project delivery, and other soft costs, in accordance with the Town of Franklin Housing Rehabilitation Program, for project #FR-19-05 (Pending Programmatic Extension Approval from NYS CDBG)

Those Voting Aye:

Supervisor Dorothy Brown
 Councilman Dick Jarvis
 Councilman Leo Demong

Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

RESOLUTION #11 APPROVAL OF CDBG CAPITAL EXPENDITURE

A Motion was made by Council Member Waters, and Seconded by Council Member Demong to authorize the capital expenditure of \$27,900 plus administrative, project delivery, and other soft costs, in accordance with the Town of Franklin Housing Rehabilitation Program, for project #FR-19-03 (Pending Programmatic Extension Approval from NYS CDBG)

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

RESOLUTION #12 APPROVAL OF CDBG CAPITAL EXPENDITURE

A Motion was made by Council Member Jarvis, and Seconded by Council Member Huston to authorize the capital expenditure of \$27,900 plus administrative, project delivery, and other soft costs, in accordance with the Town of Franklin Housing Rehabilitation Program, for project #FR-19-09 (Pending Programmatic Extension Approval from NYS CDBG and Balance of Program with regards to COI Approval from another site-specific project)

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

RESOLUTION #13 APPROVAL OF CDBG CAPITAL EXPENDITURE

A Motion was made by Council Member Demong, and Seconded by Council Member Huston to authorize the capital expenditure of \$68,190 plus administrative, project delivery, and other soft costs, in accordance with the Town of Franklin Housing Rehabilitation Program, for project #FR-19-07 (Pending Conflict of Interest and Programmatic Extension Approval from NYS CDBG)

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

B. Procurement Policy - Discussion was held regarding the current procurement policy. Town Attorney, Ed Murphy, drafted an updated procurement policy which raises the thresholds of GML Section 103 to \$35,000 for contracts and public work, and to \$20,000 for contracts for goods and services. Council Member Jarvis discussed adding a "Best Value" option to the policy. The Town Clerk stated "Best Value" can be included if the Town has a Best Value Local Law pertaining to bids and contracts.

RESOLUTION #14 AMENDING THE TOWN OF FRANKLIN PROCUREMENT POLICY

On a motion by Supervisor Brown, second by Council Member Demong, BE IT RESOLVED that the Town of Franklin Town Board does hereby amend the Procurement Policy as follows; Amending the Town of Franklin Procurement Policies and Procedures to raise the competitive bidding thresholds of GML Section 103 to \$35,000 for contracts for public work, and to \$20,000 for contracts for goods and services

WHEREAS, Contracts for public work involving expenditures in excess of \$35,000, and purchase contracts involving expenditures in excess of \$20,000, are generally subject to competitive bidding under General Municipal Law (GML), Section 103;

WHEREAS, By resolution dated March 11, 2015, the Town Board amended the TOWN OF FRANKLIN PROCUREMENT POLICIES AND PROCEDURES to establish the GML Section 103 competitive bidding threshold for all public work and purchase contracts at \$10,000;

WHEREAS, These lower competitive bidding procurement thresholds were not required by GML Section 103, but the Town Board voluntarily adopted the bidding procedures of Section 103 to govern such procurements;

WHEREAS, the Town Board now wishes to adopt the GML Section 103 competitive bidding thresholds for both purchase and public work contracts;

THEREFORE, BE IT RESOLVED THAT:

1. (a) The caption of Section 10 of the TOWN OF FRANKLIN PROCUREMENT POLICIES AND PROCEDURES

(hereafter, "Procurement Policies") is amended by striking "\$10,000" and inserting in lieu thereof "\$35,000".

(b) Section 10(a) of the Procurement Policies is amended to read as follows:

"(a) GENERAL RULE. All contracts for public work in excess of \$35,000 shall be subject to the competitive bidding requirements of GML Section 103."

2.(a) The caption of Section 11 of the Procurement Policies is amended to read as follows: "PROCUREMENT OF PUBLIC WORK BETWEEN \$2,000 and \$35,000, AND PURCHASE CONTRACTS BETWEEN \$2,000 AND \$20,000."

(b) The introductory language of Section 11(a) of the Procurement Policies is hereby amended to read as follows:

"(a) GENERAL RULE. All contracts for public work between \$2,000 and \$35,000, and all purchase contracts between \$2,000 and \$20,000, shall require:"

3. Technical and conforming amendments:

(a) The introductory language to Section 1 of the Procurement Policies is amended by striking "Goods" and inserting in lieu thereof "Public work or goods".

(b) Section 7 of the Procurement Policies is amended by:

(1) inserting "PUBLIC WORK OR" before "GOODS" in the caption;

(2) inserting "public work or" before "goods" wherever it appears; and

(3) striking "(15)" and inserting in lieu thereof "(14)".

(c) Section 8(a) of the Procurement Policies is amended by striking "GML Section 103 or under".

(d) Section 9 of the Procurement Policies is amended by inserting "public work or" before "goods".

(e) The captions of Sections 12 and 13 are amended by inserting "PUBLIC WORK OR" before "GOODS".

(f) Section 14(a) of the Procurement Policies is amended by:

(1) striking "OVER \$10,000" and inserting in lieu thereof "in excess of \$35,000"; and

(2) striking "\$1000 and \$10,000 under Sections 11 through 13" and inserting in lieu thereof "\$1,000 and \$20,000 under Sections 11 and 12".

(g) The chart following Section 20 of the Procurement Policies is amended by:

(1) in item 1, striking "section 8" and inserting in lieu thereof "section 14".

(2) in item 2, striking "over \$10,000 for public work contracts; over \$10,000 for purchase contracts" and inserting in lieu thereof "over \$35,000 for public work contracts; over \$20,000 for purchase contracts".

(3) in item 3, striking "\$10,000" and inserting in lieu thereof "\$35,000".

(4) in item 4, striking "\$10,000" and inserting in lieu thereof "\$35,000 for public work contracts, and \$20,000 for purchase contracts".

(h) In item 7, striking "\$10,000: procurement contracts between \$500 and \$10,000" and inserting in lieu thereof "\$35,000; contracts for goods and services between \$1,000 and \$20,000".

(i) The SUMMARY OF AMENDMENTS section is amended by adding the following at the end thereof:

"6. Amendments Adopted by Resolution of the Town Board on -----, 2022. The amendments raised the competitive bidding thresholds of GML Section 103 to \$35,000 for contracts for public work, and to \$20,000 for contracts for goods and services."

(j) The NOTES section at the end of the Procurement Policies is amended by:

(1) inserting "PUBLIC WORK OR" before "GOODS" in the caption of item 1;

(2) inserting "public work or" before "goods" wherever it appears in item 1; and

(3) inserting "PUBLIC WORK OR" before "GOODS" in the caption of item 2.

4. The amendments made by this Resolution shall not apply to any procurement contracts subject to these Procurement Policies and Procedures that were entered into before the date on which this resolution is adopted.

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

C. Restroom/Kitchen at Kate Mountain Park - Supervisor Brown announced the Town of Franklin has been notified the Town's funding from the American Restoration and Recovery Act (ARRA) will be \$114,000. \$57,000 of that total was awarded in 2021 and the remaining \$57,000 will be awarded in Spring 2022. Council Member Jarvis presented a three phased approach based upon the long range plan for Kate Mt. Park created by ELON as part of the Waterfront Revitalization Grant with Clinton County. Primary consideration for Phase One will be to gauge benefits to the community, community interest and feasible implementation. Increasing funding through grants was also discussed. Supervisor Brown reported she has been working with Adirondack Storage Barns and provided pricing, dimensions and options to the board for a concession style wooden building, built, delivered and installed at Kate Mountain Park.

RESOLUTION #15 PURCHASE WOODEN BUILDING FROM ADIRONDACK STORAGE BARNs

On motion by Supervisor Brown, second by Council Member Huston, BE IT RESOLVED that the Town of Franklin Town Board does hereby approve the expenditure of American Recovery and Restoration Act (ARRA) funds for the purchase of a 14'x32' wooden building to be installed at Kate Mountain Park.

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Absent: None

RESOLUTION #16 APPROVAL TO PURCHASE PLAYGROUND EQUIPMENT FROM ADIRONDACK STORAGE BARNs

On a motion by Supervisor Brown, second by Council Member Waters, BE IT RESOLVED that the Town of Franklin Town Board does hereby approval of the expenditure of \$18,167.00 using ARRA funds for the purchase of playground equipment from Adirondack Storage Barns.

Those Voting Aye:

Supervisor Dorothy Brown
Councilman Dick Jarvis
Councilman Leo Demong
Council Member Rachelle Waters
Council Member Gail Huston

Those Voting Abstaining:

Council Member Dick Jarvis
Council Member Leo Demong

Those Voting Absent: None

OLD BUSINESS

A. DASNY - No update

B. Assemblyman Jones' Funding - No update

C. Broadband - Council Member Demong reported he attended a Zoom meeting for the North Country Coalition for Broadband Alliance. He also reported some Town of Franklin residents have received their equipment orders from Starlink, a new high speed satellite internet service provider. Average speed is 100-200 mbps.

PUBLIC HEARING - Supervisor Brown announced a public hearing will be held at the Franklin Town Hall on February 16, 2022 at 10:30am for the purpose of hearing comments regarding the Community Block Development Grant (CDBG)

ADJOURNMENT

There bring no further business to discuss, Supervisor Brown adjourned the meeting at 7:33pm.

Respectfully submitted, Lauren LeFebvre, Town Clerk

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