

Town of Franklin  
Minutes of Town Meeting  
March 2, 2010

Town Clerk, Lisa A. Larivee declared the polls open at 10:00 am for the Australian Balloting of the MVU High School #7 budget and school directors. Moderator Timothy Magnant called the Franklin Town meeting to order at 10:05 a.m. The Pledge of Allegiance was led by veteran, Hugh Gates. Pastor Jason McConnell gave the invocation.

Rep Chuck Pearce- Spoke of the \$150 million shortfall for the FY11; State hired a firm from the Midwest to evaluate budget shortfalls and suggest areas to cut \$38 million from the budget mostly in administrative costs. Human services and education take the most out of the budget; fearful that they will cut programs out instead of just cutting back. The State needs a new way to fund our education system; he serves on the Education Committee. The bill before senate is to consolidate school districts down to 16 statewide.

Rep Norman McAllister- There is resistance across the state on proposed school district changes; budget increase of \$.02 this year, next year \$.08, then \$.22 after that; this year's budget still using ARRA funds to off set the rising costs. Mr. McAllister is on the Agriculture Committee, lost about 50 farms this year, only about 1000 farms left in the state, face of agriculture changing, diversifying; Agriculture prices will continue to go down however the legislature is working on a system similar to Canada with the quotas. Current use has been revised-\$1.3 million savings this year with new plan. \$123 will be charged to all people currently involved to offset the program costs. VT Yankee- legislature should have left this to the professionals to handle; where will the state get the energy when VT Yankee closes??

VT Route 120-Agnes Mercier questioned when that road is going to be worked on; last done in 1992, 105 to the village. Mr. McAllister advises there is no money to do it and the state claims not enough people travel it. More people need to contact the legislature to get something done.

Marilyn Hackett-who is keeping track of VT Yankee financially?? The state? Rep McAllister-Nuclear Regulatory Board is in charge of that. The current company had bought for a long term investment not short term; if they had operated for another 20 years the decommissioning fund would have sufficient money to shut it down at that point. Rep Pearce- discussion has been scheduled for May 28 at the state house to speak more about VT Yankee.

Corinna Stanley-VT Route 105, 108, 236 all need work, please do your best to represent the town and get improvement money sent this way.

Susan Clark-Has the current use program considered allowing people in current use to get out without the penalty to cut costs?

Robert Irish- Has done research on consolidating school districts, the downfall is that the local schools would have less control on their own budgets. Rep Pearce-The program is voluntary at this point but being discussed for the future.

David Rood-The State needs to start looking for revenue sources. Are we losing revenue from VT Yankee? Rep McAllister, YES, VT Yankee paid \$1 million in taxes last year, also paid money to efficiency VT. Mr. Rood-need to revamp Act 250 to make it easier for business to enter the area. What are we doing to entice businesses to come to VT? Need long term solutions, our children are going to college and have to leave the state to find work. Rep Pearce-The state is offering Economic incentives to company's to come to VT.

1. To elect a moderator for the ensuing year. Gilbert Dewing/Susan Clark nominated Timothy Magnant for moderator. Hearing no other nominations, Timothy Magnant was elected on voice vote. The moderator reviews a couple of rules before starting.

RULES-all questions directed to the moderator, all answers directed to the moderator as well; stick to the subject, no personal attacks, lets remain civil to one another; Unregistered voters may talk with the moderator/groups permission, all unregistered voters were acknowledged

2. To receive and act upon the reports of the several town officers: Polly Gadbois/Michelle Guilmette moved to accept the Auditors report, pg 7, Town Clerk & Treasurer's report, pg 8 and Selectboard report, pg 9 & 10. Motion approved, reports accepted.

Polly Gadbois/Jean Richard moved to accept the Road Commissioners report, pg 10, Paving progress report, pg 11. Kim Maynard questioned using crushed ledge and how we are tracking use/cost? Paving, no mention of Morses Line road, where is that road on the paving agenda? Peter advised the cost of the ledge is \$4,000 per mile. Do not know when Morses Line Road will be done, applying for 2/1 State grants for Swamp Road this year. We are saving money on grading and chloride with the ledge. Brian Sartwell spoke of Barnum Rd, may be saving money on chloride, however for a couple of weeks ago there was more dust than during the middle of the summer, something more needs to be looked at, works good for packing but something else needs to be on top of that.

Brenda Wright-trading trucks, 2006 Mack should last more than 7 years, \$180,000 seems outrageous-that expense should be looked at. Peter -The International truck was costing \$10,000-15,000 a year to keep it on the road, costing more money to keep, dealer advised we should trade every 7 yrs. Got \$20,000 for the 10 yr old International truck, the new truck was with all new plow equipment. The old truck needed front end work, back all rusted, tires, broken springs, electrical-a lot of expenses for one year. Brenda thinks the trucks should last longer than they have.

Adrian Rainville-what about sub contracting out the road work, cheaper than buying a truck Brian Barnum-salt and sand is causing rust problems because of way the truck is set up. Town should be checking into other ways of setting up the trucks, maybe a slide in sander? Peter advised it had been looked into, was very expensive, doesn't know how long it would last, would need to get more information on long term cost and savings.

Brenda-how many miles put on a truck a year, Howard advised about 25,000 to 30,000.

Clark Hubbard-front ends wearing out on trucks due to road conditions.

John Giroux- During the summer time much time and expense is spent bringing sand into town to pile. Explore keeping sand in the pit until town needs it to sand the roads on the east side of town.

Peter advised the sand is mixed with salt, they would need a loader that starts in the cold, and would need all those things at the pit with 24 hours access. Motion approved, reports accepted.

Polly Gadbois/Jean Richard moved to accept Planning Commission, pg 11, Zoning Administrator, pg 12, Zoning Board of Adjustment report on pg 13. Kim Maynard-planning commission report-what are goals for 2010, what was completed last year? Why is there such a high turnover on this board? Vacancies need to be posted. Clark Hubbard, planning commission member, advised the town plan that was accepted in 2007 in being worked on for updating. Zoning bylaws are also being updated. Last year several planned developments were approved and some zoning updates made.

Scott advised board vacancies will be posted at store, town clerk's office and also on the website John Giroux-ZBA only denied one permit last year, all the rest were approved. Seems like this should be the other way around, more permits should be denied. Why was Jamie asked to resign from PC when he was elected to the Selectboard? Moderator stated out of order, that questioned will not be addressed. Peter Kittell is currently on the PC to help improve communications. Susan Clark stated the ZBA is obligated by statutes/law on all decisions. Robert Irish, Zoning Administrator, advised that adding living space to camps at the lake must have ZBA review/approval, the ZA cannot approve these permits. Agnes Mercier-do you have to live in Franklin to serve on PC? Peter Kittell advised no, majority has to be residents. Peter K. states if he is on the PC putting in the time, he would like to be able to vote. Kim-Selectboard member is automatically on the PC as an ex officio member, Judith McLaughlin stated it should be looked at; Peter should then resign from the Selectboard if he wishes to be on the Planning Commission.

Johanna Crane-Godin-PC does not have a set number of people on it, can have as many as they would like. Jean Richard stated it is very difficult to fill these board seats and commend them for a job well done. She made the motion to move this question. Cecile King seconded. Question has been moved by 2/3; vote taken. Motion approved, reports accepted.

Polly Gadbois/Jean Richard moved to accept the Enhanced 911 and Emergency Management Coord. reports, pg 14. No discussion had. Motion approved, reports accepted.

Polly Gadbois/Jean Richard moved to accept Franklin Homestead & VT Community Development Block Grant, pg 15, Town Health Officer, pg 13, Cemetary Commissioners & Lake Carmi Campers Assoc, pg 16 . No discussion had. Motion approved, reports accepted.

Polly Gadbois/Jean Richard moved to accept Watershed Committee report and financial report, pg 17 & 18. Marilyn Hackett- Franklin Watershed doing great work. What are the results of the water sampling? Is the work paying off? Susan Clark will forward the information on the website where you can view results. No other discussion had. Motion approved, reports accepted.

Clark Hubbard/Michelle Guilmette moved to accept the Haston Library report, pg 19, Haston Library Combined Financial report, pg 20, Haston Library fund, Eben Racine Memorial, Window refurbishment funds, pg 21. No discussion had. Motion approved, reports accepted.

Susan Clark/Johanna Crane-Godin moved to accept the Comparative Balance Sheet, pg 22 and Treasurer's Report, pg 25. No discussion had. Motion approved, reports accepted.

Michelle Guilmette/Jean Richard moved to accept Selectboard General orders, pg 30-35, Equipment funds and dog report, pg 41. Kim-questioned IRS and TD Bank charges. Lisa Larivee-TD Bank is for the interest on the tax anticipation note taken. IRS payroll fine for taxes paid in late.

Marilyn Hackett-VLCT what do they do for TOWN? Lisa advised they do training classes, workshops, legal advice, provide our insurances. Motion approved, reports accepted.

Polly Gadbois/Brenda Wright moved to accept the Selectboard Highway and Weed Harvester orders, pgs 36-40. Brenda Wright would like truck repair expenses broken down for next year. Peter, we do track each year, available at the office for review. Michelle Guilmette, auditor, advised we can put in next year's town report. Kim Maynard commented on health insurance very high for highway, \$25,000 for future purchases, what is being bought at each pit for gravel? Peter advised Leach is where we buy our gravel and sand, and ledge, Swanton Lime for the crushed stone. Insurance is that for the 2 men. Last year we budgeted \$4.00 per gallon for fuel then price dropped leaving a large credit on our budget plan, so the board moved money into the Equipment fund. Even though the budget was cut \$44,000 we still had money left over. Clark Hubbard questioned paving expense from Pike; Peter advised we resurfaced some of Hanna and Gallup. Scott-the clerk's office has new spreadsheets broken down by year for the individual road work.

Polly-with the new accounting system, financials could be by road in that program. Motion approved, reports accepted.

Moderator asked if there was no objection he called for a break and invited Justin Rainville to speak. Justin Rainville, Franklin Fire Departments Chief presented plaques to Brian Barnum and Marshall Ploof for 40 years of service on the Fire Dept.

Polly Gadbois/Michelle Guilmette moved to accept Franklin Fire Dept, pg 42, Fire Dept Treasurer, pg 43, Franklin Rescue, pg 44, and Rescue Treasurer report, pg 45. Kyle Lothian-need more volunteers, no amount of money will help keep our Rescue service going, thanked everyone for their service. Motion approved, reports accepted.

Johanna Crane-Godin/Kyle Lothian moved to approve Delinquent Tax Collectors report, pg 46. Johanna noted that delinquent taxes for 2009 are currently under \$10,000. Motion approved, reports accepted

3. To see if the voters will vote an adequate sum of money to meet current expenses, deficit, and debt payment of the town as indicated in the proposed municipal budget. Scott Choiniere/Polly Gadbois made motion to approve 2010 budget at \$653,886. (On page 26 & 27) Kim Maynard asked why we are not voting on a "to be raised by taxes amount". Lisa stated that the tax rate not set until July and that the income received between now and then could adjust that amount. Hugh Gates questioned, wouldn't a motion for "to be raised" be the same as a "budgeted" motion. He feels that things should continue the way we have been.

Clark Hubbard wanted to know what the \$95,000 for paving is budgeted for. Is it Swamp Road? Peter Kittell responded that the Town is trying to get 2/1 State grant monies for Swamp Road paving. The money budgeted is going to be used for paving Square Road after the sidewalk project is completed. Johanna Crane-Godin: page 27, what is the \$24,700 for rescue going to be spent on? Polly stated that the town has entered into a contractual agreement with Enosburg Rescue to cover the Town. What are the Legal Fees- Peter Kittell advised the town has 2 cases in court right now. Mrs. Godin makes comments on chloride line, use all of it, please to keep the dust down.

Marilyn Hackett-legal fees, anticipate lawsuit over town prayer, increase the amount of money for legal fees.

Question raised on the 2008 True Up in revenue? Lisa, Treasurer, advised it is the reconciliation of the educational grand list at the end of school fiscal year with repayment to the town by the school. Hold Harmless Money, how does it work? Scott informs it is from the current use program. A portion of property is exempt from taxes through the current use program; state sends money to town, lowers land owners tax bill.

Scott-rescue money of \$19,133 was given back to the town, that money will offset this year's contract, full effect of contract will be felt next year.

Marilyn Hackett makes a motion to amend the budget to add \$10,000 towards legal fees. Robert Irish seconded. Jean Richard comments that budgets are always a guess, doesn't feel we need to raise the budget any higher today if additional expenses arise will find the money necessary in other lines. Amendment failed, all opposed.

Mike Lawyer-error in calculation of 2009 tax rate on pg 23, Lisa advised the column numbers are correct just the bottom did not total correctly, should have been \$1.6544.

Johanna asked to put a piece of paper in report with corrections next year.

No other discussion had. Motion to approve a municipal budget of \$653,886. Motion approved on voice vote.

4. To see if the voters will approve an increase to the veteran's exemption amount from \$10,000 of appraised value to \$20,000 of appraised value in accord with 32 V.S.A. §3802(11) first effective for the April 1, 2010 tax year. Kyle Lothian/Jean Richard made the motion to approve. Johanna Crane Godin asked what would the dollar amount be that is exempt? Lisa informed that \$10,000 is already exempt by statute. The additional amount would be \$10,000. Cecil King stated he is a veteran, first time he has ever heard of this. Lisa Larivee advised you have to apply through Veterans Affairs and be 50% disabled.

Robert Delorme states he went to the selectboard in the summer for \$40,000 exemption, introduced in 1967; 50% or more disabled due to an service related injury, 133 towns in VT have the \$40,000 exemptions, 47 additional towns voting today to increase there exemptions to \$40,000. Franklin has 6 veterans that are getting this benefit currently. It is however the select board's discretion of warning the amount to be exempt.

Kyle Lothian/Bob Delorme made a motion to amend the veteran exemption up to \$40,000. Tim ruled amendment out of order due to it being not germane. Judith McLaughlin stated the motion should be allowed to be made.

Polly Gadbois/Michelle Guilmette made the motion to adjourn the meeting until 1:00pm, Tim and Lisa will contact the Secretary of State's office for an opinion on this article. Meeting recessed for lunch. The meeting reconvened at 1:05 p.m.

The Moderator and Town Clerk called the Secretary of State and were advised that the motion was not germane. We will continue with the original article as warned. Robert Irish would like to know what the impact would be on an owner's property taxes. Lisa advised that if your home is valued at \$100,000 then you would pay about \$1.00 more on your taxes if the exemption is raised to \$20,000. Judith McLaughlin would like everyone to support this article. Motion passed on voice vote.

5. A: One Selectboard Member for a term of three years: (by ballot) Kyle Lothian nominated Scott Choiniere (31 votes). Cecil King nominated Robert Cormier (15 votes). Kevin Thayer nominated Peter Magnant (86 votes). Each candidate gave a speech.

Vote by paper ballot done. Peter Magnant elected selectperson for 3 year term.

B. One Selectboard Member for a term of two years: (by ballot) Kyle Lothian nominated Scott Choiniere (87 votes). Cecil King nominated Robert Cormier (36 votes). Vote by paper ballot done. Scott Choiniere elected selectperson for 2 year term.

C. One Lister for a term of three years: (by ballot) Jean Richard nominated Gilbert Dewing. No other nominations. Motion passed on voice vote. Gilbert Dewing elected lister for 3 year term.

D. One Auditor for a term of three years: (by ballot) Polly Gadbois nominated Carole Richard. No other nominations. Motion passed on voice vote. Carole Richard elected auditor for 3 year term.

E. A trustee of public money: Brian Sartwell nominated Timothy Magnant. Timothy Magnant declined. Johanna Crane-Godin nominated Susan Clark. Hearing no other nominations, Susan Clark was elected on voice vote.

F. A trustee of the Haston Library Fund. Susan Clark nominated Kim Maynard. Hearing no other nominations, Kim Maynard elected on voice vote.

G. Two Haston Library trustees for terms of three years: Alyson Racine nominated John Gratton and Amanda Grissom. Hearing no other nominations, John Gratton and Amanda Grissom elected on voice vote.

H. A collector of delinquent taxes for a term of one year: Susan Clark nominated Johanna Crane-Godin. Hearing no other nominations, Johanna Crane-Godin elected on voice vote.

I. A constable for a term of one year: George Godin nominated Burt Maynard. Hearing no other nominations, Burt Maynard elected on voice vote.

J. A town agent to prosecute and defend suits in which the town is interested. Susan Clark nominated George Godin. Hearing no other nominations, George Godin elected on voice vote.

K. One or more grand jurors: Brian Sartwell nominated Doug Clark. Greg Bouchard nominated Andrew Godin. Hearing no other nominations, Doug Clark and Andrew Godin elected on voice vote.

L. One representative to serve on the Franklin Homestead, Inc. Board of Directors for a term of three years: Gilbert Dewing nominated Kay Papazoni. Hearing no other nominations, Kay Papazoni elected on voice vote.

### **Recessed regular Town Meeting and enter Town School District meeting**

6. To elect a moderator for the ensuing year. Gilbert Dewing/Jean Richard nominated Timothy Magnant as moderator. Hearing no other nominations, Timothy Magnant was elected on voice vote.

7. To act upon the reports of the school directors. Polly Gadbois/Jean Richard moved to accept reports of the Superintendent, Principal and School Director on pages 48-50. No discussion, motion passed on voice vote.

Michelle Guilmette/Pauline Favreau moved to accept report on the Cross Roads, After School program on pg 51. No discussion, motion passed on voice vote.

Michelle Guilmette/Pauline Favreau moved to accept reports of FNWSU Treasurers report, pg 55, Agency Funds, Combined Balance Sheet, pg 58, and Franklin Treasurer's Report and Roof Renovation project on pg 59. No discussion, motion passed on voice vote.

8. Will the voters of the Franklin Town School District appropriate \$1,507,600 necessary for the support of the Franklin Elementary School for the school year beginning July 1, 2010 through June 30, 2011. Polly Gadbois/Michelle Guilmette moved to approve \$1,507,600 for the school year 2010-11. No discussion had. Motion passed on voice vote.

9. To elect one Franklin School Director for a term of three years: Pierrette Bouchard nominated Jon Gates. Hearing no other nominations, Jon Gates elected on voice vote.

10. Will the voters of the Franklin Town School District authorize the school directors to borrow money to pay the current expenditures in anticipation of taxes and to sign notes for that purpose. Jean Richard/Michelle Guilmette moved to authorize the school directors to borrow money. Motion passed on voice vote.

11. To transact any other business legally authorized to be transacted; considered appropriate and necessary when met. No other business.

### **Recessed Town School District meeting and enter regular Town Meeting**

12. To see if the town will authorize the selectboard to borrow money in anticipation of taxes for the needs of the town. Polly Gadbois/Michelle Guilmette moved to approve. Susan Clark would like to know how much money was borrowed last year. Lisa Larivee advised \$125,000. We had it for 45-60 days and paid \$254.05 in interest. Motion passed on voice vote.

13. Shall the voters of the Town of Franklin establish a municipal records reserve fund in accordance with VSA Title 24, Section 2804 for restoration, preservation, conservation and computerization of municipal records, to be funded by revenues of not less than \$3.00 per page not more than \$4.00 per page received from recording fees established under VSA Title 32, Section 1671 (a) (1) and (6) of this section? The exact amount shall be determined by the local legislative body. This fund to be retroactive to July 1, 2009. Michelle Guilmette/Jon Gates moved to approve. Judith McLaughlin would like to know what this money comes from. Lisa Larivee advised that it comes from recording fees that are sent to our office with land record documents for recording. Kim Maynard, what does the town want to charge and do we have it currently set in a liability account? Lisa Larivee advised that we are charging \$4 per statute and it is currently set in reserve. Michelle Guilmette would like to know what the computerization money goes toward. Lisa Larivee advised that the state is pushing all municipalities in the near future to become computerized on a central state land records sight. This will require us to have equipment to scan all of our records and have them in a central database so that attorneys/searchers don't have to come into the office to search. More research needs to be done on how exactly this would all work. Motion approved on voice vote.

14. To elect a person, or persons, to act as cemetery commissioner(s) to care for the cemeteries in the town where there is no one responsible to act in such a capacity. Johanna Crane-Godin nominated Howard Vansette, Jennifer Dewing and Nancy Wilson. Hearing no other nominations, motion approved on voice vote.

15. To see if the voters will set the date of payment of property taxes paid to the treasurer to be October 15, 2010 before 3:30 pm. Jean Richard/Michelle Guilmette moved to accept the due date of taxes. Motion approved on voice vote.

16. To see if the town will vote to publish the names of all delinquent property taxpayers and amounts due and owed to the town as of December 31, 2010. Jean Richard/Michelle Guilmette moved to approve the motion. Marilyn Hackett would like this practice to be stopped; no beneficial reason to put this in the Town report every year. Gerald Gates commented that the books were not sent out to everyone this year, if you wanted one you had to pick one up around town. Motion approved on voice vote.

17. To elect any town officers to fill any town office that may be vacant at this time. Polly Gadbois nominated Lisa Larivee as Town Clerk. Hearing no other nominations, motion approved on voice vote. Lisa Larivee elected Town Clerk for three year term.

18. To see if the voters of the Town of Franklin will authorize the Auditors to distribute the Town Report by making copies available at three (3) locations in town and further authorize the Auditors to mail copies to any taxpayer who would request same. Clark Hubbard/Polly Gadbois moved to approve. Corinna Stanley wanted to know where the town reports were left this year to pick up. Lisa Larivee stated at the School, Franklin Telephone, Franklin General Store and Town Clerk's office. Jean Richard wanted to know if we printed the same amount this year. Polly Gadbois responded we paid for 500 and got 525. We may have about 50-100 left, less than in past years. Betty Rainville stated that many people in Florida were reading this year's warning on the Town's website. Motion approved on voice vote.

19: To transact any other non-binding business thought proper when met: Susan Clark would like the selectboard to go to the government day and testify about the roads and the conditions that they are in. Clark Hubbard would like to know who the transportation person is that represents Franklin. Scott Choiniere replied that he is now part of this committee. Wendy Sargent would like to know what we have to do to get a traffic count of VT 120 to show the state that there is a lot of traffic on that road. Scott Choiniere will speak to Randy Reed about that. Scott stated the state is trying to keep the good roads in that condition and they are just letting the bad roads get worse. Marilyn Hackett spoke on having prayer at Town Meeting and why is it town business at all. She and others went to the selectboard to give them other options to replace prayer. Ms. Hackett stated she was told the day before town meeting that there would be a moment of silence and felt that would be a good compromise. This morning the prayer was still done and she will bring a court injunction to get it stopped. Need to compromise on this next year.

Peter/Timothy Magnant wanted to thank the Town and the Auditors for dedicating this year's report to their father, Tom Magnant.

Judith McLaughlin wanted to know if we could just vote on the prayer before town meeting and do what the majority wanted. George Godin stated that democracy is here to protect the minority.

Wayne Fiske wanted the board to know that between 5:30 – 8 am everyday people do not stop at the intersection of Browns Corner, Durkee and Barnum Roads. Some policing of that should be done.

Pierrette Bouchard would like Morses Line Road to have some work done to it before it becomes very bad.

Alyson Racine thanked everyone for their donations to the Haston Library's luncheon today.

Burt Maynard would like to know what can be done at the intersection of School Street and Main Street where the water line is causing a big dip.

Cecil King-section of road by his house, no one plows it, gets bad frost heaves, general parking, part of sidewalks now heaving and becoming rough.

George Godin-commented on large trucks that highway dept has, could we get a one ton truck with a plow to do some of the smaller jobs?

Jean Richard/Susan Clark made motion to adjourn Town Meeting. Motion approved on voice vote.

Meeting adjourned at 2:40 p.m.