

**FRANKLIN SELECTBOARD MEETING
MARCH 8, 2011
FRANKLIN TOWN CLERK'S OFFICE**

Members Present: Scott Choiniere, Peter Kittell, Kyle Lothian, Yvon Dandurand and Peter Magnant, and Sara Rainville (Assistant Town Clerk).

Guests: Hugh Gates

Scott called the meeting to order at 7:00 p.m. and welcomed the new board members to the meeting. The pledge of allegiance was said.

Board Reorganization:

Peter Kittell/Kyle Lothian made motion to elect Scott Choiniere as chairman. No other nominations. Motion passed 4 yes, Peter Magnant – no.

Peter Kittell made motion to elect Peter Magnant as vice chairman. No other nominations. All in favor, motion passed 5-0.

Kyle Lothian/Peter Magnant made motion to elect Peter Kittell as Road Commissioner. No other nominations. All in favor, motion passed 5-0.

Appointments:

Peter Kittell made motion to appoint Robert Irish as Zoning Administrator for a one year term. No other nominations. All in favor, motion passed 5-0.

Peter Kittell made motion to appoint Dan Larivee, Kyle Lothian and Judith McLaughlin to the Planning Commission, each for a four year term. Peter Magnant stated that there is no law preventing a Select board member from serving on the Planning Commission, however, he personally feels that the board should refrain from any actions that could be perceived as a potential conflict. Kyle agreed stating he is declining the nomination to serve on the Planning Commission.

Peter Magnant/Peter Kittell amended motion, would like to appoint Dan Larivee and Judith McLaughlin to the Planning Commission. All in favor, motion passed 5-0.

The board will invite Brooke Sturtevant to the next Selectboard meeting as he has shown interest in serving on the Planning Commission.

Peter Kittell made motion to appoint Carolyn Kittell and Chris Bolton to the Zoning Board of Adjustment, each for a three year term. No other nominations. All in favor, motion passed 5-0.

Peter Kittell/Scott Choiniere made motion to appoint Dennis Demar as animal control officer for a one year term. No other nominations. All in favor, motion passed 5-0.

Peter Kittell made motion to appoint:

Tree & Fire warden: Burt Maynard

Keeper of street lights: Donald Gates

Town service officer: Pauline Gadbois

Health officer: Pauline Gadbois

Keeper of town clock: Cliff Bullis

Emergency management coordinator: Justin Rainville

All in favor, motion passed 5-0.

All members approved Scott's signing of the Town Service Officer appointment for Polly Gadbois. Appointment signed.

Peter Magnant will speak to Robert Cormier on the open E911 Coordinator position to see if he is interested in filling that position.

Permit Fees:

Peter Kittell advised that the zoning administrator pay is from the permit fees that are collected. The board reviewed the fees, no changes made.

Public Comments:

Hugh Gates was welcomed to the meeting.

Hugh stated that the sworn statement that Scott gave to the attorneys about the sand shed/salt shed was false and misleading and that the sand pile is entirely on the Westcot property. Peter Kittell stated that it is all Town land now. Hugh continued to inform the board of the ROW agreement that was made with the Hull's and the restrictions that were put in place. It was never anticipated that the Town, Hulls or FHI would ever need to change the current use/agreement. Franklin Telephone has objected to the paved Park & Ride since day one while FHI has always supported it.

Scott updated the new Selectboard members on the two court cases the Town has involving Franklin Telephone and the Park & Ride, one case is in environmental court and one is in mediation. One involves the ROW and the other is about the Park & Ride itself. Hugh stated that his primary issue is the expanded use of a private ROW.

Hugh would like to know what the Selectboard is going to do about the lawsuit that was served to them regarding prayer at Town meeting by the ACLU. He believes that this should be brought to the town's people to discuss. To the best of his knowledge Town meeting has always been opened with a prayer or some sort of invocation. He really feels strongly that we should bring it to the voters for their support. There are other groups out there that are willing to assist the Town with the lawsuit. Hugh stated when he was in the legislature prayer was said everyday and those not interested in hearing it would stand outside then enter once it was finished. Hugh further commented that we never denied the plaintiff her right to speech or to vote. Hugh would like the town agent, George Godin, to help the Town; that is what he is there for and he does not cost the Town money like the attorneys will.

Scott stated that the Town has 30 days to accept/respond to the lawsuit.

Hugh restated his wishes for the voters to help, if there is any vote, he would like it to be by paper ballot.

Hugh was thanked and he exited the meeting.

Highway Projects:

Peter Kittell inquired as to if the members had thought of any projects they would like to see the highway department do in 2011.

Peter Kittell informed the board that the Town had received another Better Back Roads Grant in the amount of \$10,000 for the Dewing Shore Road bank stabilization project. He stated that the project will take more funds than just the grant money; some additional money will come from the equipment rental budget. Peter Kittell noted that usually with these grants you cannot touch any of the trees; he feels that we may end up damaging the roots if we dig up the road as he would like. There also should be some shoulder work done and new trees could be planted after the project is completed. There is 500'-600' of road that still needs to be done; Peter Kittell has spoken with Jim Dewing about the possibility of him doing the project. Peter Kittell stated that we could do \$10,000 worth of work on Dewing Road this year then reapply for the grant again next year to finish the project; there is not any guarantee that we would get approved for the grant next year, it could be a few years until grant funding was received again.

Peter Kittell stated that shoulder work needs to be done on Morses Line Road before any paving begins. The price of paving and the best time to pave was discussed. The board wondered whether or not the grader or loader could be used to shave the shoulder back. Scott wanted to hear the board's thoughts on the section of road in front of the Bouchard Farm, is there ledge under the road? Peter Kittell believes that there is and it would be very costly to blast it out.

Also Square Road needs to be finished this year; the correct slopping needs to be done when pavement is put down to ensure that the drains work properly.

It was noted that there is also ledge under sections of road on Middle Road and possibly Browns Corner Road by Carl Vieta's.

Peter Kittell will speak to the highway department to see if they have any suggestions on projects for 2011.

Peter Magnant/Yvon Dandurand stated they have received a lot of positive feedback about the crushed stone that is being put on the roads.

Motion made by Scott/Peter Kittell to enter executive session. All in favor, motion passed 5-0.

Executive session entered at 8:35 p.m. to discuss legal matters.

Motion made by Peter Magnant/Peter Kittell to adjourn executive session. All in favor, motion passed 5-0.

Executive session adjourned at 9:07 p.m.

Sara informed the board that there is an issue at the garage again with moisture. Peter Kittell will speak to the highway department about the ventilation fans and setting the thermostats to 55 degrees.

The next regular Selectboard meeting is March 14, 2011.

Motion made by Peter Magnant/Peter Kittell to adjourn the meeting. All in favor, motion passed.

Meeting adjourned at 9:24 p.m.

Respectfully Submitted,
Sara Rainville, Assistant Town Clerk
March 9, 2011

These minutes are not official until approved at the next regular meeting. Approved on March 14, 2011.