

**MINUTES OF THE FRANKLIN SELECTBOARD  
MONDAY, SEPTEMBER 12, 2011  
TOWN CLERK'S OFFICE**

**Members Present:** Scott Choiniere, Peter Kittell, Peter Magnant, Yvon Dandurand, Kyle Lothian, Lisa Larivee (Town Clerk/Treasurer)

**Guests Present:** Diane Stowe, Joyce Dodd, Leonard Larose, Helen Dever, Larry Myott, Peter Benevento, Ruth Ann Krayesky, Carolyn Rhodes, Rich Ross, CBP, Aaron Porter, CBP, Norm Kern.

Scott Choiniere called the meeting to order at 7:00 p.m. The Pledge of Allegiance was said.

**Docks at Beach:**

Diane Stowe, Joyce Dodd and Leonard Larose entered the meeting to discuss their docks on the Town's North Beach. The board reviewed with VLCT's attorney of grandfathering the two existing docks and not allowing any others. VLCT attorney advised for liability reasons the town should not allow any private docks on town property. Diane advises they use their dock primarily for the elderly family members for boating access; would be unfair to take that privilege away from them. She stated that their taxes should be lowered as they would have no ROW for lake access. Mr. Larose has his dock for the business and states he should not have to remove the dock as they have always been there. Helen Dever states that there have been docks there since 1952 to her recollection. He spoke with Wayne Laroche about liability issues and how the state views recreational use of public property; that there is a statute that releases property owners of any liability. This statute has exceptions- that it does not apply to municipally owned land.

Some suggestions that were made by the parties will be looked at further by the town clerk and board for discussion and a resolution for everyone. .

- Signs of "personal use only", "use at own risk" may be installed on docks.
- Acquire a permit for the docks
- Lease of a right of way for docks by the parties
- Speak with other towns that have similar situations.

Thanked residents and they exited the meeting.

**Border Patrol:**

Rich Ross and Aaron Porter from CBP entered the meeting to discuss with the board their work and presence in town in cooperation with VT State Police and Franklin County Sheriff depts. They want everyone in town to be encouraged to call with concerns or suspicious activity. Shawn McVay is the head in charge of the area. Thanked by the board for continued efforts and exited the meeting.

**LCCA Weed Committee:**

The LCCA members entered to review with the select board the proposed permit for herbicide application on Lake Carmi. LCCA voted at their last meeting to continue with the application and must have the support of the town as the main applicant for the state permit. Applications are due by Dec 1 so the group would like to get it in soon. LCCA are requesting financial support of the town for a 5 year project of up to \$20,000 per year.

Board thanked LCCA members and they exited the meeting.

The board further discussed the 5 year plan and funds requested from the town. The funding must be presented to the voters at town meeting for approval. Scott/Kyle made a motion to approve the town to be the applicant for the state permit for the use of herbicides on Lake Carmi. No commitment to the project at this time and of funding until approved by the voters. Members voted 4-1, Peter Magnant-no, 4 yes, motion passed.

**Town Clerk's Concerns:**

- Norm Kern entered the meeting to discuss home burials and rules. Lisa reviewed them with the board and Mr. Kern. The health officer has been contacted to inspect the burial site with Mr. Kern. The town has no financial responsibility or obligation.
- FEMA workshop: Lisa has been unable to get other town participation at this time. In light of the state disaster, the workshop has been tabled until spring.
- Town hall painting: Boy has been contacted by a person looking for community service work. Will be in touch with him about painting. The board members will also assist with getting the painting done.
- Kyle is working on installing front rails.

- Northwest Regional Planning energy efficiency grant progress will be checked on by Lisa to get a date of award so the work may be done before this winter.
- Minutes: August 8<sup>th</sup> minutes reviewed, Peter M/Scott made the motion to accept as written. 5-0 All members voted in favor. August 22<sup>nd</sup> minutes reviewed, Kyle/Yvon made the motion to accept as written. 5-0 All members voted in favor. August 25<sup>th</sup> minutes reviewed, Scott/Kyle made a motion to accept as written. 5-0 All members voted in favor.

#### **Old Business:**

- Tri-town committee: A Municipal Planning Grant Resolution has been completed for the grant between the three towns for funding to study the Highgate arena. Peter M/Yvon made the motion to sign the resolution for the MPG for the joint 3 town arena study. 5-0 All members voted in favor and signed.
- High Risk Road project (Rice Hill) from the state has been reviewed and strategies have been written to resolve safety issues. The board discussed and approved/agreed to the upgrades of signs. Lisa will send to the state highway dept.
- Boat launch lease with F & G reviewed and amended to board requests: A boat access dock must be installed, widen the north side of Rte 120 to create more parking area, must have use of area for all community events (fireworks) as necessary.
- Beach policy reviewed and discussed. VLCT has been requested to review for Oct meeting.
- Weed harvester operator timesheet was reviewed. Board advised ok to pay.

#### **New Business:**

- All “children at play” signs must be removed as advised by the state. Not legal signs and create a liability for the town to have them installed.
- Driveway permit for Corey Martin on Riley Rd. Howard has inspected and instructed a culvert to be installed per minimum town standards; 15” by 30’ long. Peter K will speak with Mr. Martin about run-off not going into the road, safe site distance; not sure this can be achieved at this location. Board approved with Peter K discretion after reviewed with owner. Peter K will also check the upgraded farm driveway of Andre Blouin on Morses Line Rd to see if a culvert is needed there.
- List of trees that need to be trimmed at the request of the bussing company was given to Peter K to forward to the highway crew.
- Dog complaint regarding Josh Packard’s dogs. A community member was bitten by the dog and the dog has been aggressive to the neighbors on their own property. Lisa will do a letter of warning to Mr. Packard about the dogs being confined and on his own property at all times and will enclose the dog ordinance and leash law.

#### **Selectboard Folder:**

- Prayer lawsuit info from attorney.
- VLCT letter regarding health insurance changes
- Cross Consulting – Act 250 documents for an extension on a subdivision by Harrisons in Berkshire on the Franklin border.
- Land Trust notification of property owned by Ron & Lynn Paradis
- Park & Ride legal information
- Cleaning service advertising for business
- Training calendar from VLCT

#### **Member Concerns:**

- The cross walks on Square Rd need to be repainted after the resurfacing was done. Peter K will speak with Boy about getting the stencils from Highgate.
- Lisa advised the board that the school has had some vandalism of picnic tables and tampering with windows.
- Yvon has advised that there is a bump (raised culvert) on the Morses Line Rd between Minkler/Raymo that should be taken care of as it is a safety hazard. Peter K will look into.
- Attendance of representatives from the town with North West Regional Planning Commission board has been very poor. If there are other community members that would like to serve on this board we should encourage them.
- Guard rail trimming will be done this week by the highway crew, there is much large brush growing up.

Next regular Selectboard meeting is October 10, 2011.

Peter K/Peter M made a motion to adjourn the meeting. 5-0 All members voted in favor, motion passed.

Meeting adjourned at 9:55 p.m.

Respectfully Submitted,  
Lisa Larivee, Town Clerk  
September 14, 2011

***These minutes are not official until approved at the Select board's next regular meeting.*** Minutes were approved October 10, 2011.