

**MINUTES OF THE FRANKLIN SELECTBOARD  
WEDNESDAY, JUNE 11, 2014 @ 7:00 P.M.  
TOWN CLERK'S OFFICE**

**Members Present:** Peter Magnant, Yvon Dandurand, Brooks Sturtevant, Andrew Godin, and Sara Rainville, Assistant Town Clerk

**Guests:** Mike & Sheryl Garala, Peter Benevento & Larry Myott, LCCA; Delbert Cook, Silas Rainville

Peter Magnant opened the meeting at 7:02 p.m. The pledge of allegiance was said.

**Public Comments:** Mike & Sheryl Garala, Dewing Road camp owners, entered the meeting. They have been in attendance to previous select board meetings and have also done a site visit at the project location with the contractor. They explained to the board that they only have a 37.8' parcel of land along the lake and now the new bridge will take 4' from them, can the bridge be moved further up shore? The contractor told them that was a possibility. Peter stated that it can be reviewed with the engineer at Ruggiano; the goal of the board is to minimize the bridges impact on surrounding land owners while fixing the bridge. If the bridge was to move, the wing wall would also have to be moved, the proposed change has the potential to add an additional \$12k to the project. The Garala's would like to know the Town's position on the loss of property that will occur with the bridge project, they feel that they should be compensated. Peter stated that all of the work being done is within the Town's ROW on Dewing Road. Mike would like to know if the rocks that are removed during the project could be placed in front of their lot to increase their lot size. The plans were reviewed and the ROW was discussed. Peter said that the Town's attorney has located the plans in the Town land records laying out Dewing Road and that it is a 4 rod road.

The Garala's further stated that their dock & property is not public but the public uses it constantly for fishing, parking, campfires, etc; they have video and pictures of people doing as they please on their private property. Putting signs up and the parking of cars along Dewing Road was discussed. The Garala's are looking for the Town's support to put a stop to it. The board agreed to discuss. The Garala's were thanked.

**LCCA:**

Larry Myott & Peter Benevento (LCCA), Delbert Cook (weed harvester operator) and Silas Rainville were welcomed to the meeting. The LCCA would like to see the harvester out on the lake more. Peter B would like to know the area, hours, plans, etc. for the weed harvester this year. Many campers are already having issues getting out from their docks as the milfoil is very bad already. Peter M stated that Silas is interested in assisting Delbert; he needs to complete the boater's safety course. Delbert stated that he starts at the south end and works there for about 5 weeks before moving the boat to the north shore where he does another 5 weeks, then back to the south. He generally is on the water nights and weekends; it takes about 2 hours to move the boat from one end of the lake to the other. Yvon gave an overview of last year's harvesting season. Silas would be able to be on the lake Sunday's & Monday's, Brooks stated that he would also be willing to assist Delbert & Silas; Brooks noted he is currently taking the boater's safety course online. Delbert felt that they should be able to get in many more hours this year than in past if all 3 of them set up a schedule. Delbert & Silas were thanked and exited the meeting.

Lisa Larivee, Town Clerk, entered the meeting at 7:30 p.m.

Motion made by Yvon/Brooks to approve Peter M signing the July 3<sup>rd</sup> fireworks letter for the LCCA. All in favor, Peter signed letter.

Peter B discussed the Mill Pond dam with the board and who controls it.

Peter B also gave the board information on a new harvester from Aquamarine; a new boat would be \$50k+, this may be something that needs to be looked into sooner than later. He stated that a new harvesting area has been added by Sandy Bay and will get an updated map from the State for the Town & Delbert. Applying herbicides to Lake Carmi was discussed, the board is against it. The LCCA would like the board to keep an open mind about all possibilities to get the weeds under control at the lake. Yvon stated that the herbicide application is very costly and is not a long term fix for the milfoil; he has spoken to several towns that have used it and they were not supportive of using it further. Yvon has a hard time with intentionally adding chemicals to the lake when there is such a huge problem with the chemicals that nature is putting into the lake already. Hand picking seems to be the

most effective on the lakes that have done it; it is not practical for Lake Carmi based on the lake size and areas that are dense with the milfoil. Larry stated that the LCCA met with scientists that thought this would be effective at Lake Carmi. The herbicide is applied to certain areas in the lake on a 5 year plan at \$50-\$70k per application and does not affect the native plants, only the milfoil. Peter B stated that they are not sure how effective the weevils were, they still need to check the area that they were released into and possibly try it again next year as well. Yvon stated that the decision to apply herbicides will ultimately come to the Town voters; the board will support the town voters. Peter B would like to hold an informational meeting on this topic.

Peter B gave the board information about the lay monitoring program around the State and pointed out the Lake Carmi information; Lake Carmi has the highest phosphorus and chloroform levels in the State. He also discussed the Shoreland protection act that passed and goes into effect July 1, 2014.

Peter B questioned the board as to why the Dewing Road would be closed for so long during the bridge project and if the water would be let down for the project. Peter M responded it's posted as closed for 1 ½ months as the board is anticipating anything that could come up during construction; their goal is to have it closed for less time. The board has been in contact with VT DEC about the dam and removing boards prior to the project starting, still work in progress; it would be less costly to the project to have the water lower. The board is hoping that site work will start August 1 and that the actually bridge structure will arrive September 1. Larry volunteered the LCCA to help communicate to Dewing Road property owner's information about the road closure, etc.

Discussion was had on the camp roads being maintained by the Town and how it had been done that way for years, then came to a screeching halt last year. Peter M stated this has been an issue since he came onto the board and times have changed; Andy stated that the road equipment is really too large for the private camp roads.

Ed Rainville entered the meeting at 7:56 p.m.

Larry gave a history of his communications over the years with past Franklin Road Commissioners and the highway foreman. He would like there to be better communication about issues from the board to the LCCA. Peter M discussed how the Town working on private camp roads camp to light; the Town's insurance, VLCT, will not cover the Town to do work on any private property or road. LCCA members were thanked and exited the meeting.

**Highway Dept.:** Andy presented 3 paving bids to the board: ECI \$74.50 per ton, Pike Industries \$74.76 per ton, and S. T. Paving \$77.77 per ton. The board is looking at paving 1.65 miles from the Highgate Town line east towards the village. Lisa informed the board that the Town was 14<sup>th</sup> in line for a paving grant for 2014, did not receive any paving grant money this year; the board budgets \$100k every year for paving. The paving of Morses Line was discussed at length. Andy stated that there are some cracks on Browns Corner Road that need to be resealed. Yvon also noted that there are some spots on Morses Line that should be sealed and a dip just east of Dan Clark's driveway that should be fixed before any pavement gets laid over it. Yvon/Ed made the motion to spend \$80k on paving in 2014. All members in favor, motion passed. Board will sign contract for paving after the June 18 hearing as they would like to get quotes for the crack sealing first. Yvon/Peter made the motion to pave Morses Line Road from Highgate/Franklin Town line to just past Walter Barnum's. Vote taken 4 in favor, Andrew abstained; motion passed.

Yvon/Andrew made the motion to hire Silas Rainville and Brooks Sturtevant as assistant weed harvester operators for Delbert. Vote taken, 3 in favor, Brooks & Ed abstained; motion passed.

#### **Town Clerk Concerns:**

- **Town hall window:** neighbors have reported that there is a broken window on the south side of the building; Kyle Lothian has offered in the past to help with small maintenance projects, board approved Lisa contacting him to repair window.
- **VLCT recommendations:** Insurance recommending that the Town define the swim area from the State boat launch and add buoys around swim area to keep boats out; these things have been discussed before but no action was taken. Board advised Lisa to order the buoys and that Silas can install them.
- **"Welcome to Lake Carmi" signs:** can't install in State's ROW
- **Voting times:** currently polls open 10:00 a.m.-7:00 p.m., some people have voiced concern and would like polls open 7:00 a.m.-7:00 p.m., BCA would have to approve change in time, consider for future elections.
- **MVU budget:** budget informational meeting on June 16 at MVU; MVU budget vote at Franklin Central School June 17 from 10:00 a.m.-7:00 p.m.

- **FEMA:** money was approved for road side clean-up of brush from the December 2013 ice storm; Lisa gave overview of program and what work had been completed to date. Final paperwork has been submitted for Lisa to sign and return for payment.
- **Grading Roads Class:** Lisa has made calls, waiting to hear back from VT Local Roads.
- **Better Back Roads Grant:** grants were awarded June 6, no word yet on if Franklin received a grant.
- **Financial Reports:** General & Highway income & expense reports were reviewed with the board through June. There is money to be deposited still that will offset some of the over spent line items. VLCT has recommended that Town Treasurer's do a self-assessment of the towns financial records and have the select board approve & sign it. Board agreed that Ed will do this when he reviews the bills. Clerk/Treasurer's office will give the highway department a trial balance report monthly to help them better monitor expenses.

**Watershed:** Alisha Sawyer was present at the meeting (entered at 8:45 p.m.) to give an update on grants & programs. Discussed Regional Conservation funding that is available. Ed stated that nothing in the local watersheds seems to be improving with all the money that has been spent, there is not enforcement on the current laws/regulations on land surrounding them that is used for agriculture. Peter commented that if the phosphorus levels were to decrease in the lake that in turn the milfoil may decrease. Alisha talked about the Marsh Brook mouth being state land and the possibility of doing a pilot project on it with a floating island that deals with the phosphorus. Discussion was had on a variety of future programs that could be done in the Franklin Watershed, the select board supporting them would be best for the future of Lake Carmi.

**Reviewed and signed bills:** The bills were reviewed and signed by the board.

**Town Hall Roof:** no bids were received. The possibility of reposting the bid in the fall was discussed by the board.

**Tree:** The aging tree by the monument in memorial park was discussed as it's rotten on the backside and the board is concerned with it falling. Board would like Lisa to contact VT Electric Coop about taking it down as it's over the power line in their ROW. Jason McConnell has told Pete that the parsonage would take the wood once cut. Ed brought up that there are many roads around Town that have dead trees along them as well, he is willing to ride around with the Road crew once done with current projects.

**Minutes:** Minutes of May 7- Yvon/Andrew made the motion to approve the minutes with changes. All members voted in favor, motion passed. Minutes of June 2- Yvon/Brooks made the motion to approve the minutes as written. 3 members in favor, 2 abstained, motion passed.

#### **Old Business:**

- **Personnel Policy:** tabled
- **Franklin Fire District #1:** Public hearing on June 18 at the Felco Room. Board will have recommendations from John Kiernan at that meeting in regards to system upgrades as well as possible funding sources for those upgrades. Charter wording was discussed as well as prudential committee make up and potential members. Board would like one existing committee member to be on the new board to help with transition. Ed toured the system with Marshall and John Kiernan; metering requirements by the State was discussed as well as adding a vent.
- **Mill Pond Dam:** Peter will contact VT DEC about taking board(s) out prior to the Dewing Road bridge project starting.

#### **New Business:**

- **Dewing Road Bridge:** The board reviewed what had been done to date with members not at the last board meeting. June 20<sup>th</sup> the boring/coring samples are scheduled to be done at the bridge site, cost to be \$2k+/- . Ed will invite Greg Bouchard to be on site for that day. Yvon/Andrew made the motion to approve boring/coring expense on the bridge project. All in favor, motion passed. Builder's risk insurance was discussed at length. Yvon/Ed made the motion that the Town obtain builders risk insurance on the project. All in favor, motion passed.

#### **Selectboard Folder:**

- **CAMA:** listers program/software annual agreement; all members in favor of Peter signing agreement.
- **Driveway permit:** Permit for James Mullen on Riley Road, Howard has already visited and approved; all members in favor and of Andrew signing permit.

- **Aquatic nuisance grant:** The Town has received the weed harvester grant this year, all members in favor of Peter signing grant agreement.
- **Dog complaint:** letter read from complainant about dogs at Messier property on the end of Webster Road barking all of the time and property owners not feeling safe with these dogs next door. Board would like Lisa to send a letter outlining dog ordinance and barking section to dog owners, will also advise of State laws regarding licensing the dogs in the town. Dennis Demar, animal control for the Town, will also be notified.
- **Franklin Fire District #1 Treasurer's report:** available for board to review.
- **Prayer: NY State prayer case ruling:** available for board to review.
- **Franklin County Sherriff:** Franklin coverage report for May available for board to review.
- **Street sign:** "Shore Road" sign needs to be replaced, missing since fall, board approved; Sara will have Howard take care of it.
- **ZBA:** permit approval notice for 75 Dewing Shore.
- **VLCT events & newsletter**

#### **Member Concerns:**

- Dewing Road fishing, trash, trespassing on to private property and parking was discussed.
- Yvon talked about the road side mowing and how it conflicts with the tractor being at the lake with the weed harvester.
- Yvon stated that the information from the traffic counters that are around town will be available at the public hearing on June 18.
- Peter would like to follow up on the cross walk issue that NRPC was helping the Town with.
- June 24 joint school board and select board meeting at the school to discuss the school consolidation bill from last session at the State House.
- June 16 MVU budget informational meeting at MVU, June 17 MVU budget revote at Franklin Central School from 10:00 a.m.-7:00 p.m.

Yvon/Brooks made a motion to adjourn the meeting. All members voted in favor, motion passed. Meeting adjourned at 11:05 p.m.

Respectfully Submitted,  
Sara Rainville, Assistant Town Clerk  
June 12, 2014

***These minutes are not official until approved at the Select board's next regular meeting.***

These minutes were approved at the July 9, 2014 meeting.