

**MINUTES OF THE FRANKLIN SELECTBOARD
WEDNESDAY, SEPTEMBER 18, 2013 @ 7:00
TOWN CLERK'S OFFICE**

Members Present: Peter Magnant, Yvon Dandurand, Andrew Godin, Wayne Laroche, Kyle Lothian

Guests: Larry Myott, Howard Vansette, Robert Baron, Pauline & Paul Loiselle, Steve Hicks, Jay & Martha Shepard, Marcia & Albert Perry, Peter Anderson, Peter Kittell, Larry Tatro, George Kane, Ronald Danyew, Robert Lumnah, Tim & Sharyn Abbott, Dan Larivee, Linda Greenwood.

Peter Magnant called the meeting to order at 7:03 p.m. The Pledge of allegiance was said.

Public Comments:

- Larry Myott-Hammond Shore: spoke of the last board meeting when the decision was made to stop camp road work with no warning; was only informed of the decision by reading the minutes. States there is 33 years of records of some sort of work being done on the roads. Several loads of gravel were dumped on Hammond Shore and then work stopped and it was not graded; now the road is much worse than before. They will get worse as corn chopping will begin. Mr. Myott states they were not notified of this meeting tonight, was by accident that they found out about it, an e-mail notification would have been nice. Many campers are very angry about the decision to stop maintenance.
- Paul Loiselle-Patton Shore: Asked why the board has decided not to do maintenance. Peter states the board discussed that the roads are private roads; not town roads and we have no jurisdiction to be on them. We do not have permission of the road owners to be on the property and are taking a liability there; are also subsidizing the land owners by doing their work on the roads. The owners should be responsible for making sure the road is passable for his leasees. Mr. Loiselle states considering what he pays for taxes what does he get in return, the taxes continue to go up. The only benefit is a great fire dept., no children in the school, no road care? Kyle states as road commissioner there was a huge lack of communication with the board and crew. He agrees that the campers get very few benefits for their taxes. Peter states we are at the end of the camp season and want to take this to the voters. Wayne advises this is a legal issue, the board is charged with reviewing budgets and maintaining roads. As this road is private and we have no legal authority to do work; there may be liability for work done by the town. With Class 4 road residents asking for the town to take over and maintain their road; the policy is that the residents must at their cost upgrade the road to class 3 standards and the town would take it over. Does not set well if the town is doing work on the private camp roads.
- Peter Kittell states that in the late 80's there was an article at town meeting and the towns people said grade the roads and give them gravel on the camp roads; that's how they operated for quite a few years based on the vote. Mr. Loiselle states it would be nice to see a little bit of their tax money came back to them. Kyle states there is no issue to continue as in the past as long as the town's people are aware of the work and approve it. Mr. Myott states many years ago LCCA appointed a representative for each road to go to the highway crew when road care was needed; and work was done as needed. As long as he has been there care was given two to three times a year.
- Wayne Laroche asks if it is known of any consideration or formal agreements with the land owners from the 80's for the town to do work on these roads to cover the town from any liability; above the town's cost approved by the voters for work.
- Pauline Loiselle-Patton Shore asks if the board has spoken with the land owners about this issue? The board states they have not yet. She states this may affect emergency services, insurance coverage, etc. of the camp owners. Wayne states it seems that there would be some liability on the land owner to maintain their road for safety concerns. Mrs. Loiselle states with the low lease payments made to the land owners there is not much incentive to maintain the roads. Would the board consider taking over the roads? Peter states they would have to be upgraded to class 3 standards; and these roads would be difficult to take over.
- Larry Tatro-Patton Shore: If Ted Meunier advised the town could do whatever they wanted to do on the road and there would be no liability, would the town do the work?
- Howard Vansette states he was asked by Mr. Myott to put gravel down on Hammond Shore Rd due to the handicapped resident. Howard states this season all roads have been graded once or twice, and gravel put down if needed. There is no place to turn around on many roads with the grader and brush is dangerous as well.

- Marcia Perry-Shore Rd: They really appreciate any work that is done on the roads. This precedent will discourage people from being here and will lower the value of all camps in the future.
- Tim Abbott: state they have property on Hammond Shore and Patton Shore. Are concerned with the condition of this road and what will happen with the camp values. With the board stating they are responsible for the business of this town; the lake is big business and you should take consideration of managing the lake and roads to keep your tax revenue high, our camp values high and let us work together.
- Albert Perry-Shore Rd: have owned camp for 30 years, understands road commissioners concerns and the boards concerns but don't agree with decision; ask to continue this work as done in the past. With taking to town meeting would ask the that the voters and nonvoters have a say. We like being in Franklin.
- Linda Greenwood-Patton Shore: when we bought our camp the town was maintaining the road and what will happen with people selling camps with this change. Peter states the land owners should have the same concern.
- Peter Anderson-Patton Shore: Dewing road is a town road and plowed. Other roads are not plowed, so not an expense to the town. What benefit does he get from the town? Mr. Perry states as it has been done in the past the board does have the authority to take care of the camp roads. Insurance policies can be acquired inexpensively to cover the town.
- Dan Larivee-Hammond Shore: looking at the tax bills, three-quarters of the bill goes to education; not against education but maybe we should not be so gung-oh about voting in increases in our school budget every year. Maybe some of that money should be used in a different direction. The Watershed gets \$.05/100 which is not a lot but they are an independent group and that's \$5,000 that we could share on our camp roads. The selectboard was voted in to make decisions for the town, sometimes they don't need to go back to the town about this stuff, make the decisions. Wayne states that they will research further and may make the decision easier regarding going to the town. Peter states they look for guidance from the town's people on some issues because they feel they should have input. Kyle states the town taxes are \$2.5 million; campers pay \$650,000, 80% to school/20% town. In the past the wink and nod and hand shake worked but know 30 years later things are different and need to be done properly. Upgrades need to be done for safety and security of roads. Budgets need to be looked at to include these costs and land owners need to give permission to the town for work to proceed.
- Bob Baron-Blackwoods: the roads are in very poor condition right now if someone died or got hurt; there is precedent, you have been doing work for 33 years. You are liable right now until you come out and say you are not doing this because we don't have insurance, these roads are class 4, the state says you cannot do it. You cannot make a decision out of the blue to not do these roads. Wayne states that he does not know what work has been done over the years as a new member; we will look into it further. Peter states it has been an issue since he was on the board. Andrew states in speaking with a past board member they had ceased doing it entirely because of liability; apparently when this member got off the board it changed. There was a time that the town had decided not to do any work at all. Peter feels it is the land owner's responsibility.
- Yvon states he is pleased to see many people to turn out with a legitimate complaint tonight. He is sad to see none of the land owners here regarding this issue. The campers feel the land owners are not concerned with the roads. Larry Myott states he would like to continue with the open communication of the board for all meetings. Kyle thanked everyone for coming tonight.

Member Concerns:

Peter asked Howard if you know how many loads of gravel were put down this year. Hammond Shore got 3 loads; Patton Shore got 2 loads in the spring; 1 load on Shore Rd, half a load on Vic's Crossing. Peter is concerned with the liability issue of what has been done to date. Several board members visited Hammond Shore; where the gravel was put down recently was not bad.

Wayne feels they need to do research of past articles and written agreements for work being done. Seek legal guidance about a precedence of liability for past work that has been done. What is the legal responsibility of the land owner on his private road to maintain for emergency services?

Peter feels they need to do an advisory article for care of the camp roads; not bound to a set amount of work or monies. Kyle feels they should continue work as always done as set by the town meeting in the 80's. Whatever happens with Class 4 roads in the future we will have to make that decision when it comes; the current residents knew when they built there that the town did not maintain and they would need to bring the road up to class 3 standards if the town were to take it over. The campers have paid their dues for a long time; need to contact the land owners and a lawyer to set agreements for future work.

Wayne states an informed decision needs to be made upon research being done. Peter would like to have the land owners present at the next meeting to discuss the issues. Howard asked to review the roads for need for gravel upgrades, brush cutting, ect. to get a cost for budget needs to present to the voters. There is no jurisdiction of the board to restrict vehicles on these roads and they get abused by farm equipment.

Yvon has quotes for the floor of the sand shed. Six inch was recommended for the strength with a 15x30 apron on the outside doorway of the building. Brian Sartwell, \$17,481 with 6 inch and apron; SD Ireland without apron \$18,250 with 5 inch; Harrison \$17,600 with 6 inch and apron. All with 18 inch rebar on center. Brian Sartwell was also sealing at this price. Kyle/Andrew motion to award bid to Brian Sartwell for floor with 6 inch/18 inch rebar on center with apron and sealed for \$17,481. All members voted in favor, motion passed.

Howard advises the tarp for the sand shed will be delivered tomorrow.

Yvon/Andrew made a motion to adjourn the meeting. All members voted in favor, motion passed. Meeting adjourned at 8:33 p.m.

Respectfully Submitted,
Lisa Larivee, Town Clerk
September 20, 2013

These minutes are not official until approved at the Select board's next regular meeting. Approved by Selectboard on October 8, 2013.