

**MINUTES OF THE FRANKLIN SELECTBOARD  
TUESDAY, SEPTEMBER 29, 2015 @ 7:00 P.M.  
TOWN CLERK'S OFFICE**

**Members Present:** Peter Magnant, Yvon Dandurand, Brooks Sturtevant, Ed Rainville, Andy Godin

**Guests:** None

Peter called the meeting to order at 7:06 p.m., pledge of allegiance was said.

Peter states he called this meeting after conversation with Yvon regarding the weed harvester and communication with Aquamarine that seems to be going nowhere. Yvon states they are not responding to phone calls; we were to get a new motor shipped down and have not received anything. Yvon has been speaking with Lawrence who he has been speaking with since July when we ordered the machine. Craig, the owner, has not responded to my calls. Yvon has spoken directly with Subaru, the manufacturer of the motor, and they have stopped communicating with us as well. No one has given any final call regarding the situation. Lawrence has tried to keep communication between Yvon and Craig, the owner/boss, flowing and he has not been responded to as well. Yvon sent an e-mail to Lawrence today advising that the Selectboard was having an emergency meeting and the town may be seeking a possible lawsuit. Ed asked about the carburetor testing done by Franklin Rental, a Subaru motor dealer; the equipment looked to be in new condition and fine. All work/testing we have done has been by the direction of Aquamarine and Subaru. Peter questions the need for Aquamarine to have payment in full before the machine would be delivered to us; maybe they are in financial hardship. Peter spoke with the town attorney today regarding what our options are. The attorney asked for correspondence from the town with Aquamarine; purchase contract, warranty, e-mails and he will review; would be nice if Aquamarine could meet with board and attorney to resolve the issue. Last time Yvon spoke with Craig he stated that they were ordering up to \$2,000 in parts to test the engine that was going to be replacing ours, over two weeks ago. Yvon has heard nothing from Craig. Ed states part of the problem is dealing with another country and their legal system. Ed has found a 28 horse Honda engine for approx. just under \$2,000; a Subaru engine, if it's the same one, is \$1,700-1,800. If that is the problem, the engine, it would be a much cheaper fix than a lawsuit. Ed would advise putting the old engine out to bid to recoup some costs; would cost the town a lot less in the long run. Could be a simple fix but are not sure what is really wrong without their techs looking at the equipment. Ed asks about sensors that may be faulty; seems to be heat related under a load and Aquamarine and Subaru both know that. The hydraulics system stays very cool during work. The board was in approval of sending information, warranty, purchase order and specs to the town attorney; the attorney will draft a basic letter to Aquamarine seeking more information of the equipment issue. Yvon will speak with Franklin Rental regarding Subaru certified dealers.

Paving concerns: Ed had concerns with the paving of Homestead Drive, not being to grade as should have been. Finish work of the dirt road before paving is important. Repaving should also not be done over wet pavement. Repairs and shims need to be done correctly before resurfacing. Need to speak with Howard about concerns and to Pike as well.

Brooks/Yvon made a motion to adjourn at 8:04 p.m. All members voted in favor, meeting adjourned.

Respectfully Submitted,  
Lisa Larivee, Town Clerk  
October 1, 2015

***These minutes are not official until approved at the Select board's next regular meeting.***  
These minutes were approved at the October 6, 2105 meeting.