

**MINUTES OF FRANKLIN SELECTBOARD  
MONDAY, APRIL 13, 2009, AT 7:00 P. M.  
FRANKLIN CENTRAL SCHOOL LIBRARY**

**PRESENT:** Scott Choiniere, Jamie Boudreau, Lynn Paradis, Peter Kittell, and Lisa Larivee, Franklin Town Clerk.

Scott called the meeting to order at 6:58 p.m.

**HASTON LIBRARY:**

Alyson Racine, Jennifer Ploof and Linda Hartman appeared before the Board. Alyson spoke on behalf of the trustees. She expressed their concern over a letter received from Scott indicating that the offer of the trustees to clean their area was accepted, but they would not receive any monetary credit. Alyson stated that after Town Meeting, they went to the Board meeting and offered to cut their budget by \$1,600. She stated when they received the letter from the Board, they felt like their budget had been cut twice. She stated that at town meeting, it certainly seemed to them that it was made clear that the library budget should not be cut at all, although some people may view it differently. She stated they understand that the Board had to cut \$44,000 and they were o.k. with the \$1,600 knowing that "you guys had to cut money". It was noted that the cleaning money is not very much, only about \$400 a year. The trustees volunteered to do their own cleaning and by them doing so, the Board would be saving money so that they would not take that amount away from the library budget. Discussion was held on the fact that before the Board accepted the offer from the trustees to clean, they had to check with Sara to see if she was willing to give up the job as it was part of her income and she may have been dependent upon it. The trustees noted they were trying to get some of their budget money back by getting the \$400 for cleaning. Scott stated that is what he tried to do last meeting. It was noted by Lynn that we have already cut their budget so if the library is going to get the \$400 it will have to come out of somewhere else. Motion by Scott/Jamie to give the library back the \$400 and lower the municipal salary line by \$400. All members voted in favor/motion passed. A trustee questioned the Board as to whether they would have cut the library budget if they had not come to them and were told they most probably would have done so.

The Board thanked the trustees and they exited the meeting.

**TOWN CLERK'S CONCERNS:**

**Minutes:** Barbara Varin informed the Board and Lisa that this meeting is the last for which she will take minutes. She advised that she has to be true to her own beliefs and standards and is unable to support a Board who clearly is more concerned over saving face with their friends, in her opinion, than considering the best interests of the residents of the town. Mrs. Varin stated she feels the trustees are already providing services to outsiders at the expense of the residents of Franklin and they already have the means to increase their budget, but refuse to use that means choosing instead to take from Franklin taxpayers to provide free services to outsiders. Mrs. Varin further stated she is very disappointed that the Board caved in and reversed a decision they made just last meeting.

**Septic:** Lisa explained to the Board problems that are still being experienced with the Town Office/Library septic system. The system was pumped seven or eight weeks ago and had to be pumped a second time at a cost of \$200 each time. It was noted the tank contained only water. It was decided that a check would be made of the line to ensure it is not plugged.

**Fuel Bids:** Lisa informed the Board that it is time to send out bid letters for low sulfur diesel and heating fuel. Discussion was held on usage and how many gallons of each to bid out. Discussion was held on how the bid letters should be worded since the school may or may not want to be included in the heating fuel bid. Lisa stated she would bid it both ways, with and without the school, and indicate that the school reserves the right to reject any and all bids.

**Metal Dumpster:** Lisa advised that she is making arrangements for the return of the metal dumpster at the beginning of May. Scott pointed out that the dumpster cannot go in the same place because of the park and ride.

**Haston Library Windows Fund:** Lisa advised there is about \$1,900 left from the 1994 grant monies that can only be used to refurbish windows for the library. It currently is in a non-interest bearing account and Lisa requested permission to move it to a one year CD.

**Lawn Mowing:** Lisa stated she understands the highway crew will be doing lawn mowing this year and was told her understanding is correct.

**Trash:** Trash and recycling was discussed. Jim Burns is willing to put a recycling dumpster in town for \$80 a month. It was noted by Lynn that we will then run the risk of having other trash thrown in it. Lisa stated it will clearly be marked for recycling. It was noted that Mr. Wetherby has a few more people come every week and he is willing to take recycling for those who bring their trash also. Lisa outlined a "pay as you throw" program that is being used in Richford and stated it might be

something we would want to look into. It is a sticker program and she explained how it works. Polly Gadbois, who had entered the meeting, stated that we should check with the Richford Town Clerk as not everyone is enthused about that program. Recycling was discussed and it was noted that often times recycling ends up in the landfill as there is not enough market for the recycled goods.

**Joint Meeting:** Northwest Regional Planning has set up a joint meeting between Franklin County towns which will be held on Wednesday, May 6, 2009, at 7:00 p.m. at the Abbey. Scott asked that all Board members attend since it was our idea in the first place.

**Sidewalk Update:** Lisa updated the Board on the easements which Attorney Michael Gawne, who had experience in these matters, completed. She advised there are four properties involved in the easements - Williams, Catholic Church, School and the Allains. She advised that the draft we had did not include the Allains, and Mr. Gawne picked up that fact. She stated his bill will be between \$300 and \$400 and there are right-of-way funds to cover it. She advised that the easement for the school has to be posted for 30 days before they sign off and she will see that it is done. Discussion was held on other aspects of the project including clerk of the works and monies.

**MVU Budget Vote:** Will be held tomorrow at the Town Hall. Scott questioned why voting would be at the Town Hall when Lisa had mentioned doing it at the Town Offices. Lisa advised that when the warning was done by the school, it was warned that voting would be at the Town Hall and if the location were changed it might cause issues. She noted that Sue Clark and Shirley Barnum will work the polls and Sara would be at the Town Offices.

**Budget:** Lynn had some questions on budget matters which she clarified with Lisa.

**Larivee Subdivision Road:** Lisa advised that because the Larivee subdivision will contain three houses, the road needs to have a name. Lisa spoke with Jennifer Wright who is the 911 contact and she reviewed the proposed name (Triplet Drive) for any conflicts and there are none. Motion by Lynn/Peter to approve Triplet Drive as the name for the Larivee Subdivision Road. Scott asked for any discussion and there was none. All members voted in favor/motion passed. Lisa noted that it is the intent that this road always remain private and never become a Class IV road.

**Solid Waste Grants:** Lisa advised there are two sets of grant information to be signed. One is for this year's \$2,000 grant and the second is regarding last year's grant and how the funds were spent. They both need to be signed.

**Town Officers:** Lisa presented the Board will a form for Northwest Regional Planning which lists all officers of the town. It just needs a signature.

**Minutes:** Lisa reminded the Board that there are three sets of minutes which need to be approved.

**Historical Society:** Letter to the Board regarding Town Hall.

**Road Program Help:** Scott informed Lisa that Kim Maynard is willing to help the highway crew with the road program. Lisa stated that Boy had some questions and she went up and helped him with it and she believes they are doing o.k. now. It was noted that Ron was entering information into the system recently. It was noted that there is no printer tied into their computer. Lisa also noted that the town FAX machine has "died" and Boy wanted someone to FAX something and it could not be done. Lynn noted that an all-in-one FAX/printer can be purchased for around \$200.

The Board thanked Lisa and she exited the meeting.

#### **FIRE DEPARTMENT:**

Franklin Fire Chief Justin Rainville entered the meeting.

**NIMS:** Justin informed the Board that Grand Isle tried to obtain a grant through FEMA and everybody has to be NIMS (National Incident Management System) compliant. He provided the Board with a document which has to be signed by the Selectboard and a copy included with any grant they submit. Justin stated no one seems to know where the document is supposed to be sent, but a copy must be included with any grant. Lynn provided the name of a member of the Swanton Fire Department and suggested that Justin contact him as he may know where it should be sent. Discussion was held on NIMS training and Justin noted that the officers of the Fire Department have all completed three levels of the training.

**Fire/Rescue Building:** Justin informed the Board that within the next month or two, they are going to try to do the cement in the station. He stated that once the work has begun, the vehicles - trucks and ambulances - will not be able to go back into the station until the project is completed. The scope of the work being done was discussed and it was noted that some of the paved pad outside the building will also be involved in this project.

Peter asked whether Harvey had been back up to look at the pavement and Justin responded that he has not seen Harvey. The Board wanted Harvey to take another look at the work that needs to be done. Scott and Justin both noted that the Fire Department would like the work to be done and done right and if funds are an issue this year, then they would rather see the project put off until funds are available to do the job right. Peter pointed out that it is a small job and that it would be more cost effective to include it with another project to avoid extra charges. If it can be done as a “package deal” with another job, we would be able to get a much better price.

The Board agreed that when the work begins on the station, the fire trucks and ambulance will be moved to the town garage and the town trucks can be parked outside as they lock. It was noted that none of the fire trucks lock and the ambulance has to be stored inside.

#### **SCHOOL BOARD:**

David Rood appeared before the Board on behalf of the school board. He provided the Board with a letter of agreement for use and billing of the tractor. He also provided a draft of the fiscal services (Treasurer) agreement between the school and town. Scott questioned why all costs for the treasurer are not just added up and split down the middle. It was noted that she spends more of her time working for the school and we need to determine the percentage. David noted this is just a draft so that there is a written agreement. It was noted that whatever her original “package” was, the school and town each paid half. David suggested that the Selectboard make notes on the agreements and send them back to the School Board.

David said with the tractor, they estimate use at eighty percent for the school and twenty percent by the town with maintenance and repair done by the school and the town responsible for twenty percent of the cost. He noted that the town had offered the use of the town garage and they would want to take advantage of that. He explained to the Board how they reached the 80-20 figure. He stated they will look at the agreement every year and make adjustments as needed. He further stated they have named contact persons so that the two Boards would not have to call back and forth over minor decisions.

#### **POLLY GADBOIS:**

Mrs. Gadbois advised that she had a few items to discuss with the Board and would take only a few minutes of their time.

**Replacement Tree - TH#3:** Mrs. Gadbois was involved with the replacement tree issue when she was a member of the Board. She provided the Board with a written time frame as to what transpired. She noted that she also spoke with Ms. Day and she agrees with Mrs. Gadbois’ recollection of events. She stated that should the Board decide to replace the tree, Wright’s Excavating will hand dig the hole for Ms. Day. Ms. Gadbois noted that when she was on the Board, they were under the impression that it was “a done deal”.

**Park and Ride:** Scott informed Mrs. Gadbois that the Park and Ride will not be relocated. He stated that although Rescue had no problem with it, the Fire Department did not want to see it located behind the station. It would have had to be a smaller parking lot and there was concern over snow removal. Also, it would have cost an additional \$10,000 to move it.

**Zoning Issues:** Concern was expressed over non-enforcement of the zoning rules and regulations. Photographic evidence was presented on various violations including multiple unlicensed vehicles on properties, occupied travel trailers, shanties, possible unapproved business, etc. It was noted that on December 13, 2004, the Zoning Administrator was asked to write letters regarding various violations and get back with the results. To date, that has not been done. Specific sections of the zoning regulations covering the various violations were identified.

It was noted that our zoning regulations do not cover junk yards so they default to the Vermont State Statutes on junk yards. The Planning Commission talked about violation tickets, but we have to have an ordinance in place before it can be utilized and the Selectboard has to adopt the ordinance. It was noted there are four or five sub-divisions coming before the Planning Commission and these people are trying very hard to follow and comply with our zoning/subdivision regulations while others are being allowed to flaunt them.

**Health Officer:** Complaints have been received regarding 5493 Main Street. There appears to be an occupied travel trailer behind the house with what appears to be black sludge running onto the ground. There also appears to be bagged and unbagged garbage, tires and an old mattress around the premises. Polly advised that she has checked the regulations and is asking that a member of the Selectboard accompany her. It was decided that Peter Kittell would accompany Mrs. Gadbois.

#### **HIGHWAY CREW:**

Howard (Boy) and Ron entered the meeting.

**Personnel Issues:** The first matter to be discussed was an error in payment made by Lisa. Peter and the highway crew informed the Board that Lisa has already corrected the error and payment has been made.

Overtime payment was discussed. Both Boy and Ron agreed that during hunting season when both take time off, they do not expect overtime should they be required to work. During the summer, however, should there be a freak storm or washout of a road while they are on vacation, they feel they should be paid overtime. It was noted there is only a small chance of this happening, but the Board agreed that the employees should be paid overtime for such an occurrence, but only if they have prior approval from the Board Chair, Road Commissioner and/or the Selectboard as a whole.

**Park and Ride:** The park and ride, location of the entrance and parking spaces were discussed. Scott noted that they have drawn up a plan that will afford more parking spaces and still leave room for the highway department's equipment to enter and leave the garage area safely. It was noted that the lowest bid was received from Colonial Paving Company. Scott asked Howard to make contact with them regarding the paving so we can get started on it as soon as possible. Discussion was also held on a grass "bumper" area between the park and ride and Apple Tree Lane. This will ensure that people no longer enter or leave the park and ride through that area. Scott stated there is money in the grant to purchase maple trees which will be planted in the area between the park and ride and Apple Tree Lane. Discussion was held on paving of Homestead Drive and it was noted there may be enough funds, but there is a soft area that will require work before any paving is done. Scott requested permission to order maple trees for planting along the border between the park and ride and Apple Tree Lane. Motion by Peter/Jamie to approve. All members voted in favor/motion passed.

**Roads:** Peter advised that he and Howard recently did a check of the roads. He discussed with the Board the funds remaining in the gravel account and the need to conserve. He stated that they plan to put down some more "blue" stone which has proven to be a good choice. He indicated they hope to work on the Dewing, 236 and the Middle Road. Discussion was held on the condition of roads and the fact that Peter sent out letters to persons whose use of the roads is causing damage. It was noted that some of the recipients were not very pleased. Howard was asked to contact Mr. Dandurand regarding trucks going over that road. When he met with the Board last year, he agreed to divert traffic to the paved road to prevent damage to the Barnum Road.

**Culverts:** Peter advised that there are several culverts that need to be replaced. Discussion held on location of those needing to be replaced. It was noted that we only have \$2,000 in the culvert fund and no culverts on hand. Boy advised that he checked around for the best price and the best price was from McCuin's.

**Truck Body:** Discussion was held on a body for the new truck. It was noted the new truck is expected to be here at the end of May. The highway crew feels that the TENCO body meets their needs. They stated it has been improved over prior models and pointed out those improvements to the Board. Discussion was held on whether or not to purchase the body with all new parts or to use parts from the current body. The cost for the body with all new parts, truck and trade-ins were discussed and it was decided it would be more cost effective to purchase all new parts. The next step will be to arrange the best finance package. Motion by Scott/Lynn to go with the TENCO bid. All members voted in favor/motion passed.

**Chloride:** Chloride applications were discussed and the highway crew has been instructed to make the applications when the road is wet.

**Physical Clearance:** Ron has provided his and Howard will provide his.

**Salt Shed:** Scott informed Howard that Kyle will be working on the shed.

**Tractor Canopy:** Jamie asked the status of the canopy for the tractor. Peter explained that after the deal was made on the tractor, they were unable to get the model they sold to us. The model we received was more expensive with options we did not order, but was given to us at the same negotiated price. The dealer did not make any profit. In light of that fact, we will not be getting the canopy as part of the deal. They will, however, provide us with the canopy at their cost which will be about \$325. If we want to wait on it, there also will be no shipping costs. The Board feels that the canopy should be purchased as it protects the seats, steering wheel, etc.

The Board thanked Howard and Ron and they exited the meeting.

#### **FRANKLIN COUNTY INDUSTRIAL DEVELOPMENT:**

Tim Smith appeared before the Board. He advised that this is his yearly visit as he tries to visit every Selectboard in Franklin County at least once a year to update them on what is going on in Franklin County. Franklin is about the eleventh Board he has visited so far this year. He advised

that so far the manufacturing as a whole is still doing pretty well, although they are starting to see some changes. There have been no major layoffs and some companies are still hiring.

He stated the down side of our economy is that milk prices and construction are way down in the county. He noted there is some construction in Swanton and the two new border patrol stations in Richford and Highgate/Swanton line. He noted there is not a whole lot of major construction going on.

He advised that Ben and Jerry's just put in a new sundae line. Rock Tenn is doing well. He noted that with the down turn of the economy more people are eating pastas so they are selling more boxes because of the demand for pasta. It was noted they use recyclable paper. PBM in Georgia is doing well because overseas they are looking for US made formula.

On the flip side, Energizer was going to roll out their lithium batteries, but did not. They are working on a military flashlight that will be a big addition for Energizer. He noted a company from Quebec that makes transformers will be occupying a space in the St. Albans Industrial Park. They expect to create sixteen to twenty jobs this year and possibly forty jobs over two years. A lot of companies have "gotten rid of" temporary employees. Some companies have gone to 32 hour work weeks and the Department of Labor is offering short term unemployment, more so in Chittenden County. He noted that some companies are using furloughs for a short period of time, but maintain employee benefits during the furlough.

He advised they had a job fair about two weeks ago. Participation was down some, but they had 68 booths which is about ten less than last year. He stated he does not have the final figures, but they usually have about 600 visitors each year. This year, they had 300 in the first hour alone.

Discussion was held on the milk prices, drop in cheese prices and when it is expected that milk prices will rise again. He noted that one out of seven jobs in Vermont is related in some aspect to farming. He also noted that there is a new company coming to Richford. They will make wood shavings for bedding. With the difficulty in obtaining saw dust, it is expected they may find a good market. He noted that he spoke with Lussier's who indicate they, too, will benefit from this business because they will probably be able to sell their "waste" to them for shaving. It is expected this will bring in fifteen or sixteen jobs.

Scott thanked Tim on behalf of the Selectboard and he exited the meeting.

#### **BILLS AND ORDERS:**

Reviewed and signed. Lynn provided Board members with the current budget print-out.

#### **OLD BUSINESS:**

**Old Tractor:** Discussion was held on what to do with the old tractor. It was noted that one area resident has expressed interest in purchasing it. The other options are taking it to Fournier's Auction this weekend or listing it on-line. Down sides of both those options were discussed. Peter was authorized by the Board to contact the area resident to see if he is willing to pay \$2,000 for it. If he is not, then he will arrange to take it to the auction.

**Tree:** Scott asked what the Board wishes to do about the replacement tree. It is evident from the information provided by Mrs. Gadbois that both the resident and the town "dropped the ball". Motion by Jamie/Lynn, that we abide by the original agreement of \$250. Since the resident has indicated she does not wish the tree, but prefers the money, Scott will write to her and advise her that she will be paid \$250 which will be applied to the balance owing on her tax bill.

**Shared Employee/Tractor Agreements:** Some discussion was held on the proposals presented by the school. Because of the large agenda for tonight's meeting, it was decided to table the matter for tonight. Scott will scan the proposed agreements and e-mail them to the entire Board. In response to a question, Scott noted that the Ploofs are no longer willing to snow blow the town sidewalks. Jamie was concerned over whether our employees will have time, especially for the snowblowing, and indicated he does not want to pay them overtime in the winter to clear the sidewalks. Scott indicated that would not be done and indicated that sidewalks have been cleared after all the roads are done.

**Historical Society Letter:** Scott reviewed with Board members the content of a letter received from the Historical Society concerning stored items/space in the Town Hall. Peter noted they want to move all their stored items to one location in the Town Hall. After reviewing the request, Lynn suggested that the Board actually go to the Town Hall before responding to this inquiry. It was decided that the Selectboard would meet at 6:30 p.m. before the next meeting to look over the proposals/questions/concerns expressed by the society. It was also suggested that the Board meet with them and Scott will set up a meeting. The next Selectboard meeting will be held at Town Hall.

**Town Hall Electric Bill:** Lynn noted it has come down a little this month. Scott stated he still has not found the time to get over there.

**APPROVAL OF MINUTES:**

**March 10, 2009 Minutes:** Motion by Jamie/Lynn to approve. Scott asked for any discussion and there was none. All members voted in favor/minutes accepted as submitted.

**March 23, 2009 Minutes:** Motion by Jamie/Peter to approve. Scott asked for any discussion and there was none. All members voted in favor/minutes accepted as submitted.

**February 16, 2009 Minutes:** Motion by Peter/Scott to approve. Scott asked for discussion and there was none. All members voted in favor/minutes accepted as submitted.

**SELECTBOARD FOLDER:**

**Correspondence:** Letter received from Catholic Church representative regarding easement for sidewalk.

**Park and Ride Bid:** Lowest bid received from Colonial Paving, however, Scott would like their bid to include the total dimension of pavement they will provide. Scott will contact them. Motion by Scott/Peter to award the bid to Colonial Paving for \$29,600. All members voted in favor. Motion passed.

**Training:** Annual planning training will be held May 7, 2009 at the Abbey.

**Correspondence:** From attorney Michael Gawne regarding the sidewalk easements. It was noted he has already finished the work.

From company regarding chloride. Peter noted they are asking a \$1.00 a gallon which is much higher than what we paid last year. He further noted that if everyone is charging that price, we may have budgetary problems as we did not budget for that much of an increase.

From State of Vermont approving the 2012 in-house reappraisal plan.

From Vermont League of Cities and Towns regarding identity theft policy - red flag rules. Lynn explained certain things need to be red flagged such as someone trying to add their name to a utility account.

Regarding dry hydrant program. Scott will pass it on to the Fire Department.

From J&B International regarding savings.

Regarding municipal safety training to be held in Milton. It was given to Peter in case our crew wants to attend.

Copies of correspondence written by Peter regarding excessive damage to roads.

Correspondence regarding recycling of batteries. Scott will have Lisa check into this to see if it is something we want to do.

From State of Vermont regarding permits issued to Ben and Jerry's to discharge wash water into pits in several areas including one in Franklin.

From All State Asphalt. It was noted that we should fill in the cracks on TH#3 to prevent further damage as we will not be able to pave it for several years. Given to Peter for action.

Messier Road complaint. It is a Class IV road that we do not maintain. Resident wants to make it a private road because of people using it for ATV's. Resident has been told to provide police with identifying information and they will take action. Peter noted this also is a favorite area for people to dump trash. Scott noted he cleans it up every year.

Motion by Jamie/Lynn to adjourn. All members voted in favor/meeting adjourned at 10:30 p.m.

Respectfully submitted,  
April 15, 2009 Barbara M. Varin

**NOTE: These minutes are not official until approved by the Selectboard at their next regular meeting. These minutes were approved May 11, 2009 by the selectboard.**