

**MINUTES OF FRANKLIN SELECTBOARD  
MONDAY, MAY 11, 2009 AT 7:00 P. M.  
TOWN HALL**

**PRESENT:** Peter Kittell, Scott Choiniere, Lynn Paradis, Harvey Bushey, Lisa Larivee, Town Clerk.

**HISTORICAL SOCIETY MEMBERS:** Susan Clark, Nancy Magnant, Bryant Reynolds

Scott called the meeting to order at 7:05 p.m.

**HISTORICAL SOCIETY:**

The members reviewed with the selectboard their plans for doing work at the town hall to clean up and use for storage of historic artifacts. They are looking to move some panels on the stage to make it accessible from both sides, entrance and exit, for more efficient use and fire safety. Will relocate the wooden chairs to basement until the town people are asked what they would like to see done with them. Society members will remove the old bathroom facilities and replace a door. They would like to have covers of the windows to protect valuable goods stored in the rooms. Sue Clark has asked for a written agreement to be done with the youth group on storage of their items and the condition of the town hall when they leave it. Mrs. Clark suggests ditching for drainage on the north side of the building to remove the water that is causing the building to rot. Scott asks about the funds for the minor repairs that the historical society is requesting. Sue advised they have money to pay for the repairs from their fundraising. Board thanked the members and all exited.

**WATERSHED:**

Heidi Britch-Valenta presented the board with updates that the Watershed have been doing. They have spent approx \$14,000 on shoreline/erosion control projects. They will be holding septic surveys going door to door at the camps for information. Heidi discussed with the board the Swamp Rd ditch which still has some erosion issues. The VT youth conservation corp. is willing to do some work. Linda Bodett with Better Back Roads will be here on Monday, May 18<sup>th</sup> to review the ditch and propose a cost for applying to grants. Scott advises the Highway crew may be available to assist with the work. Peter advised Lynn applied for a grant in 2006 and was denied. The board is willing to apply again for the Spring 2010 grant award. The highway crew put stone down as far as they had available. Peter advised they plan to do more this summer. Harvey suggests using rye to seed with as it holds better and has a more aggressive root base, may also look into using matting. The board thanked Mrs. Britch-Valenta and she exited the meeting.

**MESSIER ROAD:**

Residents of the Messier Rd entered the meeting; Josh & Tiffany Renaudette, Phyllis Wright, Christina Carnes, Dan & Cecile Beauregard, James & Ronna Messier, Jason Butler. Mrs. Renaudette explained that they were here about the outdoor professional race track which is at the end of the Messier Rd. It is located about 250 ft beyond the Renaudette property on property owned by George Godin. Mrs. Renaudette states there is a building and fire pits. The residents advise that the vehicle and recreational traffic is extreme. The traffic runs up and down the road at excessive speeds and goes on 7 days a week all day long. The noise that the track produces is extremely loud and affects the quality of life of the local residents. Those with young children are concerned with the quality of learning and life for their children with the extreme constant noise. Many have called the police and they will not pursue and are willing to charge if given positive identity. The 4-wheelers are jumping ruts and doing donuts on the Class IV portion of the road causing much damage and extra maintenance for the abutters. Dan Beauregard asks if there is something in zoning that can prohibit this activity? The Renaudette's ask if fire and rescue would access their property should they have an emergency? The residents have 3 main concerns, child safety, noise and traffic. They are requesting that 35 mph speed limit signs be put up and pedestrian signs. The board will do a letter to Mr. Godin advising him of such activity and his liability on the property. They will review with the zoning administrator what may be done. All residents thanked and exited. Peter/Lynn made the motion for Peter to do a traffic study to reduce the speed limit to 35 mph.

Polly Gadbois and Robert Irish entered the meeting. Robert advised he is aware of the use of the track but did not understand it being used for public use. To his knowledge Joey Bishop was the only one who had permission from George Godin to use it. Robert advises speaking to the parents of the local children that are using the track.

**CAMP VIOLATIONS:**

Peter advised that the Town Plan reads "year round camps should be discouraged". Robert states there is a camp at Black woods which was given year round designation by the ZBA because it has a conforming lot, and meets septic requirements. When camps came up for sale and request a Certificate of Occupancy Robert makes it very clear that the camp is a seasonal property only and not for year round use. Zoning bylaws read use for 6 consecutive months, not specific about time frame. Robert has been tracking the year round use of the camps for the winter. He has found 12 camps that are being used year round. 3 of them are new residents the others have been occupied for many years. Robert advises that most of them would not be

accepted by ZBA for year round as they can not meet the lot and septic requirements. Robert has looked at each one carefully and the only way to get the occupants out would be to evict them. Mr. Irish presents a letter to the board which he drafted to be sent to the land owners of the leases. Discussed their liability for allowing year round use. Discussion on the enforcement action that can be taken according to law. The Zoning Admin. is able to charge \$100 per day for the violation. If taken to court can recover all costs, ZA, legal, and others if win the case. The Zoning Administrator does collect double the fee on building permits which are applied for after the fact of construction. Many lake properties have violations of buildings and decks which need to be chased after. Need to require that they be taken down. Scott asked Robert about the requirement of cement pads under trailers. Robert advises that cement pads are not needed only in mobile home parks. Robert is looking into adding this to the zoning rules. Robert has done research on the approval of septic with the state. If the lot is not a year round approved lot the state will not grant year round approval of the septic. Violation letters relating to the septic could also be sent to the state. Z.A. suggests proceeding with the enforcement. Scott will speak with the Planning Commission about a joint meeting of all the Selectboard and ZA to discuss the best solution on year round camps. Robert suggests the option of grandfathering the camps for year round use that have been occupied for a long time with the restriction that it can not be passed on to the heirs and assigns. The new occupants/tenants would be in violation and asked to vacate. Need to clarify zoning bylaws on year round use vs. year round occupants.

Robert would like the selectboard to review and adapt a junk yard ordinance. The health officer is willing to assist in enforcement. Zoning will have to be changed to include this ordinance.

- To not store in the Town ROW for safety.
- Not to store for indefinite time within the set backs.
- Extended storage must be behind the front line of the house/buildings.
- ZBA may designate owners to erect fences to hide from view.

Robert will speak with residents about unregistered cars which are part of zoning rules. A property owner is allowed 2 unregistered cars on the property.

Scott asked the board to review the junk ordinance and to warn a hearing of the ordinance for the next board meeting in June. Board members will make a list of properties and Scott suggests the Zoning Admin send letters out about cleaning up junk and vehicles to property owners.

#### **TOWN CLERK CONCERNS:**

Sidewalk: Lisa has received an e-mail from Greg Goyette at Stantec on the funding for the sidewalk. As the current costs have come in over the grant amount of \$250,000, Greg suggests applying for the ARRA Fed stimulus grant for the difference of the grant and project costs as a plan B. We can decline the ARRA funds if the contract bids come in lower and we can complete the project with the \$250,000. Peter/Lynn authorizes Scott to sign the ARRA grant to send out, deadline May 15<sup>th</sup>. There was also discussion about Federal Stimulus funds for Fed paving projects. Lisa will look into for Morses Line Rd.

Finch Sheep: Greg Finch brought into the office a summary of the sheep lost and costs. The total loss was valued at \$2145.75. Lisa spoke with Doug Flack of Enosburg who also spoke with Chet Parsons of Richford about the fair costs. Mr. Flack felt the prices that Mr. Finch had given the town were fair value. Board asked Lisa to do a letter to Phil Reighley, with a copy of the prices, for payment to the town. The Town is responsible to pay Greg Finch for the loss of his sheep and charge back the owner of the dog.

Fire Warden: Lisa presented the form which needs to be accepted and signed to appoint Burt Maynard as Fire Warden with the State of VT. Peter/Lynn made a motion to appoint Burt Maynard as Fire Warden. All board members signed appointment.

Park & Ride: Lisa copied a survey of the Town Garage and Homestead property which she drew in the park & ride lot to scale as best she could. The board reviewed and agreed that they should meet at the garage to measure and be sure of the placement of the project. Lisa will post a meeting notice for May 18<sup>th</sup> @ 7:00 at Town Garage and will give notice to Franklin Tel and Homestead and abutters. Lisa asked Scott what should be done about the Maple trees. Scott will look into.

#### **MINUTES:**

April 13 minutes for approval. No changes or discussion. Peter/Lynn made a motion to approve. All members voted in favor.

May 4 minutes for approval. Scott asked if the changes had been made to the School fuel costs, they are paying 100% of the usage. The balance of funds available from the park & ride to do work on Homestead drive is \$9,000. Lynn/Harvey made a motion to approve. All members voted in favor.

#### **FUEL BIDS:**

Two bids were received from Clarence Browns and Blouin Bros. The board members open the bids and discussed. Blouin Bros had the lower bid. Scott/Lynn made a motion to accept the Blouin Bros bid with a cap of \$1.999 for oil and \$2.099 for LSD. If the price drops below these prices at the time of delivery we will receive the lower price. Lisa will advise the school of the bid acceptance and get the approval from the school board to lock in with the town. Lisa will do letters to the two bidders.

**NEW BUSINESS:**

\* Discussion on State Aid to Highways payments as to the status of funding. Peter got information from Steve Jerome from VT local roads that the aid to highway payments for July and Oct may be cut by 50%. This would result in an approx cut of \$19,000 of anticipated income. The board will look at cutting equipment rentals and culvert lines. Lisa will contact VLCT to ask if they can supply more information.

\* Harvey stated that the top soil pile must be removed from the garage area and leveled out.

\* Highway crew may be operating the weed harvester. The board will look at work load.

\* Peter would like to see the Highway crew work on the access road to the back land behind the garage adjacent to the old garage site.

\* Historical society; the board is 100% behind the work they are proposing to do at the town hall. Scott asked Lisa to notify the members and advise them they may proceed and to get a key to Sue Clark.

**SELECTBOARD FOLDER:**

\* Identity theft policy needs to be reviewed for applicability, tabled until June meeting.

\* Colette Ploof submitted a dog complaint to the board. The Legault's dogs appear to be chasing her horse and attempting to bite her. Scott asked Lisa to do a letter to the Legault's about the leash law with a copy of the ordinance and to verify that the dogs have rabies shots.

\* Consulting agency info

\* Law enforcement legislative info for review

**MISCELLANEOUS:**

\* The board asked where the office stood with the registration of dogs. Lisa stated there were about 20 dogs left on the list of unregistered. Lisa will make phone calls and/or a second letter to the owners and will present a warrant to the dog catcher at the June meeting of those left unregistered.

\* Harvey asked if Howard and Ron had given copies of their DOT physical cards to the office for the files yet. Lisa advised Howard has an appointment this week and she will remind Ron.

\* Lynn will look into ordering safety equipment that the highway crew should have available to them. She will order safety vest, hard hats, ear plugs, medical kits. Harvey asked about the drug testing that is done and when the crew was last tested. Lisa advised it is done through VLCT and will confirm results on file.

Motion by Scott/Lynn to adjourn. All members voted in favor/meeting adjourned at 9:44 p.m.

Respectfully submitted,  
May 14, 2009  
Lisa Larivee

**NOTE: These minutes are not official until approved by the Selectboard at their next meeting which is scheduled for June 8, 2009. These minutes were approved by the selectboard at the June 8, 2009 meeting.**