

**MINUTES OF FRANKLIN SELECTBOARD
MONDAY, JUNE 8, 2009 AT 7:00 P. M.
FRANKLIN CENTRAL SCHOOL LIBRARY**

PRESENT: Scott Choiniere, Jamie Boudreau, Peter Kittell, Harvey Bushey and Lisa Larivee, Franklin Town Clerk.

GUESTS: Greg Finch, Phil Reighley, Mike Lawyer, Burt Maynard, Heidi Britch-Valenta, Kyle & Jane Lothian, Hugh Gates, Kimberly Gates Maynard.

Scott called the meeting to order at 6:55 p.m.

EXECUTIVE SESSION:

Scott/Peter made the motion to enter executive session at 6:55. Discussed Park and Ride issues. Motion by Scott/Peter to exit executive session at 7:00.

DOG ISSUE:

Greg Finch and Phil Reighley entered the meeting to discuss the damage/loss of the Finch sheep. In April Mr. Finch caught Mr. Reighley's dog at approx 3:30 pm in his sheep pasture killing lambs. He watched the dog in the act of killing 2 lambs before shooting the dog. Mr. Reighley stated the dog was inside in the AM and when he left for work he was chained outside. His daughter came home and untied the dog at 3:00 when he took off. He does not let the dog run loose and can account for his being tied up. Mr. Finch stated all the lambs/sheep were killed in the same way, being bitten on the neck. A total of 12 sheep were destroyed. The board advised the parties they will discuss the issue further and send them letters of their decision. The board thanked Mr. Finch and Mr. Reighley and they exited the meeting.

WATERSHED:

Heidi Britch-Valenta entered the meeting. Heidi gave the board members a book from Linda Bodette @ Better Back roads regarding guidelines. She and Linda have done a drive around town to view ditches and erosion needs. There are grants available for the fall 2009, Heidi is willing to help with grant writing. The ditching on Swamp Rd needs more stone lining. Matt Williams has 4-5 loads of stone he is willing to trade with the town for equal loads of bank run gravel. The board agreed to this trade. The Watershed group is doing shore-line erosion and septic surveys at the lake and will hold workshops on projects. July 18 the Watershed is doing a demo of building a rain garden at the Historical cabin. The board thanked Heidi and she exited the meeting.

FIRE DEPT:

Mike Lawyer from Franklin Fire Dept entered the meeting. He presented to the Board members a grant of Federal Stimulus funds for emergency service buildings. The fire dept is inquiring about applying for possible funding for a new building. The main concern is location as well as plans for size. On the current lot an increase in size is not possible. The grant is due July 10 so the time frame for plans is very short. Kyle Lothian and Burt Maynard entered the meeting. The board needs to discuss if the use of the town land is a possible site. Grant is tabled. Board invited Mike to the land committee meeting on June 15th for land plans. Board thanked members and all exited the meeting.

TOWN CLERK'S CONCERNS:

Park & Ride: Discussion on the Franklin Telephone issue. The board needs to speak with Hugh Gates to get information about what is requested to satisfy both parties. The lot is used by all community members. The remaining funds will be used to purchase 8 mixed apple trees for the border, Peter will get trees at Bates. Scott will call the State of VT to get the final payment of the grant. The highway crew will run the power and set lights on concrete pillars, 2 ft round and 4 ft out of the ground, before the ground work is done. Brian Sartwell will donate his forms and tools for the 2 sidewalks if the town would like to use them. School would like to purchase concrete also when we order. Marshall will be asked to dig holes for power, lights and trees. Board agreed to pay Marshall \$50 per hour for his service. Harvey suggested using 1 ½ conduit with sweeps for the power and will run the wire. Highway will repaint the polls black.

LCCA: The Lake Carmi Campers Association has requested a letter of permission from the board to close the road on Rte 120 on July 3 from 6:00-10:00 pm for the fire works display. Peter/Harvey make to motion to approve closure, all members in favor. Scott signed the letter on behalf of the board.

School Salary Agreement: The school board and selectboard have drafted an agreement for the split of salary and benefits package for the Town Clerk/Treasurer to have on file. The school pays 35% and the town 65%. Peter/Jamie made the motion to approve the agreement as written, all members in favor. Scott signed the agreement on behalf of the board.

Minutes: Minutes of the May 19 meeting were presented. Change made to the amount of the park & ride grant to \$41,250. No other discussion. Jamie/Harvey made to motion to approve, all members in favor. Minutes of May 11 were presented. Jamie/Peter made the motion to approve, all members in favor.

July 4 holiday pay: The Town Clerk asked the board to discuss the upcoming holiday of the 4th of July and the highway payroll. Scott/Harvey made a motion to give 2 options. The guys work for the 5 days/8 hours and take Friday off as the holiday. Work 4 days/10 hours. Pay will be for 40 hours only. All members were in favor. Peter will speak with Boy & Ron.

DOT Cards: The Town Clerk has not yet received a DOT physical card from Ron. She will check with him again for a copy to have in his file.

Town Clock: Painting of the clock was discussed. Joe Broe has a lift that is in town already and is willing to rent to the town/church to do the work. Will charge \$300/day or \$1200 week. Have to check with painter if the lift will reach and insurance liability. Town Clerk will look into and get back to the board.

Truck repair: Boy has spoken with Tenco on the repair of his dump body. Tenco will repair the body free of charge before we trade it. Clark's will loan us a single axle truck to use until our new truck arrives. The board is in agreement but needs to be clear on if there is a breakdown on the loaner truck is Clark's liable. Is Clark's doing the trucking of the exchange to Tenco and the loaner? Peter will speak with Boy about the details. Lisa will check with Clark's on the finance paperwork of the new truck. Cost is \$106,700 less \$20,000 trade. The town will finance \$86,000. Equipment costs are \$61,000.

Town Hall agreement: Lisa presented the board with a town hall agreement she has written up for all users of the town hall. Kim has asked if the Yoga group of about 10 people, most Franklin residents, can use the town hall on Tuesdays thru Aug. The board agreed to the use at no charge.

Colton Rd: The Davis resident's of the Colton Rd have asked the Select board to put up "children at play" signs and/or reduce the speed limit on the road. The board voted to put up the "children at play" signs to see if it would help. 3 voted in favor, 1 abstained.

FRANKLIN TELEPHONE CO:

Hugh Gates and Kimberly Gates Maynard entered the meeting. Kyle and Jane Lothian were also present. Hugh spoke of letter from his lawyer which sums up their issues. Hugh states that the board knows of the objections and it has no impact on their decisions so he has to do what he needs to, too defend what is right. Dates are stated in the letter from his lawyer for mediation. The Selectboard will discuss their options later tonight and let our attorney know what direction we wish to go. Scott asked Hugh and Kim what they offer for a solution. Hugh states he has been offering options and the board does not listen. There is a possibility that the ROW offering from Lake Road to our property would still be on the table. Scott asked the board if they had any questions for Hugh and Kim. No one had anything to ask. The board is looking for solutions at tonight's meeting to save both parties money. Hugh and Kim exited the meeting.

BILLS AND ORDERS:

Reviewed and signed.

TOWN CLERK'S CONCERNS CON'T:

Richard Cooper has called the office concerning Mr. King's dog which is coming on his property. He has made several complaints in the past and nothing has changed. Peter will speak to Mr. King about the leash law.

Sidewalk agreement: Patrick & Julie Allain have presented a letter of agreement concerning some changes to their driveway location and the drainage which will be done on their property with the side walk project. The board reviewed the letter. Peter/Jamie made the motion to accept the Allain agreement. All members are in favor. Scott signed the agreement on behalf of the board.

Identity Theft Prevention Policy: The League of Cities and Towns has forwarded information about the policy which every municipality must adopt if they extend credit or have covered accounts. The Town of Franklin does not act as a creditor, does not have covered accounts or extend credit for services. The Select board has reviewed the activities of the town functions and deemed that the Red Flag Rule does not apply for the Town of Franklin, therefore an identity theft prevention policy is not needed.

Wallace Nolan request: The Town Clerk has received a request for public records from Mr. Nolan of all employees and volunteers that work for the town. There is a list of requested information

which the office has sent to Mr. Nolan. E-mail address files were not sent as they contain work e-mail addresses which have been requested not for public use. Scott would like to look into the board members have town e-mail accts rather than private addresses. The Town Clerk will speak with the town attorney about the issue.

LIQUOR CONTROL:

The selectboard by motion from Scott/Peter, all members in favor, entered into a Liquor control board meeting at 8:50 pm. The board was presented with a Malt Beverage – Catering license for a reception on Rte 120 on the 8th of August. Peter/Harvey made to motion to approve of the Catering license. All members in favor. Motion to close Liquor Control meeting by Scott at 9:00 pm.

WEED HARVESTER:

Harvey asked Kyle Lothian to write down the meter readings and keep track of the fuel use on the weed harvester. Kyle will be taking the harvester to the lake this week to begin harvesting on the 15th.

SELECTBOARD FOLDER:

Driveways: Three permits were review for Eric Deso on the Gallup Rd. The board discussed and advised the driveway need to be kept lower than the road to prevent run off in the town road. Boy will inspect and approve after completed. Scott signed the 3 permits.

Camp Violations: Robert has been working on year round use of camps which are in violation. Zoning changes need to be made to have standards for camps which are requested to be occupied year round. Zoning violations are on file for these camps. Robert has drafted a letter to send to the land owners of their being in violation also. Matter tabled until the board meets with the Planning Commission.

Road Naming: Request for a road naming from Claudette Larose for “Larose Heights” off of State Park Rd. Approved by 911 Coordinator as requested. Peter/Harvey made to motion to accept the road name, all members in favor.

ZBA notice: The notice of the Zoning Board of Adjustment hearing on the Franklin Telephone hearing was reviewed.

Correspondence:

F.C.I.D – notice of activities.

Letter copied from the Messier Rd residents that was sent to the Governor about their issues on zoning and safety. Peter did a road study for the 35 mph limit signs. Scott spoke with Johanna Godin about the track use. Mrs. Godin put up “no trespassing” signs and has spoken with the area kids advising them to stay off the property.

International Boundary Commission about clearing of the 20 ft wide boundary strip.

NWRP letter regarding the mapping project that is being done for them. They will copy us on the updates when complete. Road counting has also been done and the board would like to request results.

OLD BUSINESS:

Dog/Sheep Issue:

The board discussed what was presented by Mr. Finch and Mr. Reighley. The board upheld their decision previously made the Mr. Reighley is liable for the loss of the 12 sheep/lambs. Lisa will send a letter/invoice to Mr. Reighley with a copy of the law. Also a letter to Mr. Finch and advise him the town can not be responsible for his future losses. He must maintain adequate fencing to keep animals out which may cause harm to the sheep/lambs.

Homestead Drive:

The board discussed the paving quotes received to resurface Homestead Drive. The excess funds from the Park & Ride grant can be used for esthetics to the Park & Ride lot. Cost will be \$14,000 for paving, \$1,200 for gravel and \$750 for excavating totaling about \$16,000. Scott will speak with Kim at Franklin Tele. Homestead is in agreement. The board all agreed on a 3 way equal split of the costs. Scott will do a letter to the Franklin Tele and Homestead on the proposal.

EXECUTIVE SESSION:

Scott/Peter made a motion to enter executive session at 9:50. All members in favor. Discussion of the Park & Ride issue. Exit executive session at 10:00 pm.

NEW BUSINESS:

Dog Warrant:

The list of unlicensed dogs was presented to the board with a warrant for pick-up and impoundment. Jamie asked the Town Clerk to give him a copy of the list and he will make a last effort call to owners to license their dogs.

Planning Commission:

Scott has spoken with Bill Mayo, Chair of the Planning Commission, about some changes to the zoning bylaws the board would like to present to the P.C. Scott asked the board members to review the junkyard ordinance and make a list of other zoning issues which need to be addressed and changed. He will schedule a meeting in July with the P.C.

New truck:

Scott/Jamie made to motion to appoint Peter to sign for the new truck when it is picked up. All members in favor of motion.

Highway Dept:

- Boy needs to trim trees which hang low on Square Rd.
- Pre-trip logs need to be presented at the next meeting. Invite Boy to attend
- Harvey questioned if chloride was applied with out using water. Peter will speak with Boy.
- Harvey advised the gray stone needs to be put on in a thin layer so it may mix with the gravel. Dewing Rd and Towle Neighborhood Rd have been completed. Middle Rd will be done next with the remaining gravel budget.

Motion by Jamie/Harvey to adjourn. All members voted in favor/meeting adjourned at 10:15 p.m.

Respectfully submitted,
June 11, 2009 Lisa Larivee, Town Clerk

NOTE: These minutes are not official until approved by the Selectboard at their next regular meeting. These minutes were approved by the Selectboard on July 13, 2009.