

**MINUTES OF THE FRANKLIN SELECTBOARD  
MONDAY, MARCH 14, 2011  
TOWN CLERK'S OFFICE**

**Members Present:** Peter Kittell, Peter Magnant, Scott Choiniere, Yvon Dandurand, Kyle Lothian, Lisa Larivee (Town Clerk/Treasurer)

**Guests Present:** Heidi Britch-Valenta, Judy Danyow, Brooks Sturtevant, Tim Magnant

Scott called the meeting to order at 7:00. The Pledge of Allegiance was said.

**Watershed Committee:**

Heidi spoke to the board about the progress on the Septic Feasibility Study sponsored by the state. Polly Gadbois, health officer will be involved with the committee. Heidi would also like Selectboard participation and will be looking for community members input. Public input will be helpful in writing an RFP to hire an engineering firm to do the study for the state/town to get an accurate and workable plan.

Heidi inquired what the next step is with the Beach acquisition. The Watershed has agreed to pay \$250 and LCCA \$250 of the legal costs. The town will hire an attorney to do the deed work. The Selectboard will submit a subdivision to the zoning administrator. Heidi suggests applying for a Better Back Roads grant next year to stabilize the erosion on the beach. Thanked Heidi and exited.

**Planning Commission:**

Bylaw amendment read aloud. In **section 330 C) Shoreland/Recreation District – D. The property must have year round access to potable water that meets all current State regulations. E. For lot sizes less than 40,000sq. feet, a waiver may be obtained from the ZBA if all other requirements have been met.** Scott Choiniere/Peter Kittell made the motion to accept the amendment as read. 5-0 All in favor.

Brooks Sturtevant entered the meeting to meet with the board regarding his interest in a Planning Commission position. He reviewed his education and desire in seeing the town prosper as a young resident. The board thanked Mr. Sturtevant and exited.

**Executive session:**

Scott Choiniere/Peter Kittell made the motion to invite Tim Magnant to participate and entered executive session at 7:25 pm regarding prayer lawsuit. 5-0 All in favor. Peter Kittell/Peter Magnant made the motion to exit executive session at 8:30 pm. 5-0 All in favor.

**Prayer Lawsuit:**

Scott Choiniere/Peter Kittell made the motion to authorize the chair of the Selectboard to sign the "Reservation of Rights" letter on behalf of the town after advised by legal counsel. 5-0 All in favor, motion passed.

Scott Choiniere/Peter Kittell made the motion to authorize Stitzel, Page, and Fletcher to enter an appearance in the Hackett lawsuit on behalf of the town. 5-0 All in favor, motion passed.

Scott Choiniere/Peter Kittell made the motion to authorize Stitzel, Page and Fletcher to discuss the lawsuit filed including potential conflict and the reservation of rights letter with Timothy Magnant, moderator. 5-0 All in favor, motion passed.

Scott Choiniere/Peter Kittell made the motion to authorize Stitzel, Page and Fletcher to appear to serve as co-counsel. 5-0 All in favor, motion passed.

Scott Choiniere/Kyle Lothian made the motion to authorize the Selectboard chair to sign any legal documents as necessary when requested by the attorney before the next regular April board meeting. 5-0 All in favor, motion passed.

Tim was thanked and exited the meeting.

**Appointments:**

Planning Commission: Kyle Lothian/Peter Magnant made the motion to appoint Brooks Sturtevant for a four year term to the Planning Commission. 5-0 All in favor.

911 Coordinator: Peter Magnant/Kyle Lothian made a motion to appoint Rob Cormier and Kim Gates Maynard as 911 Coordinators. No other nominations. 5-0 All in favor.

**Town Clerk's Concerns:**

- Better Back Road: State ANR permit to work in the waters on Dewing shore project. Peter Kittell/Peter Magnant authorized Scott Choiniere to sign the permit.
- Resignation received from Richard Gadbois from the Planning Commission board. Peter Kittell/Peter Magnant move to accept the resignation. 5-0 All in favor.
- Peter Kittell/Peter Magnant made a motion to hire Tim Hurlbut to do the deed work for the Beach acquisition from Ted and Peggy Meunier. 5-0 All in favor. Beach Committee will continue to meet and support the town with spring projects. Peter Kittell would like the town to maintain control of the boat launch area and not lease to Fish & Wildlife Dept. Members would

rather F&W lease and have the liability of this area. Dock issues need to be discussed at the next meeting of the board.

- Town Hall: Gerard Tremblay looked at the power issue going on in the basement. He recommended replacing the electrical system in the basement as it is very old and outdated. The board authorized to spend \$500 for the repair and asked Town Clerk to get a written quote from Mr. Tremblay. Kyle Lothian will do the window repair/painting of the large windows.
- Bills: Board members reviewed and signed bills.
- Minutes: Jan 5, board meeting/budget preparation; Peter Magnant/Scott made the motion to accept minutes as written. 5-0 All in favor, approved.  
Feb 12, special board meeting at town garage; Peter Kittell/Peter M made the motion to accept minutes as written. 5-0 All in favor, approved.  
Feb 14, regular board meeting; Peter M/Peter Kittell made the motion to accept minutes as written. Peter M pointed out that LCCA agreed at this meeting to pay \$1500 for deed/title cost to acquire the beach land. Town Clerk will contact the beach committee to look into. 5-0 All in favor, approved.  
Town Meeting, March 1; Peter Magnant/Yvon Dandurand made the motion to accept minutes as amended. Remove the comment by Kim Gates Maynard regarding the three lawsuits as this is not accurate. 5-0 All in favor, approved. All members sign town meeting minutes.  
March 8, reorganizational meeting; Peter Kittell/Peter Magnant made to motion to accept minutes as written. 5-0 All in favor, approved.

### **New Business:**

- Land bids: Two bids were received and opened by board members. Kenneth & Patty Corey bid \$859; Steven & Judy Danyow bid \$401. Motion by Peter Magnant/Yvon Dandurand to award the bid to Kenneth & Patty Corey for \$859 for the 25 acres of hay on town garage property. 5-0 All in favor.
- Septic Feasibility Study committee; Peter Magnant and Peter Kittell will represent the select board and village.
- Dewing Shore Rd issue with parked cars being in the road. The highway crew as advised that at 139 and 493 Dewing Shore Rd there are vehicles being parking in the road overnight and throughout the day causing snow plows to be unable to pass safely if at all. Town Clerk advised to do letters of warning to the residents that they may not park in the road right-of-way. The business at 493 may be in jeopardy of losing their permit to operate a business if they cannot meet the zoning requirements of off road parking. The vehicles will be towed at the owner's expense if issue continues to happen. Town Clerk will check with the police dept. regarding regulations of parking in a road.
- Adopt State Road & Bridge Standards: Peter Kittell/Kyle Lothian made the motion to adopt the updated standards as written by the state. 5-0 All in favor, members signed
- State Annual Financial Highway report: Members reviewed and signed.
- Speed limit on Square Rd. There are signs on Square Rd that advise speed limit slowed to 20 mph when people are present. Yellow triangle with people on it.

### **Old Business:**

- Ordinance prohibiting open burning. Scott Choiniere/Kyle Lothian made the motion to adopt the ordinance. Discussion on enforcement and issues. Peter Magnant, Kyle Lothian; yes: Scott Choiniere, Peter Kittell, Yvon Dandurand; no. Motion failed
- Highway Dept. moisture issue discussed. The vent fans have been turned up and the garage temp turned down with no change. Kyle suggested calling a ventilation company to come and look at to give suggestions and price quote. Also contact Gerard about a humidity/temp thermostat option for fan controls.
- Tri-town committee: Peter advised of the next meeting on March 21 at 6:30 in the Highgate town offices; would like to invite new board members. Will discuss the results of town meeting input.

### **Selectboard Folder:**

- Selectboard training institute information. The members will let town clerk know if interested to be registered.
- Winery Drive: Erich Marn has requested to name the driveway off Skunk's Misery Rd to the winery business as "Winery Drive". Kyle Lothian/Yvon Dandurand made the motion to approve this driveway/road name as requested. 5-0 All in favor.
- Complaint received from Aaron Porter, resident of Messier Rd regarding Steven Domina at 950 Messier Rd. Scott Choiniere abstained from discussion. Complaint of zoning violations, animal cruelty, and health concerns with septic waste exposed. Town Clerk instructed to forward to Zoning Administrator and Health officer. Will follow up in April.

**Member Concerns:**

- Highway crew did a great job with roads on Monday the 7<sup>th</sup> storm. The sidewalks were also done promptly to keep up with snow fall.
- Sidewalks have been noticed to be heaving by the church corner. Will watch to see what happens in the spring.
- Yvon advised that the Canadian border crossing at Morses Line will be dropping an 8 hour shift as of April 1; they will no longer be open from 4 pm until midnight. There is a group that is fighting this reduction of hours as it will also affect us locally.
- Peter M advised that Rob Cormier also voiced interest in the Zoning Administrator position if becomes available.
- Scott reviewed the layout of the town property regarding the garage, sand pile, and salt shed with the board.

Next meeting April 11, 2011.

Motion to adjourn the meeting made by Peter Magnant/Yvon Dandurand. 5-0 All in favor, motion passed.

Meeting adjourned at 10:40 p.m.

Respectfully Submitted,  
Lisa Larivee, Town Clerk  
March 15, 2011

***These minutes are not official until approved at the Select board's next regular meeting.  
Minutes approved April 11, 2011***