

**MINUTES OF THE FRANKLIN SELECTBOARD  
MONDAY, JULY 12, 2010  
FRANKLIN TOWN CLERK'S OFFICE**

**Members Present:** Peter Kittell, Lynn Paradis, Peter Magnant, Lisa Larivee (Town Clerk/Treasurer)

**Guests:** Heidi Britch-Valenta, Peter Benevento, Ted Meunier, David Breed, Jim Cameron, Hugh Gates, Kimberly Gates Maynard, Bob Irish

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

**Watershed:**

Lynn welcomed Heidi Valenta to the meeting. Heidi gave information on two upcoming events; rain garden demo and septic workshop for campers. The group continues to do septic surveys of the camp lots to assist owners with upgrades. Peter inquired about doing a rain garden at the town garage to catch any rain run-off. Heidi advised that UVM Extension has a great contact person.

Peter stated the Swamp Rd Better Back Roads project was complete. Heidi will take photos and do a final report; Lisa will put together the financial report to submit for the grant funds. The clerk's office will also call to see if an inspection is needed.

The LCCA and Watershed group presented to the select board a plan to continue with clean-up, maintenance and enhancement of the Lake's north end beach. The LCCA have spoken with Mr. Meunier about donating the land to the town; he is willing to do so under the stipulation that it continues to be used for public use. The three groups would then partner to maintain a public beach with greater eye appeal and better boat and swimmer access/use as an asset to the town. The State Fish & Wildlife could lease the boat launch area and would maintain this area themselves. Wayne Laroche from Fish & Wildlife will be contacted to attend the August selectboard meeting. Heidi has spoken with VLCT for an opinion. They advised having good policies and ordinances in place and an enforcement plan. Heidi also spoke with other area towns that have similar situations and they have had no liability issues. LCCA would like to do a boat greeter program also in the future. The town clerk will check on insurance costs and other questions of concern. The selectboard will put on the August agenda for further discussion. Suggest that it should be proposed to the voters at town meeting.

**Town Clerk's Concerns:**

- Sidewalk update: The nyoplast catch basin is on site and will be installed soon. Peter would like to speak with J.C. Antone about doing the additional drainage work on the east side of Square Rd for the town as well.
- Grant Anticipation Note: The board would like to do pay downs on the note as funds are reimbursed from the state for the sidewalk project to pay the note off as quickly as possible; Lisa will do so.
- Bills: Board members reviewed and signed bills
- Minutes: Pete Magnant/Peter Kittell made the motion to accept minutes of June 15 with changes as discussed. No other discussion. All members in favor, approved.
- Accident update: Lisa has spoken with VLCT about the claim. Did find that the accident was purely accidental; however the town did have some exposure. They are working on a settlement for lost work and health insurance deductible costs.

**Park & Ride/Homestead Drive:**

The board welcomed Kimberly Gates Maynard and Hugh Gates to the meeting. They have come to further discuss issues with the select board regarding Homestead Drive and the Park & Ride lot. Hugh requested copies of the Engineer bids for the run-off issues; inquired what the status was to date with this work. Franklin Telephone would like the acknowledgement from the select board that Homestead Drive is a private shared driveway; therefore can not be used by the public for the park & ride lot. If any development were to take place on the Westcott lot the town would need permission from all involved parties of the road agreement. Zoning regulations are for the purpose of changes in use. The board does not feel it was a change of use; as the lot was used for parking since 2006. Franklin Telephone did not agree with the public park & ride construction; they felt they were not given the right to appeal the issue. FTC feels there is a liability exposure and security issue to their property with this "public" area. They do not want the park & ride to be used as a "public" lot. FTC asked the Homestead to make an offer to the town to purchase this lot; the Homestead board of directors did not support the purchase. FTC states the town is trespassing on their property and violating their property rights. The road agreement has been breached with this new use. Eminent domain was previously presented to FTC. FTC requests changing the lighting to be dimmer, fix the water run-off issue from Apple Tree Lane and below sand pile. Current maintenance is a three way split with Homestead Inc. All parties agreed to and signed the original road agreements. Hugh suggests speaking with Polly about the assumptions on using Homestead Drive for access to the Westcott property. Need to have a plan for the future. Hugh & Kim exited the meeting.

#### **Old Business:**

- Class 4 Road policy: The board tabled this matter to next meeting for lack of time tonight.
- Vic's Crossing: Scott has spoken with the State about the sight of vision in this area. The state was to check into and trim the cedar hedges. A recommendation has been made to install a "flashing light" for speed control and to alert drivers of the summer resident's present. Board will check with the state on this matter.

#### **New Business:**

Tri-town recreation committee will meet on Wednesday this week. Highgate select board will be attending to start the selection of a new facilities manager. The Highgate select board would like the facility to be self supporting and not under the control of the Town of Highgate. Progress to date looks like the rink will be updated and any future expansions will be looked at later.

#### **Junk Ordinance:**

- Jette – Shoreland/Recreational district. Request that the pigs be moved out back away from the camps and shoreline area. May be able to get volunteers to assist with clean up. At this time there are no written complaints on file about the odor, the select board will not take further action. Progress continues slowly.
- Kern – Scott working on with property owner.
- Russin – Harvey advised the cars by the barn have been moved out back. Cars by the house will be moved as they can. Progress taking place.
- Vieta – Scott has spoken with and progress is looking good.
- Clark – Peter will continue to watch.

#### **Reappraisal:**

The listers have met with Sterns Allen, a data collections expert, who will assist with sight visits and data collection. They are starting with the camps this weekend to get them done during the summer months. Mr. Sterns' contract will be reviewed at the August select board meeting for approval; charge at a per parcel rate. Invoices will be submitted monthly with a progress report. The reappraisal is to be completed and effective for the 2012 grand list.

### **Selectboard Folder:**

- Weed harvester grant approved by the state and requires a signature from the Select board. Peter Kittell/Pete Magnant made the motion for Lynn to sign. Grant signed.
- Letter from Bernie Sanders on support of the Morses Line boarder crossing remaining open. Recommending that the involved parties meet to come to an agreement. Board asked to have the letter sent to Mr. Rowe, spokesperson for the local community committee.
- Dog complaint received from a camper on Camp Rd. Lisa has spoken with the dog owner about keeping the dogs on their property or leashed. There have not been any more complaints.

### **Member Concerns:**

- Discussion about public beach at north end of the Lake. Lisa will call on the insurance matter. Recommend there be a sidewalk in front of the restaurant. Possibility of adding onto the beach with stone and sand. Will include on town meeting warning for 2011.
- Road work progress; Swamp Rd ditching is done, paving will be done the 3<sup>rd</sup> week of July, Beaver Meadow Rd being worked on.

### **Executive Session:**

Pete Magnant/Peter Kittell made the motion to enter into executive session at 10:00. All members voted in favor. Motion made by Pete Magnant/Lynn to exit executive session at 10:35. All members voted in favor. Discussion on the Park & Ride and Homestead Drive issues. No decisions made.

The next regular Selectboard meeting is August 9, 2010.

Motion to adjourn the meeting made by Pete Magnant/Lynn. All in favor, motion passed.

Meeting adjourned at 10:45 p.m.

Respectfully Submitted,  
Lisa Larivee, Town Clerk  
July 13, 2010

***These minutes are not official until approved at the Selectboard's next regular meeting on August 9, 2010.***