

**MINUTES - SELECTMEN'S MEETING**  
**TOWN OF BARNET, VT**  
**MONDAY, FEBRUARY 14, 2011**

**Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk's Office.**

**Board members present:** Selectmen Theodore Faris, Jeremy Roberts, and Gary Bunnell.

**Meeting Chair:** Co-Chair Theodore Faris presiding as Chair for this meeting.

**Others present:** Town Clerk Benjamin Heisholt, Road Foreman Timothy Gibbs, Zoning Administrative Officer Shirley Warden, Patrick Carr (Lyndon State College), Michael Hennessey (Lyndon State College News 7), Ryan Holmes (Lyndon State College News 7).

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

Motion made by Roberts to approve as presented the minutes of the regular meeting held January 24, 2011. Seconded by Bunnell and approved by voice vote.

**NOTICE TO LAND RECORDS REGARDING FORMER TOWN GARAGE SOIL AND GROUNDWATER**

Faris read notice, to be recorded in the Barnet Land Records, disclosing information relating to monitoring of soil and groundwater performed at the site of the former Town Garage due to releases of hazardous substances from former underground storage tanks. Currently all contamination appears to be limited to beneath the property bounds. Petroleum-related contamination is now present only at a concentration below the State of Vermont's Groundwater Enforcement Standard. A non-petroleum-related contaminant, PCE, was detected in one sample well at a concentration above the Enforcement Standard.

This notice is required for the State to issue a "Site Management Activity Complete" designation to the site, enabling the Town to sell the property.

After brief discussion, the Board signed the notice.

**DISCUSSION REGARDING RECYCLING CENTER VOLUNTEERS**

Roberts discussed recent communication with Transfer Station and Recycling Center Supervisor Bruce Marston regarding a small group of students who have expressed willingness to volunteer at the Recycling Center. Roberts explained that Town Clerk Benjamin Heisholt has obtained information regarding insurance coverage for volunteers from the Town's insurance agent. Heisholt stated that it appears the Town would be covered for any liability itself, but the volunteers would not be covered with workers compensation insurance.

Faris suggested that, because the volunteers are Barnet School students, the Board should attempt to collaborate with the Barnet School to form a volunteer program. After brief discussion, the Board agreed to this suggestion.

## **DISCUSSION REGARDING EXPIRING LEASE TO KARME CHOLING OF SECOND FLOOR OF BARNET LIBRARY BUILDING**

Faris discussed his recent communications with Greg Garner of Karme Choling. Garner indicated that Karme Choling is agreeable to a lease as proposed by the Board at their previous meeting. Karme Choling, however, would like to submit an addendum to the lease that states their willingness to pay for improvements to the rented space in exchange for discounted rent payment.

The Board reviewed a lease document, prepared by Attorney Jay Abramson, which reflects the proposal of the Board at their previous meeting. After brief discussion, the Board signed this lease agreement.

## **DISCUSSION REGARDING TAX ASSESSMENT APPEAL TO STATE APPRAISER**

At the previous meeting the Board instructed Town Clerk Benjamin Heisholt to request the services of Attorney David Willis in the tax assessment appeal of Ernest and Vivianne Begin, due to a conflict of interest that disqualified Town Agent Jay Abramson.

Heisholt reported that Attorney Willis indicated that he also has a conflict of interest in this case.

After brief discussion, the Board requested that Heisholt contact Attorney Paul Gillies of Montpelier, and, if Attorney Gillies is not available, Attorney Duncan Kilmartin of Newport.

## **SOLID WASTE TRANSFER STATION REPORT FROM STATE OF VERMONT SOLID WASTE MANAGEMENT PROGRAM**

Reviewed highlights of report detailing fourth quarter 2010 waste disposed and waste recycled at the Barnet Transfer Station and Recycling Center. Quarter totals were as follows (in tons):

### **Waste Disposed:**

Municipal Solid Waste	53.14
Bulky Wastes	27.31
<b>Total</b>	<b>80.45</b>

### **Waste Recycled:**

Glass Containers	3.48
Metal Cans	0.82
Other Plastic	1.79
Books	0.20
Boxboard/Paperboard	1.61
Corrugated Cardboard	1.92
Mixed Paper	8.34
Scrap Metal, Appliances & White Goods	4.97
Electronics	0.80
<b>Total</b>	<b>23.93</b>

**CORRESPONDENCE REGARDING ACT 250 PERMIT APPLICATION OF CALVIN AND CHERRYLL BUNNELL**

Briefly reviewed email, with attached Memorandum of Decision and Order, from State of Vermont Natural Resources Board.

**UNIFORM MUNICIPAL EXCESS WEIGHT PERMITS**

Reviewed and approved fleet permits for Agri-Mark, Inc., DBA Cabot Creamery, and S.D. Ireland Concrete Construction Corp. & S.D. Ireland Brothers, Corp.

**OUTSTANDING CHECK WARRANTS**

Reviewed and signed all outstanding check warrants.

**OTHER BUSINESS**

Announced that a pre-town meeting public hearing will be held on Tuesday, February 22, 2011 at 7:00 p.m. at the Barnet School gymnasium.

**EXECUTIVE SESSION REGARDING LEGAL PROCEEDINGS**

Motion made by Roberts to enter executive session. Seconded by Bunnell and approved by voice vote. Entered executive session at 7:35 p.m.

Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session 8:05 p.m.

Signed retainer agreement for legal representation of Town by Town Agent Jay Abramson in the appeal by Jackmauh of the decision of the Board of Civil Authority.

**ADJOURNMENT**

Motion made by Roberts to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:05 p.m.

*A true copy.*

Attest: \_\_\_\_\_  
*Town Clerk*