

**MINUTES - SELECTMEN'S MEETING
TOWN OF BARNET, VERMONT
MONDAY, SEPTEMBER 12, 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 Jeremy Roberts presiding as Chair for this meeting.

Others present: Road Foreman Timothy Gibbs, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Ernest Begin, Vivianne Begin, Marc Broughton, Merle Fitzgerald, Patsy Gadapee, Richard Gadapee, Ryan Gadapee, Joseph Mangiapane, Jennifer Morin (Lyndon State College News 7), Kevin Morrison, Tina Morrison, Robert Raeder, Wendy Raeder, Alyssa Sylvia (Lyndon State College News 7), Joan Tafe, Kenneth Scott Willman, Laura Zindel, and Robert Zita.

Note: Numbered headings correspond to agenda printed in advance of meeting. Items appear in minutes in order discussed at meeting. Order of discussion is occasionally out of sequence with agenda numbers.

1. Approve minutes of regular meeting held August 22, 2011

Motion made by Faris to approve as presented the minutes of the regular meeting held August 22, 2011. Seconded by Bunnell and approved by voice vote.

2. Appearance by residents of West Barnet regarding culvert on Harvey Mountain Road

Several residents and taxpayers of West Barnet, primarily from the area surrounding Pavilion Lane, appeared to discuss damage caused by severe storms on May 26 and August 28, 2011. Selectmen also received two letters regarding this matter. Discussion centered on the residents' and taxpayers' perception that inadequate or poor ditching and culvert conditions caused or contributed to severe property damage and public health risk from these storms. Discussion was as summarized below:

- Kevin Morrison: Property sustained severe erosion in May and August. Presented photographs of similar, less severe, erosion in December 2000 and August 2004. This damage, or the severity thereof, could be avoided with increased size of culvert on Harvey Mountain Road and better maintenance of ditches. This problem affects many property owners other than the Morrisons.
- Theodore Faris: Recounted viewing the damage at the Morrison residence on the day of the August storm. Requested that those present bear in mind that the storms of May and August 2011 were abnormal. The Selectboard agrees that a problem exists in the area where the above-described washouts took place. The practice of the Selectboard in responding to culvert problems, however, is not to simply upgrade the culvert, but to first order a hydrology study, upon which the Board bases its decision regarding alleviation of the problem.
- Joseph Mangiapane: Discussed brook crossing his property that causes washouts. Reviewed construction projects on Farrow Farm Road and Aiken Farm Road that he believes contributed to the current problem. Stated that he grants permission to the Town to enter and use equipment on his property in efforts to resolve this problem. Requested that any study take into account Farrow Farm Road, Aiken Farm Road, and the culvert at the southern end of Pavilion Lane.
- Tina Morrison: After May storm nothing was done to improve culverts or ditches on Harvey Mountain Road. Requested that prior to the receipt of hydrology study results the Highway Department clean the culverts and improve the ditching on Harvey Mountain Road.
- Merle Fitzgerald: Driveway has sustained major damage four times in the previous five years. Cost of engineering a solution must be weighed against the property tax revenue generated from this area of town.

- Road Foreman Timothy Gibbs: Hydrology study of this area has already been ordered. This study will likely be done next week. Property damage and obstructed culverts are prevalent throughout town.
- Vivianne Begin, Joan Tafe, Wendy Raeder, and Laura Zindel each described damage to their respective properties believed to be caused by the above-described culvert and ditching inadequacies.

The Board agreed to wait for the results of the above-referenced hydrology study before taking engineering measures to resolve this matter. Prior to the receipt of these results, the Highway Department will take necessary action to clean culverts and improve ditching on Harvey Mountain Road, Aiken Farm Road, and Pavilion Lane. The Board will send notice to residents and taxpayers present at this meeting to inform them of the receipt of the hydrology study results and the date of the Selectboard meeting at which they will be discussed.

3. Appearance by Harvey's Lake Public Beach Committee Chairman Robert Zita

Mr. Zita discussed the physical condition of the Beach after the removal of the Clara Brock Cottage and after the August storm. The Beach was not given proper maintenance after the former and sustained major erosion from the latter.

- The Board agreed that the condition of the Beach must be addressed. Due to the seasonal closure of the Beach and the current focus of Town Highway repair, agreed to perform this maintenance in the spring of 2012.

4. Appearance(s) by other member(s) of the public

Marc Broughton appeared to discuss railroad crossing near his property on Bridge Street in Passumpsic. The tracks rise dangerously above the level of the street. Additionally, an obstructed culvert near the crossing is causing erosion of Mr. Broughton's driveway.

- The Town cannot patch roads at railroad crossings. Road Foreman Timothy Gibbs agreed to call Shauna Clifford of the Vermont Agency of Transportation to request that the State take action to resolve this matter.

5. Copy of correspondence from Gloria Chamberlain to East Barnet Fire District Tax Collector

Briefly reviewed letter requesting that the Tax Collector mail annual tax bills to taxpayers.

- Faris stated that he believes the matter to which this letter refers has been resolved.

6. Discussion regarding maintenance of Town buildings

Roberts discussed recent communications with Town Clerk Heisholt regarding complaints about the Selectboard's maintenance of the Barnet Public Library. Roberts stated that he wished to clarify the Board's policy regarding buildings maintenance generally. Day-to-day routine maintenance is to be executed by the official(s) presiding over the building. In the case of the Library this is the Library Board of Trustees. Each building has a budget for routine maintenance; if projects beyond the scope of the budget are required, the Selectboard requests that the appropriate official present a funding request to the Selectboard. This policy reflects that the Selectboard does not have access to these buildings as frequently as necessary to be aware of maintenance required.

- After brief discussion the Board agreed that the policy as described by Roberts is, and will continue to be, the practiced policy of the Board.

7. Highway Access Permit applications

Reviewed three applications:

- Annie Boone-Crane, Despina Lane: After brief review and discussion, application referred to Road Commissioner Gary Bunnell.

- Gregory & Celia Jackmauh, McLaren Hill Road: After brief review and discussion, Board agreed to approve permit.
- Peter Wagner, Darling Lane: Briefly reviewed. Road Foreman Gibbs has not viewed this site. Decision regarding this application postponed until next meeting to allow Gibbs to view and make recommendation.

8. Vermont Department of Environmental Conservation Petroleum Cleanup Fund request for reimbursement form

Briefly reviewed reports and request for reimbursement for services and expenses related to monitoring of the site of the former Passumpsic Village Store. Total reimbursement requested is \$447.86.

- After brief discussion and with Board's approval, Roberts signed the form.

9. Correspondence from Lincoln Applied Geology with Annual Summary Report for ground water monitoring at former Passumpsic Village Store

Briefly reviewed report detailing the results of semiannual ground water sampling performed on May 10, 2011. This sampling is part of ongoing monitoring performed as a result of the discovery of contamination from underground storage tanks in November 2002.

10. Other business

- **Federal Emergency Management Agency (FEMA) meeting for damage caused by August storm.** Faris discussed meeting attended by Faris and Road Foreman Gibbs on September 12, 2011.
- **Thank-you barbeque for flood repair contractors.** Date for barbeque has been changed to September 17, 2011.

11. Outstanding check warrants

Reviewed and signed all outstanding check warrants.

12. Adjournment

Motion made by Faris to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:20 p.m.

A true copy.

Attest: _____
Town Clerk