

**MINUTES - SELECTMEN'S MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, OCTOBER 10, 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:** Town Agent Jay Abramson, Road Foreman Timothy Gibbs, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Sarah Barraco (Lyndon State College News 7), Donald Burke, Joseph Mangiapane, Charles McAlpine, Jennifer Morin (Lyndon State College News 7), Kevin Morrison, Tina Morrison, Suzanne Puricelli, Robert Raeder, 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 September 26, 2011**

Motion made by Roberts to approve as presented the minutes of the regular meeting held September 26, 2011. Seconded by Bunnell and approved by voice vote.

**2. Discussion regarding Harvey Mountain Road culvert**

Roberts reviewed several items of correspondence:

- Email from David Willey of the Vermont Agency of Transportation's (VTrans) Hydraulics Unit. Willey stated that a site visit would be required for a hydrology study in this case. Due to stress on VTrans services site visits cannot currently be performed for culverts smaller than 36 inches. As this culvert is 24 inches, the soonest a State study could be performed would be next year.
- Email with attached stormwater investigation from Watershed Consulting Associates, LLC of Waitsfield, Vermont. Study was performed at the request and expense of resident Laura Zindel. Recommendations for resolution include replacement of the current 24 inch culvert with a 48 inch culvert including concrete or stone headwall and endwall structures. Also recommended was an improved ditch along Harvey Mountain Road; suggested was a culvert under the driveway of 388 Harvey Mountain Road.
- Emails from VTrans Hydraulics Engineer Nick Wark and VTrans District 7 Projects Manager Shauna Clifford. Both recommend Watershed Consulting Associates as a qualified and reputable company. Both indicated that a cursory review of the Watershed Consulting report revealed no obvious errors or omissions and suggested that the recommendations seem reasonable.

Discussion followed as summarized below:

- Faris thanked Ms. Zindel for requesting this report, indicating that the Board had hoped to receive a report of this nature and quality from VTrans.
- Road Foreman Gibbs recommended that the recommended 48 inch culvert on Harvey Mountain Road be of a squash/elliptical shape rather than round.
- There was some discussion regarding the containment and direction of water from upstream of the Harvey Mountain Road culvert, where it crosses Aiken Farm Road and passes through a wetland area on the property of Joseph Mangiapane.
- Faris noted that the recommendations of the Watershed Consulting report are intended only to convey a 25-year twenty-four hour storm event per VTrans standards. Both of the extreme storms of 2011 were 100-year storm events. The implementation of these recommendations will not, therefore, necessarily be adequate to prevent downstream damage if an event similar to those of 2011 were to occur.

- Laura Zindel asked if a new culvert should be placed under the driveway at 388 Harvey Mountain Road, as suggested by the report.
  - Bunnell responded: This action would tend to have the undesirable affect of directing water *away* from the 48 inch culvert to be installed and closer to the path it took in the two large storms this year.
- Manipulation of lake water levels using the Harvey's Lake Dam: It appears the behavior of the lake's water levels is changing. The Board hopes to have a new Dam system in place next year that will more safely and conveniently influence water level.
- Stone-lining of the ditches along Harvey Mountain Road: Road Foreman Gibbs indicated that this is planned but will not be completed this year.
- It was suggested by a resident that Ms. Zindel be reimbursed by the Town for the cost of the Watershed Consulting report (approximately \$3,000).

Motion made by Faris to replace the current 24 inch culvert on Harvey Mountain Road with a 48 inch squash/elliptical culvert and replace the current Aiken Farm Road culvert with a 36 inch squash/elliptical culvert. Seconded by Bunnell and approved by voice vote.

### **3. Appearance(s) by member(s) of the public**

- Joseph Mangiapane appeared to discuss an environmental concern at the property between the Mangiapane and Dunbar properties on Pavilion Lane. A retaining wall is in disrepair and a catch basin is discharging directly into the lake. Mr. Mangiapane has been unsuccessful in attempts to cause State agencies to address this concern. Mr. Mangiapane asked if the Town could take some action to remedy this.
  - Faris responded: This matter is outside the jurisdiction Town of authority. Faris will, however, call Reginald Smith of Vermont Water Resources to request that the State take action.
- Charles McAlpine appeared request that the Town assist in repair of Cottage Lane.
  - Faris responded: The Town has in recent years ceased the practice of providing limited maintenance to some private roads such as Cottage Lane. This is due to concerns that providing some such maintenance may oblige the Town to provide equal maintenance to all private roads. The Town does not object, however, to residents and taxpayers taking small amounts (e.g. five-gallon buckets) of gravel from the Town's stockpile.

### **4. Discussion regarding library building boiler**

Roberts discussed miscellaneous email correspondence regarding repair or replacement of the boiler. An estimate for a replacement wood pellet burning boiler was submitted by Trombly Plumbing & Heating. The total cost including installation for this would be \$15,780. Trombly Plumbing & Heating also proposed, as an alternative, a temporary repair that would allow the current boiler to work through the upcoming heating season. The cost for this would be less than \$500.

- After brief discussion motion made by Faris to instruct Trombly Plumbing & Heating to perform the temporary repair proposed. Seconded by Bunnell and passed by voice vote. The Board will consider options for replacement, including the wood pellet burning boiler, before the 2012-2013 heating season.

Roberts also discussed the other maintenance actions requested by the Library Board of Trustees, as discussed at the Selectboard meeting of September 26. Roberts has spoken with several painting contractors regarding exterior repairs. These indicated that the weather at this time of year is not suitable for such repair and that this would be better postponed until the spring of 2012.

### **5. Correspondence from Hoffer Consulting regarding former Town Garage monitoring well abandonment**

Roberts read copy of letter submitted to the Vermont Agency of Natural Resources stating that the seven groundwater monitoring wells at the former Town Garage site (currently owned by Town Garage, LLC) were abandoned 4 October 2011.

## **6. Correspondence from Green Mountain Power regarding West Barnet feeder upgrade**

Roberts read letter expressing Green Mountain Power's (GMP) appreciation for the Highway Department allowing GMP to store poles and wires at the Town Garage during a recent feeder update in West Barnet.

## **7. Correspondence from Vermont Natural Resources Board regarding Land Use Permit of Nathan LaFlamme DBA C & C Bunnell Excavating, LLC**

Reviewed administrative amendment filed for the purpose of changing the name of the legal owner of the property.

## **8. Highway Access Permit applications**

Reviewed application of Annie Boone Crane for access on Despin Lane. This application is for access at a location different from that of the application discussed at the meetings of September 12 and September 26. Road Foreman Gibbs discussed his recommendation for action regarding this permit: A drive at this location will put too much drainage into Despin Lane. Ditching and culvert work would need to be performed; ledge along road would make adequate ditching impossible. Also, road is too narrow for multiple accesses. Gibbs does not believe that there is any suitable location for such a highway access along Despin Lane.

- After brief discussion, Board agreed to deny this permit based on the recommendations of Gibbs and because this drive would be a secondary access – this residence already has highway access along Barnet Center Road.

## **9. Other business**

### **• Appearance by Road Foreman Timothy Gibbs regarding Highway Department matters.**

Gibbs discussed several items:

- o Shauna Clifford of the Vermont Agency of Transportation (VTrans) provided Gibbs with "Standards for Residential and Commercial Drives," which contains specifications that the State requires for access along State roads and recommends for municipal requirements. Gibbs asked if the Town had adopted these requirements, noting that no specific requirements are indicated in the Town's Ordinance for the Control of Access to Highways.
    - Faris responded that he believes the Town has adopted these. Town Clerk Heisholt will investigate this.
  - o The Highway Department has measured the length of all dead-end single-residence Town Highways. In many cases the Town is currently maintaining these roads past the end of the Town's right-of-way. Gibbs requested the Board's approval to install turn-arounds at the end of the Town Highway mileage of these roads so that Town trucks can turn around without plowing to the end of these roads.
    - After brief discussion the Board agreed to approve Gibbs's request. The Board instructed Gibbs to ensure that these turn-arounds remain within the Town's right-of-way and to notify the property owners at these locations. The owners may elect to request the Town discontinue maintenance of the entire road rather than installing the turn-around.
  - o Discussed the Town borrowing Gary Bunnell's backhoe for performed ditchwork this autumn.
  - o Stone-lining of ditches along Roy Mountain Road has been ceased due to lack of Town funds and delay of Federal Emergency Management Agency reimbursement.
  - o Stockpiling of gravel and winter sand is complete. Gravel: 10,500 cubic yards of ¾ inch minus and 2,600 cubic yards of 2 inch minus. Sand: 7,600 cubic yards.
- **Hazard Mitigation Grant Program.** Faris noted his receipt of a letter from Ray Doherty of Vermont Emergency Management regarding availability of grants for repair and mitigation of local roads and bridges, etc.

- **Appearance by Harvey's Lake Public Beach Committee Chairman Robert Zita regarding Beach maintenance.** Zita asked if the Selectmen plan to postpone until next year all beach maintenance discussed at the September 12.
  - o Bunnell indicated that he will try to repair the erosion along the footing of the bathhouse this autumn.
  - o Faris noted that the Town is presently very busy with road maintenance and will address the majority of the Beach maintenance in the spring of 2012.
- **Discontinuance of dead end Town Highways.** There was some discussion of "throwing up" roads of the nature discussed by Road Foreman Gibbs above with reference to turn-arounds. The Board would prefer to wait until the residences on these roads are transferred to different owners before taking this action. Some method of noticing this intention in the land records for potential buyers was also discussed.

**10. Outstanding check warrants**

Reviewed and signed all outstanding check warrants.

**11. Discussion regarding legal proceedings (executive session)**

- Motion made by Faris to enter executive session. Seconded by Bunnell and approved by voice vote. Entered executive session at 8:25 p.m. Attendance in executive session: Bunnell, Faris, Roberts, Town Agent Jay Abramson, and Town Clerk Heisholt.
- Motion made by Faris to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:55 p.m.
- No action taken.

**3. Appearance(s) by member(s) of the public**

State Senator Joe Benning appeared to discuss matters related to the Senate. Several issues were discussed, including the timing of payment of Federal Emergency Management Agency reimbursements to the Town.

**12. Adjournment**

Motion made by Faris to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 9:00 p.m.

*A true copy.*

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