

**MINUTES - SELECTMEN'S MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, FEBRUARY 27, 2012**

**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:** Road Foreman Timothy Gibbs, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Sara Hamelin (Lyndon State College News 7), and Jackson Stewart (Lyndon State College News 7).

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 February 13, 2012**

Motion made by Roberts to approve as presented the minutes of the regular meeting held February 13, 2012. Seconded by Bunnell and approved by voice vote.

**2. Appearances by members of the public**

There were no appearances by members of the public.

**3. Discussion regarding Passumpsic railroad crossing**

Roberts discussed his recent communications with the railroad company regarding the Bridge Street crossing that is in poor condition. Although Bridge Street is a town highway, the State of Vermont is responsible for maintaining the right-of-way for the railroad crossing. This crossing is the State's first scheduled railroad crossing repair for this spring. If the State is unable to perform the repair in a timely manner, the Town may perform the repair to state specifications.

**4. Discussion regarding personnel policy**

Town Clerk Heisholt and Road Foreman Gibbs discussed the overtime policy, which is described in sections VIII.A. and VIII.B. of the personnel policy. They requested that the Board clarify the policy with regard to the situation arising when an employee reports to work before his regularly-scheduled shift or works later than his regularly-scheduled shift but does not work more than eight hours in that particular day. For example, a Highway Department employee, whose regular schedule is 6 a.m. to 2:30 p.m., may work from 4 a.m. until 12 p.m. Presently the Town pays the employee overtime for any time that does not fall within his regularly-scheduled hours. Thus, in the example above, the employee would receive pay for two overtime hours and six regular hours. Heisholt and Gibbs requested that the Board codify into policy either the current practice or some other method of accounting for overtime. Discussion followed.

- The Board agreed to take no action regarding this matter at this time; the Board also requested that Town Clerk Heisholt seek a legal opinion regarding overtime laws.

**5. Correspondence from Mudgett Jennett & Krogh-Wisner regarding 2011 audit**

Board reviewed terms and conditions of proposed agreement for auditing services, as discussed at meeting of 13 February 2012. Services rendered include an audit of 2011 financial statements in accordance with provisions of the *Single Audit Act*. Estimated fees for services fall between \$12,000 and \$15,000.

- The Board requested that Town Clerk Heisholt inquire regarding hourly rates charged for services.

**6. Correspondence from Northeast Kingdom Waste Management District (NEKWMD) regarding recertification application for Barnet Transfer Station & Recycling Center**

Board reviewed application to Vermont Agency of Natural Resources, as prepared by NEKWMD.

- With Board approval Faris signed each of two copies of the application.

**7. Correspondence from Northeast Kingdom Waste Management District regarding amendment to Solid Waste Management Plan**

The Board reviewed cover letter and proposed amendment, which would (1) include the Town of Corinth in the Solid Waste Implementation Plan, (2) include categorical composting facility of Marty Beattie in Danville, and (3) include recycling facilities in Albany and Brownington.

**8. Correspondence from Vermont Agency of Transportation regarding highway centerline marking**

Board reviewed letter regarding the statutory obligation of the Vermont Agency of Transportation to mark the centerline on all paved Class 1 and 2 town highways.

**9. Correspondence from Vermont Natural Resources Board regarding Act 250 permit application of David Bogie**

The Board reviewed email and attached notice of minor application and draft land use permit for development and operation of a commercial sand and gravel pit on Garland Hill in Barnet.

**10. Correspondence from Vermont Agency of Natural Resources regarding Site Management Activity Completed (SMAC) designation of former Barnet substation**

The Board reviewed email and attached letter regarding the review of the property owned by Green Mountain Power by the Site Management Section. Site review found that the property does not pose an unacceptable risk to human health or the environment; a SMAC designation was assigned.

**11. Annual review of ordinance for regulating all-terrain vehicles to be held at next regularly-scheduled Selectboard meeting: March 12, 2012**

Faris read announcement for review of ordinance.

**12. Other business**

- **Personnel Policy boot benefit.** Road Foreman Gibbs discussed section VII.E. of the personnel policy, which indicates that the Town will pay an annual one hundred dollar (\$100) reimbursement to highway department employees for purchase of safety-toe work boots. Gibbs asked the Board to consider adding to the policy to reimburse also for purchase of safety-toe rubber boots. Rubber boots are used by the Highway Department when cutting brush. Discussion followed.
  - o The Board agreed to add section VII.F. to the policy, to indicate that the Town shall reimburse Highway Department employees biennially an amount not to exceed one hundred dollars (\$100) for the purchase of safety-toe rubber boots.
- **Halfway houses.** Zoning Administrative Officer Warden discussed recent newspaper articles regarding halfway houses, or transitional residential facilities, in Vermont. Discussed possible permitting violations at facility on Mosquitoville Road.
  - o The Board requested that Warden investigate and report back to the Board regarding this matter.

**13. Uniform Municipal Excess Weight Permits**

Reviewed and approved Uniform Municipal Excess Weight Permits for Arnold Withers Trucking, Austin Construction, Inc., John Colgrove Trucking, and Mike Lemieux Trucking.

**14. Outstanding check warrants**

Reviewed and signed all outstanding check warrants.

**15. Discussion regarding personnel matters (executive session)**

- Motion made by Roberts to enter executive session. Seconded by Bunnell and approved by voice vote. Entered executive session at 7:55 p.m. Attendance in executive session: Bunnell, Faris, Roberts, Road Foreman Timothy Gibbs, and Town Clerk Heisholt.
- Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:00 p.m.
- No action taken.

**16. Adjournment**

Motion made by Roberts to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:02 p.m.

*A true copy.*

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