

**MINUTES - SELECTMEN'S MEETING
TOWN OF BARNET, VERMONT
MONDAY, APRIL 9, 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:, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, William Biddle, Tammi Davis, Albert Despina III, Beau Despina, Lee Foster, and Claudette Sortino.

1. Approve minutes of regular meeting held March 26, 2012

Motion made by Roberts to approve as presented the minutes of the regular meeting held March 26, 2012. Seconded by Bunnell and approved by voice vote.

2. Appearance by State Representative candidate Claudette Sortino

Ms. Sortino, a Democratic candidate for Caledonia-1 district representative, introduced herself to the Board and spoke briefly regarding her campaign.

3. Annual review of Ordinance for Regulating All-Terrain Vehicles (ATVs)

The Board resumed its annual review of the ATV ordinance, as begun at the previous two Board meetings.

- William Biddle asked what portion of Roy Mountain Road is under consideration for ATV traffic.
 - o Tammi Davis of the Barnet Trailblazers ATV Club (Club) responded: The Club requests use of Roy Mountain Road from its intersection with Garland Hill Road to its intersection with McLaren Hill Road.
- William Biddle asked if the highways under consideration represent an expansion from last year's usage.
 - o Faris responded: Yes, the Club requests additional trails this year to allow access to trails outside of Barnet; the Board does not anticipate significant expansion next year. Faris then briefly reviewed the public highways and portions thereof under consideration.
 - o Tammi Davis spoke: The Club hopes that once permission for town highways is granted it will have more success in securing permission from private landowners for usage of off-road trails; this would allow the Club to close unnecessary public highway trails.
- Lee Foster spoke: Permission has been granted for the Club's use of the Fosters' private land on Keenan Road; this should eliminate the need to use Keenan Road for ATV traffic. Due to the close proximity of the Fosters' residence to Keenan Road, they would prefer that ATV access to Keenan Road be denied.
 - o After brief conversation with Mr. Foster and Ms. Davis, the Board concluded that Keenan Road may be eliminated from the list of town highways under consideration.
- Motion made by Roberts to renew the Ordinance for Regulating All-Terrain Vehicles (ATVs) as adopted in 2010, with changes only in the modification of specified town highway use permitted; this new permitted use being as requested by the Barnet Trailblazers ATV Club at the Board meeting of March 26, 2012 excepting the use of Keenan Road, which is excluded provided the Club is able to build a trail to circumvent this road in a timely manner.

4. Appearances by other members of the public

There were no appearances by other members of the public.

5. Appointment of budget committee members

Town Clerk Heisholt stated that the elected three-year terms of Deborah Nutter and Stanley Robinson have expired. The budget committee is now appointed by the Selectboard rather than elected by residents. According to rules in effect when the committee was elected, those with expiring terms could not succeed themselves; the Board now has discretion concerning whether or not to continue this practice. Brief discussion followed.

- Motion made by Roberts to appoint Kevin Morrison and Tammi Davis to three-year terms ending March 3, 2015. Seconded by Bunnell and approved by voice vote.

6. Correspondence from Annie Boone Crane regarding highway access permit application

Board briefly reviewed correspondence relating to two highway access permit applications which were denied in 2011. This correspondence was addressed to the Zoning Board/Planning Commission; it was referred to the Selectboard because the Zoning Board/Planning Commission did not believe it has jurisdiction over matters relating to highway access permits. This correspondence has been forwarded to Town Agent Jay Abramson for an opinion concerning the proper venue for Ms. Crane's request.

- The Board agreed to table this matter pending Mr. Abramson's opinion.

7. 2012 liquor and tobacco license renewal applications of Barnet Village Store and West Barnet Quick Stop

Reviewed and approved applications of the Barnet Village Store and West Barnet Quick Stop for liquor and tobacco licenses for period ending April 30, 2013.

8. Other business

- **Correspondence from Fairbanks Mills.** Faris briefly reviewed correspondence offering services in bridge and culvert repair.
- **Heating systems.** Roberts discussed his communications with School Board member Louis Bushey. The School Board requests a response from the Selectboard regarding the possibility of a Town-School partnership in bidding and securing services for boiler replacements, fuel purchasing, and service contracts. Brief discussion followed.
 - o The Board agreed to decline participation in partnership concerning boiler replacements, but to pursue a partnership in fuel purchasing and service contracts.
- **Energy Coordinator.** Shirley Warden spoke concerning her appointment as Barnet's Energy Coordinator. Warden stated that she believes she lacks the time and qualifications necessary for this position. Brief discussion followed.
 - o Board and Warden agreed that Warden will continue to serve as Energy Coordinator.

9. Uniform Municipal Excess Weight Permits

Reviewed and approved Uniform Municipal Excess Weight Permits for Carroll E. Ainsworth, B.I.T. Enterprises, Chief Crushing & Excavation, Inc., and Limlaw Chipping & Land Clearing, Inc.

10. Outstanding check warrants

Reviewed and signed all outstanding check warrants.

11. 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 7:50 p.m. Attendance in executive session: Bunnell, Faris, Roberts, and Town Clerk Heisholt.
- Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:18 p.m.

- Board agreed to add Section IV, Part B. to the Personnel Policy, stating the following: “The Board or the Road Foreman shall appoint an Assistant Road Foreman. The function of the Assistant Road Foreman shall be to perform the same responsibilities as the Road Foreman as described in Section IV. Part A. above when, and only when, the Road Foreman is absent for two or more consecutive work days. A work day shall be defined in this sub-section as any day when a majority of the Highway Department employees report to work. While serving in the above-described capacity in the absence of the Road Foreman, the Assistant Road Foreman shall receive the same hourly rate of pay as the Road Foreman.” The Board also agreed to rename the section of the Personnel Policy that was entitled “Section IV” as “Section IV, Part A.”

12. Discussion regarding legal proceedings (executive session)

- Motion made by Roberts 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, and Town Clerk Heisholt.
- Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:30 p.m.
- Motion made by Roberts to appoint Theodore Faris as an ad hoc litigation liaison of the Board of Selectmen to act as a contact between the Board and the Town’s defense counsel. Seconded by Bunnell and approved by voice vote.

13. Adjournment

Motion made by Roberts to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:32 p.m.

A true copy.

Attest: _____
Town Clerk