

**MINUTES – SELECTMEN’S MEETING
TOWN OF BARNET, VERMONT
MONDAY, FEBRUARY 24, 2014**

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 presided as Chair for this meeting.

Others present: Road Foreman Keith Gadapee, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, William Biddle, John Cook, and Sarah Cook.

1. Approve minutes of regular meeting held February 10, 2014

Mr. Faris moved to approve as presented the minutes of the regular meeting held February 10, 2014. Seconded by Mr. Bunnell and approved by voice vote.

2. Public hearing for review and comment on proposed Barnet Town Plan pursuant to 24 VSA Chapter 117

Mr. Roberts read the notice for this hearing, as printed in the Caledonian-Record and posted at the Town Clerk’s Office and at least two other places in the municipality. Discussion ensued, summarized as follows:

- Mr. Faris asked Zoning Administrative Officer to describe changes made in this revision of the Town Plan.
 - Ms. Warden indicated that this revision is simply to update and re-adopt the previous Town Plan, for which the five-year effective period had expired. No policy changes were made. Factual updates (e.g. 2010 Census information) were incorporated. Ms. Warden also suggested the final draft incorporate the correction of two errors appearing in the draft revision. The first, appearing in Section 14, subsection “Rail Service” (page 27), would be to change “Washington Country Railroad” to “Washington County Railroad.” The second would be to entirely replace the language in Section 16, subsection “Town Garage and Equipment” (page 29) by eliminating anachronistic discussion of the former Town Garage. The new subsection would read: “The Town Garage built in 2010, which is capable of housing the equipment for the highway department, is located at 131 Granger Street with easy access to US Route 5. A salt shed was added at this location in 2012. Equipment is updated or replaced as required with funds put aside in each budget.”
- Sarah Cook spoke, stating a concern regarding Section 15, subsection “Energy and Communications: Goals,” under “Recommend Actions” number 1. This part of the subsection reads: “Encourage the development of alternative energy sources in the Town, especially renewable sources such as wind, solar and hydroelectric.” Ms. Cook expressed concern specifically relating to the word “wind,” suggesting it may make the Town vulnerable to undesired large industrial wind projects. Ms. Cook argued that the landscape and ecological consequences of such projects would run counter to the goals and policy set forth in the rest of the Town Plan. Discussion ensued. Planning Commission member William Biddle, who was a member of the Committee tasked with revising the Town Plan, indicated the Planning Commission would be in agreement with Ms. Cook. The inclusion of any possible allusion to the encouragement of large-scale industrial wind was an accidental oversight. Mr. Biddle suggested that striking the word “wind” from this subsection would be in the spirit of the aims of the Town Plan, and would not be a substantive change.
- Mr. Faris moved to make corrections to the draft Town Plan as suggested by Ms. Warden and to strike the word “wind” from the above-referenced portion of the “Energy and

Communications: Goals” subsection of Section 15. Seconded by Mr. Bunnell and approved by voice vote.

- Mr. Biddle spoke regarding high-speed internet in Barnet, suggesting that the Town Plan does well in treating of the inadequate service, but urging the Selectboard to assert its voice with State of Vermont authorities to the end of remedying this inadequacy.
 - The Board agreed to appoint Mr. Roberts to make inquiries regarding this matter.

3. Appearances by members of the public

There were no appearances by members of the public.

4. Appearance by Road Foreman Keith Gadapee regarding Highway Department matters

a. Mine Safety and Health Administration (MSHA). Mr. Gadapee indicated that he registered the Highway Department to attend a MSHA refresher training. Discussion ensued.

- The Board instructed Mr. Gadapee to register Mr. Faris and Mr. Bunnell to attend this training also.

b. Grant applications.

- **Application permission.** Mr. Gadapee asked for the Board’s permission to apply for the same three Vermont Agency of Transportation grants for which the Town applied in 2013 – Better Backroads, Structures, and Class 2 Roadway. Discussion ensued.

- The Board agreed to permit Mr. Gadapee to apply for these grants.

- **Better Backroads.** Mr. Gadapee recommended that the Board apply for a project on Schoolhouse Road for the Better Backroads Grant. Discussion ensued.

- The Board agreed to apply for a grant for a project on Schoolhouse Road, per Mr. Gadapee’s recommendation.

- **Structures.** Mr. Gadapee recommended that the Board use their Structures Grant application for a project involving a retaining wall on Mill Hill, for which some preliminary work is already complete. Other possible projects suggested were deck repairs on a Bridge Street bridge, engineering on a Joe’s Brook Road bridge, and box culvert projects on Farrow Farm Road and Ferguson Road. Discussion ensued.

- The Board agreed to apply for a grant for a project on Mill Hill, per Mr. Gadapee’s recommendation.

- **Class 2 Roadway.** Mr. Gadapee recommended that the Board apply for a grant for a paving project on Roy Mountain Road, from the intersection with McLaren Hill Road to near the E911 address location of 1114 Roy Mountain Road. Other possible projects suggested were Harvey Mountain Road, Joe’s Brook Road, and Monroe Road. Discussion ensued.

- The Board agreed to apply for a grant for a project on Roy Mountain Road, per Mr. Gadapee’s recommendation.

c. Other projects. Some further discussion was had regarding road projects to be undertaken in 2014; these included projects to be pursued if grants are not obtained, projects eligible for grants for which grants will not be applied, and projects ineligible for grants.

5. Discussion regarding pre-town meeting public hearing

Mr. Roberts read the warning for a pre-town meeting public hearing to be held Tuesday, February 25, 2014 at 7:00 p.m. at the Barnet Elementary School.

6. Discussion regarding annual review of Ordinance for Regulating All-Terrain Vehicles (ATVs)

The Board discussed the annual review of the Ordinance for Regulating ATVs, which is always held on the first regular Selectboard meeting following Town Meeting. This year this meeting will be held Monday, March 10 at 7:00 p.m. at the Town Clerk’s Office. The Board also reviewed a list of town highways or portions thereof ATV travel is requested to be permitted upon during the 2014 season.

This list includes: Barnet Center Rd, Bony Woods Rd, Brook Hill Rd, Chamberlain Rd, Cloud Brook Rd, Ferguson Rd, Garland Hill Rd, Gilfillan Rd, Goss Hill Rd, Joe's Brook Rd, Keenan Rd, Keyser Hill Rd, Little Scotland Rd, McLaren Hill Rd, Morse's Mill Rd, Roy Mountain Rd, Water Andric Rd, West Barnet Rd, and West Main St. A map of proposed town highway access may be viewed at the Town Clerk's Office.

7. Discussion regarding Personnel Policy boot benefits

Town Clerk Benjamin Heisholt requested that the Board clarify the Personnel Policy with regards to Section VII, Parts E and F. Part E describes an annual benefit to Highway Department employees for the purchase of safety-toe work boots; Part F describes a biennial benefit to Highway Department employees for the purchase of safety-toe rubber boots. Neither subsection, however, indicates how the "year" with regard to these subsections is to be construed – e.g. under Part E, if an employee exercises his benefit on December 1, 2013, whether he would next be eligible for this benefit on January 1, 2014 or on December 1, 2014. Discussion ensued.

- Mr. Faris moved to define a "year" in each of the above-referenced two subsections as a calendar year – e.g. in the example above the employee exercising his benefit on December 1, 2013 would next be eligible for this benefit on January 1, 2014. Seconded by Mr. Bunnell and approved by voice vote.

8. Correspondence from Vermont Department for Children & Families regarding Town Service Officer appointment

Mr. Faris read a cover letter advising the Board that the term of office of the present Town Service Officer expires April 14, 2014, and that Vermont law provides for the appointment of such an officer on or before April 15th of each year.

- Mr. Faris moved to re-appoint Stanley Robinson as Town Service Officer. Seconded by Mr. Bunnell and approved by voice vote.

9. Correspondence from Vermont Agency of Transportation (VTTrans) regarding centerline pavement markings on Class 1 and Class 2 highways

The Board reviewed a letter advising the Town that paved Class 2 town highways are due to be marked by a VTTrans contractor between April 1 and October 31.

10. Correspondence from Downs Rachlin Martin PLLC regarding VTel Wireless, Inc.'s application for Certificate of Public Good

The Board reviewed a letter and binder relating to an application for a wireless communications facility at 436 Pearlmount Road.

11. Correspondence from Downs Rachlin Martin PLLC regarding Charter Communications' application for renewal of Certificate of Public Good

The Board reviewed a cover letter with petition, testimony and related initial filings for renewal of Certificate to provide cable-television services.

12. Applications for Uniform Municipal Excess Weight Permit

The Board reviewed and approved the applications of Agri-Mark, Inc., DBA Cabot Creamery, and H.A. Manosh Corp.

13. Other business

- a. Correspondence from Vermont Department of Taxes regarding TransCanada Hydro Northeast tax appeal.** Mr. Roberts read an email from Bill Johnson, Director of Property Valuation and Review. Mr. Johnson indicates that two appropriations were made in the last legislative session relating to valuation of TransCanada properties and defense of these valuations respectively. Discussion ensued.

14. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

15. Discussion regarding legal proceedings (executive session)

- Mr. Faris moved to enter executive session. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 8:30 p.m. Attendance in executive session: Mr. Faris, Mr. Roberts, Mr. Bunnell, and Mr. Heisholt.
- Mr. Faris moved to exit executive session. Seconded by Mr. Bunnell and approved by voice vote. Exited executive session at 8:35 p.m.
- No action taken.

16. Adjournment

Mr. Faris moved to adjourn. Seconded by Mr. Bunnell and approved by voice vote. Meeting adjourned at 8:35 p.m.

A true copy.

Attest: _____
Town Clerk