

**MINUTES – SELECTBOARD MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, APRIL 14, 2014**

**Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk's Office.**

**Board members present:** Chair Jeremy Roberts, Gary Bunnell, and Dylan Ford.

**Others present:** Road Foreman Keith Gadapee, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Theodore De Macedo Soares, William Graves, Christopher Kaufman, Susan Persson, Maurice Roberts, and David Warden.

**1. Approve minutes of regular meeting held March 24, 2014, and special meetings held March 27, 2014 and April 1, 2014**

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held March 24, 2014, and special meetings held March 27, 2014 and April 1, 2014. Seconded by Ms. Ford and approved by voice vote.

**2. Appearance by resident Theodore De Macedo Soares regarding Barnet Fire District #2**

Mr. De Macedo Soares discussed the proceedings whereby Barnet Fire District #2 (Fire District) plans to purchase the privately-owned village water system. Mr. De Macedo Soares is opposed to this purchase, and suggests that the Fire District would be better served by financing the installation of wells for each residence and business. Mr. De Macedo Soares presented documentation relating to the costs for each option, the disadvantages of purchasing the water system, and the advantages of his proposal. Discussion ensued.

- The Board, citing an email from Deputy Secretary of State Brian Leven to Town Clerk Benjamin Heisholt dated April 3, 2014, indicated that the Selectboard does not take part in the administrative decisions of the fire districts; the Board advised that if Mr. De Macedo Soares is not satisfied with the response he has received from the Fire District Prudential Committee, he should voice his opinion to individual voters within the Fire District.

**3. Appearance by resident Christopher Kaufman regarding stormwater on Mosquitoville Road**

Mr. Kaufman appeared to discuss his concern that water is entering his property from a drainage system installed on his neighbor's property. Mr. Kaufman stated that this situation unfairly devalues his property or burdens him with the expense of installing a method of diverting the water. He inquired whether the Town has the ability to either prevent his neighbor from depositing groundwater on his property or provide some solution through a road drainage project. Discussion ensued.

- The Board agreed that Mr. Bunnell will meet with Mr. Kaufman at the site on April 15 to inspect the site and report to the Board at the next meeting.

**4. Appearance by William Graves regarding Connecticut River Joint Commissions (CRJC) Annual Report**

Mr. Graves, who is Barnet's representative on the CRJC Riverbend Subcommittee, presented the annual report and discussed various activities of the Subcommittee in 2013.

**5. Appearance by Maurice Roberts of Barnet Fire District #5 Prudential Committee regarding property and liability insurance**

Mr. Maurice Roberts appeared to discuss the property and liability insurance of Barnet Fire District #5 (Fire District). Currently the Fire District is not insured by the insurance policies of the Town of Barnet. Mr. Maurice Roberts explained his investigation into this matter through conversations with Town Clerk Benjamin Heisholt and correspondence with the Town's insurance provider, the Vermont League of Cities and Towns (VLCT). It was revealed that all Barnet fire districts were covered on the

Town's insurance policies dating from 2013 back to at least 2003. The change to exclude the fire districts was made without the Board's knowledge when shifting from the Town's previous carrier (Sawyer & Ritchie Insurance) to VLCT in 2014. William Graves, a former Selectman, explained that the Town began to include the fire districts on its insurance policies thirty years ago. The Board reviewed a quote from VLCT, which indicated that the total annual cost for including Fire District #5 on the Town's policy would be approximately \$128. Discussion ensued.

- Mr. Bunnell moved to include Barnet Fire District #5 on the Town's insurance policies, and to include the other four fire districts pending Board review of a quote of the annual cost. Seconded by Ms. Ford and approved by voice vote.

## **6. Appearances by other members of the public**

There were no appearances by other members of the public.

## **7. Discussion regarding Town Hall renovations**

Mr. Roberts read a letter from Shirley Warden in which Ms. Warden expressed concerns about the Board's plans for renovating of the Town Hall. Ms. Warden also presented documentation regarding required septic permitting. William Graves discussed various aspects of planning for this project. Discussion ensued.

- The Board agreed to appoint a Building Committee to advise the Board on this project. They also agreed to appoint Mr. Graves to this committee, and asked Mr. Graves to report to the Board with a recommended list of four to nine other members for the committee.

## **8. Appearance by Road Foreman Keith Gadapee regarding Highway Department matters**

- a. Structures Grant bidding.** Mr. Gadapee spoke regarding the meeting with the Vermont Agency of Transportation (VTrans) held on April 1, 2014. Shauna Clifford of VTrans indicated at that meeting that the Town's Structures Grant application is likely to be approved. Mr. Gadapee asked the Board if they would like to begin requesting bids for this project.

Discussion ensued.

- The Board instructed Mr. Gadapee to seek bids for this project.

- b. Class 2 Roadway Grant bidding.** Mr. Gadapee reported that at the meeting with VTrans Ms. Clifford was pessimistic regarding the approval of the Town's Class 2 Roadway Grant application. Mr. Gadapee asked the Board if they would like to begin requesting bids for this project. Discussion ensued.

- The Board instructed Mr. Gadapee to request bids for the entire project from C & C Bunnell Excavating, Little Acres, Matthews Excavating, and Ron Fenoff Excavating. These contractors are to be informed regarding Town personnel and equipment to be provided for the project, and instructed to bid based on the additional personnel and equipment the contractor deems necessary.

- c. Street sweeping.** Mr. Gadapee asked the Board if they would like to hire a contractor to perform street sweeping this year and, if so, if they would like Mr. Gadapee to obtain quotes from various contractors. Discussion ensued.

- The Board instructed Mr. Gadapee to hire Little Acres to perform street sweeping this year.

- d. Mine Safety and Health Administration training.** Mr. Gadapee and the Board discussed Highway Department and Board attendance at the annual training to be held April 22, 2014.

- e. Flagger certification training.** Mr. Gadapee indicated that he is attempting to arrange for flagger certification training at the Barnet Town Garage. Certifications for all current employees have expired; Mr. Gadapee asked if the Board would prefer that all employees take the training this year, or that half take the training this year and half next year.

- f. Painting and air brake classes.** Mr. Gadapee discussed classes offered by Sanel Auto Parts for training in painting and air brakes. These classes will be offered only at Concord, New Hampshire. Discussion ensued.

- The Board encouraged Mr. Gadapee to seek training for the Highway Department in these topics, but to try to find a closer venue.

#### **9. Correspondence from Vermont Agency of Transportation regarding 2013 bridge inspection summary reports**

The Board read a cover letter and reviewed the attached report on the one bridge inspected in 2013. Mr. Gadapee explained that although Barnet's bridge inspections are generally performed biennially in even-numbered years, this particular bridge (Bridge #42 over the Stevens River on Garland Hill in West Barnet) has been flagged for annual review. Discussion ensued.

- The Board signed the attached form attesting that the inspection reports have been received, reviewed, and shared with individuals charged with preventative and routine maintenance of the structures.

#### **10. Discussion regarding Harvey's Lake Beach Committee**

Susan Persson of the Beach Committee appeared to discuss developments with the reorganization of the Committee after the resignations of Robert and Kathleen Zita. Ms. Persson presented a list of proposed Beach Committee members: Christen Emerson, Joyce Evans, Kelly Glentz Brush, Philo Marcotte, and Susan Persson. Additionally Ruth Vaal and Sarah Walls have volunteered to assist the Committee, but will not serve as official members. Jan Sherman is also participating as a non-member liaison to the Lake Harvey Association. Ms. Persson indicated that at a meeting of these unofficial members she was elected as Chair. Discussion ensued.

- Mr. Bunnell moved to appoint the five Beach Committee members as proposed by Ms. Persson. Seconded by Ms. Ford and approved by voice vote.

#### **11. Discussion regarding public health complaint at Harvey's Lake boat ramp**

Town Clerk Benjamin Heisholt indicated that he has spoken to Health Officer Theodore Faris regarding the public health concern expressed by resident William Biddle at the March 10, 2014 meeting. Mr. Faris indicates that to initiate an investigation into this matter he must receive a written complaint from either Mr. Biddle or the Selectboard. Discussion ensued.

- The Selectboard requested that Mr. Heisholt contact Mr. Biddle and suggest that he write a complaint to be forwarded to the Health Officer.

#### **12. Correspondence from Town Attorney Jay Abramson regarding Budget Committee**

Mr. Roberts read an email from Mr. Abramson, who was responding to an inquiry from Mr. Heisholt. At the Board's request at their previous meeting Mr. Heisholt had asked regarding the process for dissolving the Budget Committee. Mr. Abramson's email indicates that 1) there is no statutory mandate for a budget committee, 2) the Board can simply vote to eliminate the budget committee at a Board meeting, and 3) there is no obligation for a special town meeting on this matter. Discussion ensued.

- Mr. Bunnell moved to dissolve the Budget Committee. Seconded by Ms. Ford and approved by voice vote.

#### **13. Application of Paul's Whistle Stop for renewal of liquor and tobacco licenses**

The Board reviewed and approved the applications of Paul's Whistle Stop for a 2014 Liquor License Renewal and a 2014 Tobacco License Renewal.

#### **14. Correspondence from Green Mountain Power with petition for the location of poles and wires on Garland Hill**

The Board reviewed and approved a petition for the location of poles and wires within the Town Highway right of way on Garland Hill to the east of its intersection with Roy Mountain Road.

**15. Correspondence from Vermont Department of Environmental Conservation regarding Site Management Activity Completed designation of former Kilfasset Creamery**

Mr. Roberts read an email and the Board reviewed the attached letter indicating that groundwater monitoring has been conducted at 90 Bridge Street due to contamination discovered at the removal of a gasoline underground storage tank in 2013; this monitoring is complete and the Sites Management Section is assigning the property a Site Management Activity Completed (SMAC) designation.

**16. Applications for Uniform Municipal Excess Weight Permit**

The Board reviewed and approved the applications of Austin Construction, Inc., Calkins, Larry Flood, Nathan Foster, Gould Well Drilling, Inc., and Arthur Whitcomb.

**17. Other business**

- a. Change of meeting dates.** Mr. Bunnell indicated that he is unable to attend the regular meeting scheduled for April 28, 2014 and suggested that the meeting be rescheduled for May 5, 2014. Discussion ensued.
- The Board agreed reschedule to May 5, 2014 the regular meeting originally scheduled for April 28, 2014.

**18. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

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

- Mr. Bunnell moved to enter executive session. Seconded by Ms. Ford and approved by voice vote. Entered executive session at 9:40 p.m. Attendance in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, and Mr. Heisholt.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 9:50 p.m.
- No action taken.

**20. Adjournment**

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 9:50 p.m.

*A true copy.*

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