

**MINUTES –SELECTBOARD MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, JUNE 23, 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:** Collector of Delinquent Tax Lisa Bowden, Library Trustee Sheri Colby-Schenck, Library Trustee Heather Counter, Road Foreman Keith Gadapee, Town Clerk Benjamin Heisholt, Library Trustee Julie Roos, and Zoning Administrative Officer Shirley Warden.

**1. Approve minutes of regular meeting held June 9, 2014**

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held June 9, 2014. Seconded by Ms. Ford and approved by voice vote.

**2. Review bids for fabrication of Harvey's Lake Dam gate components**

The Board reviewed a bid from Fairbanks Mill, Inc. The other company invited to bid, Rowden Brothers, Inc., did not submit a bid. Fairbanks Mill, Inc.'s bid is \$16,770. Discussion ensued. Mr. Roberts made reference to email correspondence received from Robert Dufresne of the Lake Harvey Association. Mr. Dufresne, who is an engineer, suggested that the Board alter the design of the proposed dam gate. Mr. Roberts indicated that the design the Board has adopted is to replace and improve the gate, not to redesign of the entire dam; the Town has received indication from the State of Vermont that a permit is not required for implementation of this minor design change. Mr. Dufresne's recommendations would therefore not seem to be relevant to the current discussion.

- The Board agreed to table the decision regarding awarding this bid until they are able to speak with Robert Desrochers of Fairbanks Mill; Mr. Desrochers will be invited to the next regular meeting (July 14, 2014).

**3. Appearance by Collector of Delinquent Tax Lisa Bowden regarding potential tax sales**

Ms. Bowden appeared to discuss potential tax sales on six properties in Barnet. These are properties having tax delinquencies three or four years old and not having active payment plans. It is possible that some of these properties may avoid imminent tax sales if the owners engage in active payment plans or request abatements. Therefore Ms. Bowden plans to wait one or two months before beginning the tax sale process. In advance of this time, however, Ms. Bowden requested the Board's approval for hiring an attorney to pursue tax sale action if necessary. Discussion ensued.

- The Board agreed to approve Ms. Bowden hiring an attorney for tax sale action, if necessary. They instructed her to hire Town Agent Jay Abramson if he does not have any conflicts of interests.

**4. Appearance by Library Trustees regarding municipal library status**

Library Trustees Sheri Colby-Schenck, Heather Counter, and Julie Roos appeared to discuss the Library's status as a municipal library. It has come to the attention of the Trustees that the Library is not currently operating as a municipal library in accordance with all of the laws of the State of Vermont. It is not, however, operating as a non-profit (having an Internal Revenue Service 501c3 status) organization either. It is in practice a hybrid of the two, but this arrangement is not allowable under law. The Trustees believe that the Library should be firmly established as either municipal or non-profit, and furthermore that the consensus of the residents of Barnet is that it should be municipal. In order for this to be achieved, the Selectboard must vote to adopt the Library as a municipal library, and a purchase and sales agreement must be executed between the Library and the Town; other bookkeeping changes, including the transfer of the bulk of the treasurer function to the Town Treasurer, would also be required. Discussion ensued.

- Mr. Bunnell moved to adopt the Barnet Public Library as a municipal library. Seconded by Ms. Ford and approved by voice vote.

## 5. Appearances by members of the public

There were no appearances by members of the public.

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

- a. Estimates for excavation on Roy Mountain Road job.** The Board reviewed two estimates submitted of four requested, as summarized below:

- C&C Bunnell Excavating LLC: \$13,550
- Mathews Excavating: \$19,070

Discussion ensued. It was noted that the estimate of C&C Bunnell Excavating LLC appeared to contain a mathematical error: the total cost of the individual items listed is \$17,950. Mr. Gadapee also noted that all of the figures are estimates only, and the actual cost may be more or less, regardless of which vendor is chosen.

- Mr. Bunnell moved to hire Mathews Excavating to perform the excavation for this project. Seconded by Ms. Ford and approved by voice vote.
- b. Federal Emergency Management Agency (FEMA) disaster declaration for April 15 flooding event.** Mr. Gadapee indicated that a Presidential disaster declaration has been made. Mr. Roberts attended a briefing on the process for obtaining FEMA reimbursements. Mr. Gadapee indicated that FEMA representatives will visit next week to perform site visits for determinations regarding mitigation grant eligibility.
- c. Correspondence from Barnet Water System regarding Anderson Street water leak.** Mr. Gadapee discussed with the Board an email regarding the insurance claim filed in connection with this matter.
- d. Sand screening.** Mr. Gadapee indicated that sand screening and hauling is complete. Approximately 6,463 cubic yards were screened. Contractors Gray Roy and Chief Logging & Excavating were hired to haul sand. Mr. Bunnell indicated his preference that the Town cease selling sand. Discussion ensued.
- The Board agreed to cease selling sand.
- e. Meeting with Barry Cahoon of Vermont Agency of Natural Resources regarding Garland Hill culvert.** Mr. Gadapee indicated that he plans to meet with Mr. Cahoon regarding a culvert near the intersection with Blaine Drive. This culvert has failed; Mr. Gadapee and Mr. Cahoon will discuss options for replacing or upgrading it. Mr. Gadapee expects that a replacement culvert will cost approximately \$3,500. Discussion ensued.
- The Board agreed to approve the expenditure of approximately \$3,500 to replace this culvert.

## 7. Discussion regarding Vermont's Open Meeting Law

Mr. Heisholt discussed correspondence from the Vermont League of Cities & Towns advising of changes in Open Meetings Law. Among the effects of these changes on the Town are that agendas for meetings must be posted at the Town Clerk's Office and two other designated locations at least forty-eight (48) hours before meetings, and that agendas and minutes must be posted on the municipal website. Discussion ensued.

- The Board agreed to designate the Barnet Post Office and the Barnet Village Store as locations for posting agendas.

## 8. Other business

- a. Bears at Transfer Station.** Mr. Roberts discussed a recent problem of bears scattering debris from trash left on the compactor, or from trash that bears have managed to remove from the compactor. Discussion ensued.

- b. Tolle recognition.** Shirley Warden asked if the Board planned to do anything to recognize Thomas and Sherry Tolle, who have been active in the community and are moving out of town. Discussion ensued.

**9. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

**10. Discussion regarding TransCanada Hydro Northeast tax appeal**

The Board discussed an email received from the Town's attorney Richard Coutant.

**11. Appearance by Road Foreman Keith Gadapee regarding Highway Department matters (continued)**

**f. Discussion regarding Highway Department employee evaluations (executive session)**

- Mr. Bunnell moved to enter executive session. Seconded by Ms. Ford and approved by voice vote. Entered executive session at 8:10 p.m. Attendance in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Mr. Gadapee, and Mr. Heisholt.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 8:45 p.m.
- The Board agreed to give raises to employees per discussion in executive session.

**12. Adjournment**

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 8:45 p.m.

*A true copy.*

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