

MINUTES - SELECTMEN'S MEETING
TOWN OF BARNET, VT
MONDAY, MAY 24, 2010

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 acting as Chair for this meeting.

Others present: Town Clerk Benjamin Heisholt, Road Foreman Timothy Gibbs, Jason Bean, William Biddle, Marc Broughton, Sally Cook (Caledonian-Record), Scott Davis, Michael Lamp, Jeffrey Larocque, Susan Robinson, David Warden, and Shirley Warden.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Motion made by Roberts to approve as presented the minutes of the regular meeting held May 10, 2010. Seconded by Bunnell and approved by voice vote.

Motion made by Roberts to approve as presented the minutes of the special meeting held May 17, 2010. Seconded by Bunnell and approved by voice vote.

DECISION REGARDING PROPOSED ORDINANCE FOR REGULATING ALL-TERRAIN VEHICLES (ATVS)

Listed names of residents who submitted correspondence regarding the proposed ordinance.

Motion made by Roberts to amend Section IV, F, to omit the portion therein describing prohibited weekend hours of operation, thereby prohibiting ATV operation between 9 p.m. and 8 a.m. throughout the week. Seconded by Bunnell and approved by voice vote.

Motion made by Roberts to amend Section IX to specifically state that the annual review will take place at the first regularly-scheduled Selectboard meeting following Annual Town Meeting. Seconded by Bunnell and approved by voice vote.

Faris stated that the Board would hear public comment regarding matters not addressed in correspondence received.

- Michael Lamp spoke regarding his concern that permitting town highway usage for ATV access to the West Barnet Quick Stop may elicit an objection from the owner of the West Barnet Garage due to unfair gasoline sales competitive advantage.
 - o Roberts responded, comparing trails enabled by this ATV ordinance to snowmobile trails that have historically incorporated the West Barnet Quick Stop or stores formerly occupying its location.
 - o Faris responded: In the unlikely case of a lawsuit arising from this situation, the Town would take immediate action to repeal the ATV ordinance.
 - o Susan Robinson responded: The West Barnet Garage is not open on Saturday afternoons or on Sundays.

Brief discussion ensued regarding the possibility of shortening the period of time before the effective date of the ordinance stated in Section VIII. It was concluded, however, that the 60 days stated in the ordinance is statutorily required and can be adjusted by Selectboard only by lengthening the period.

By voice vote ordinance approved as amended.

PETITION FOR CHANGE OF SPEED LIMIT ON HARVEY MOUNTAIN ROAD

Reviewed petition for change of speed limit as originally requested by Donald Easter and discussed at May 10, 2010 Board meeting.

After brief discussion motion made by Roberts to change speed limit from 50 miles per hour to 35 miles per hour as petitioned. Seconded by Bunnell and approved by voice vote.

CORRESPONDENCE FROM STATE OF VERMONT DEPARTMENT OF TAXES REGARDING PRESENTATION OF TRANSCANADA FACILITIES APPRAISAL REPORTS

Read letter inviting the Selectboard to a presentation of the results of the appraisals of TransCanada hydro-electric generating facilities on the Connecticut and Deerfield Rivers, as conducted by State of Vermont contractor George Sansoucy, PE. This presentation to be held June 9, 2010.

DECISION REGARDING ADVERTISING FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION AT TRANSFER STATION/RECYCLING CENTER

Town Clerk Benjamin Heisholt explained that Transfer Station/Recycling Center Supervisor Bruce Marston has requested that the household hazardous waste collection date of June 16, 2010 be advertised in a local newspaper.

After brief discussion no action taken regarding this matter.

APPLICATION FOR FIRE COST REIMBURSEMENT

Reviewed and signed State of Vermont Department of Forests, Parks and Recreation application for wildland fire cost reimbursement as submitted by Fire Warden Joseph Barrett.

CORRESPONDENCE FROM FIRE WARDEN JOSEPH BARRETT REGARDING COMMUNITY WILDFIRE PROTECTION PLANNING

Briefly reviewed Barrett's recommendations regarding potential grant. It was noted, however, that the deadline for submitting proposals passed on May 21, 2010. Therefore no action was taken regarding this matter.

ACT 250 PERMIT APPLICATION OF CALVIN AND CHERRYLL BUNNELL

Briefly reviewed informational copy of application submitted to the Selectboard.

OTHER BUSINESS

- Road Foreman Timothy Gibbs appeared to report to the Board regarding Highway Department matters:
 - Gibbs does not anticipate receiving state funds for which he submitted an application for work on Town Highway 4 (Groton Road). He is therefore planning to pay for this project using highway budget funds over a two-year period.
 - The Town will not receive State funds this year for bridge and culvert replacement and repair. Gibbs briefly described culvert projects he plans to pursue this year using Town funds.
- Faris discussed plans for Memorial Day observance:
 - Pre-Memorial Day services to be held on Sunday, May 30, 2010. Passumpsic service to begin at 9:30 a.m. with the Veterans of Foreign Wars present. The Barnet Village service to begin at 10:00 a.m. with the Veterans of Foreign Wars and the St. Johnsbury Academy Bagpipers present. Faris requested that Town Clerk Benjamin Heisholt place an advertisement for these services in the Caledonian-Record and in the Bridge-Weekly.
- Roberts discussed two matters:
 - Sheriff Michael Bergeron has indicated that the Caledonia County Sheriff's Department will patrol the section of Roy Mountain Road having a recently-decreased speed limit as part of their normal patrol of the town.
 - The State of Vermont Agency of Transportation has not yet responded to Roberts's request for clarification regarding monitoring of scour-critical bridges.

OUTSTANDING CHECK WARRANTS

Reviewed and signed all outstanding check warrants.

EXECUTIVE SESSION REGARDING PERSONNEL MATTERS

Motion made by Roberts to enter executive session. Seconded by Bunnell and approved by voice vote. Entered executive session at 8:05 p.m.

Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:20 p.m.

No action taken.

EXECUTIVE SESSION REGARDING REAL ESTATE TRANSACTION

Motion made by Roberts to enter executive session. Seconded by Bunnell and approved by voice vote. Entered executive session at 8:20 p.m.

Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:25 p.m.

Faris signed agreement regarding sale of dwelling located on the shore of Harvey's Lake formerly owned by Clara Brock.

ADJOURNMENT

Motion made by Roberts to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:27 p.m.

A true copy.

Attest: _____
Town Clerk