

**MINUTES - SELECTMEN'S MEETING**  
**TOWN OF BARNET, VT**  
**MONDAY, AUGUST 23, 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, Wayne Berge, John Cook, Sally Cook (Caledonian-Record), Joseph Mangiapane, David Warden, and Shirley Warden.

**APPROVAL OF MINUTES OF PREVIOUS MEETING**

Motion made by Roberts to approve as presented the minutes of the regular meeting held August 9, 2010. Approved by voice vote.

**APPEARANCE BY RESIDENT JOSEPH MANGIAPANE REGARDING LOWERING OF HARVEY'S LAKE WATER LEVEL**

Mr. Mangiapane discussed his planned work to repair the waterfront of a certain property on Harvey's Lake. He stated that he has obtained verbal approval on a permit from the State of Vermont Agency of Natural Resources to perform this work during the last week of September, 2010. Requests that the Board approve lowering the water level of Harvey's Lake beginning on September 15, 2010 to allow this project to be completed.

Resident Wayne Berge commented that for several years the water level of Harvey's Lake has been lowered beginning on Columbus Day weekend at the request of the Lake Harvey Association (LHA). The majority of the members of LHA prefer a later date, as it allows for a longer boating season.

Lengthy discussion ensued, including Mr. Mangiapane's statement that the State of Vermont Fish and Wildlife Department favors lowering of the lake level in September because doing so at a later date is detrimental to fish spawning.

Decision by the Board to postpone action on this matter to allow for discussion with State of Vermont Fish and Wildlife Department regarding the effects of such action on fish spawning. Board agreed to schedule a special meeting for Wednesday, September 1, 2010 at 6:30 p.m. to take action regarding this matter.

**APPEARANCE BY RESIDENT DAVID WARDEN REGARDING BARNET HISTORICAL SOCIETY USE OF TOWN HALL**

Mr. Warden discussed two matters relating to the use of the Barnet Town Hall by the Barnet Historical Society:

- Asked if lights can be installed over the stage at the Town Hall for improved viewing of historical curtains hung there.
  - o Board requested that Mr. Warden speak to Town Hall caretaker David Stevenson regarding this.

- Asked if an antique chest of drawers owned by the Historical Society and currently stored at the Barnet Public Library can be stored at the former Fire Station attached to the Town Hall.
  - o Board requested that Mr. Warden first investigate placement of the chest of drawers in the basement of the Barnet Public Library building.

### **APPEARANCE BY RESIDENT WAYNE BERGE REGARDING ZONING VIOLATIONS**

Mr. Berge discussed a notice of zoning violation he has received from Zoning Administrative Officer Shirley Warden for a business sign located on his property. Also discussed a carport on the property of Clarence Bishop on Pavilion Lane. Mr. Berge believes this carport is in violation of the zoning ordinance and that the issuance of a notice of violation for his business sign, combined with the oversight of Mr. Bishop's carport, constitutes preferential treatment on the part of the Zoning Administrative Officer.

After brief discussion, the Board, stating that this is not a matter for action by the Selectboard, requested that Mr. Berge take his complaint to the full Zoning Board at their next meeting.

### **APPLICATIONS FOR APPOINTMENT TO VACANT OFFICE OF LISTER**

Read notice advertising the vacancy of and requesting applications for the office of Lister, as advertised in the Caledonian-Record and Bridge-Weekly Sho-Case newspapers.

Read letter submitted by John Cook in application for this office. This was the only application received.

Motion made by Roberts to appoint John Cook to the office of Lister. Seconded by Bunnell and approved by voice vote.

Brief discussion ensued regarding the timing of the inception of Mr. Cook's term. Mr. Cook confirmed that he is able to begin at any time. The Board agreed to allow Mr. Cook and current interim Lister George Pierce to come to a mutually agreeable arrangement.

### **CORRESPONDENCE FROM STATE OF VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING INSPECTION OF HARVEY'S LAKE DAM**

Read cover letter and reviewed report. Report states that the overall condition of the dam is fair, with significant build-up of debris and silt on the upstream face of the dam.

### **CORRESPONDENCE FROM LINCOLN APPLIED GEOLOGY WITH ANNUAL SUMMARY REPORT FOR SITE OF FORMER PASSUMPSIC VILLAGE STORE**

Read cover letter and briefly reviewed report detailing the results of semiannual ground water sampling performed on June 9, 2010. This sampling is part of ongoing monitoring performed as a result of the discovery of contamination from underground storage tanks in November 2002.

**CORRESPONDENCE FROM STATE OF VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGARDING AUTHORIZATION TO DISCHARGE STORMWATER RUNOFF**

Read cover letter and reviewed public notice regarding a permit for authorization to discharge stormwater runoff from the Barnet Elementary School to Cloud Brook and Stevens Brook.

**CORRESPONDENCE STATE OF VERMONT DEPARTMENT OF FOREST, PARKS & RECREATION REGARDING SCHEDULE OF PLANNED STEWARDSHIP ACTIVITIES**

Read cover letter and reviewed details of planned timber inventory activities to be performed in the upcoming field season at the Roy Mountain Wildlife Management Area.

**CORRESPONDENCE FROM PAUL FRANK & COLLINS, P.C. REGARDING NORTHERN COMMUNITY INVESTMENT CORPORATION'S (NCIC) APPLICATION FOR BROADBAND PROJECTS**

Read cover letter regarding three small errors in NCIC's application to the State of Vermont Public Service Board for a Certificate of Public Good.

**CORRESPONDENCE FROM STATE OF VERMONT DEPARTMENT OF TAXES WITH LETTER OF AGREEMENT FOR COMPUTER APPRAISAL SERVICES**

Reviewed agreement for license to the Town of Barnet of use of the Marshall and Swift Cost Tables for appraisal of properties in Barnet until June 30, 2011. Amount due for this license is \$231.85.

After brief discussion, the Board approved and signed this agreement.

**DISCUSSION REGARDING 2010 TAX BILLING**

Treasurer Benjamin Heisholt discussed the current situation of the Town of Barnet's grand list and tax rates with regard to the current appeal of TransCanada Hydro Northeast of their listed value. Heisholt discussed the various scenarios that may occur after tax bills are printed if the value of TransCanada is decreased significantly as a result of an appeal or agreement.

After brief discussion, a motion made by Roberts to bill taxes at this time with current tax rates as approved by the Selectboard at their meeting of July 26, 2010. Seconded by Bunnell and approved by voice vote.

**OTHER BUSINESS**

Briefly reviewed email correspondence regarding Act 250 permit application of Calvin and Cherryll Bunnell.

## **OUTSTANDING CHECK WARRANTS**

Reviewed and signed all outstanding check warrants.

## **EXECUTIVE SESSION REGARDING LEGAL PROCEEDINGS**

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

Motion made by Roberts to exit executive session. Seconded by Bunnell and approved by voice vote. Exited executive session at 8:28 p.m.

Board instructed Town Clerk Benjamin Heisholt to forward correspondence regarding Patricia Wood Trust appeal of Zoning Board decision to the Zoning Board.

## **ADJOURNMENT**

Motion made by Roberts to adjourn. Seconded by Bunnell and approved by voice vote. Meeting adjourned at 8:30 p.m.

*A true copy.*

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