

**MINUTES – SPECIAL SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, DECEMBER 1, 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: Library Trustee Sheri Colby-Schenck, Beach Committee member Joyce Evans, Animal Control Officer Josephine Guertin Town Clerk Benjamin Heisholt, Fire & Rescue Chief Ronald Morse, Beach Committee member Sarah Walls, Zoning Administrative Officer Shirley Warden, Steven Adler, Dominic Amato (Lyndon State College News 7), Mark Bowen, Kevin Daniels, Robert Desrochers, Stephanie Mitchel, Ross Page, Jennifer Quimby, Kyle Ryan, and Mihai Tripp (Lyndon Station College News 7).

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

Ms. Ford moved to approve as presented the minutes of the regular meeting held November 10, 2014. Approved by voice vote.

2. Correspondence from Kyle Ryan and Stephanie Mitchel regarding dog complaint on Old Silo Road

Mr. Roberts read a letter from Mr. Ryan and Ms. Mitchel describing an attack on a dog owned by Mr. Ryan and Ms. Mitchel by a dog owned by Jennifer Quimby. The attack, which was witnessed by Mr. Ryan, took place at the residence of Mr. Ryan and Ms. Mitchel at 2425 Old Silo Road; Ms. Quimby's dog resides at Ms. Quimby's residence at 2152 Old Silo Road. Several veterinary invoices were attached to the letter, which document costs for medical treatment resulting from the attack. Mr. Ryan and Ms. Mitchel state in their letter that they require 1) "assurance that the offending dog will never again appear on [their] property," and 2) "restitution for the veterinary expenses incurred."

After Mr. Roberts read their letter, Ms. Mitchel presented several other invoices for veterinary expenses, which were incurred subsequently to the letter.

Animal Control Officer Josephine Guertin then spoke regarding her investigation into this matter. Ms. Guertin visited the Quimby residence on four separate occasions after receiving the report of the attack. On the first occasion, Ms. Guertin saw the dog, but did not exit her vehicle because the dog approached the vehicle aggressively. On the other three occasions Ms. Guertin did not find the dog or Ms. Quimby at the property. Ms. Guertin reported that she also left a message on Ms. Quimby's telephone, but did not receive a return call.

Ms. Quimby then spoke, indicating that the dog has not previously attacked other animals or people. She stated that she has built a five-foot fence around her property subsequent to the report of the attack; she offered to provide restitution for veterinary expenses to Mr. Ryan and Ms. Mitchel.

Mr. Ryan and Ms. Mitchel agreed that they were satisfied to cooperate with Ms. Quimby to resolve this matter without further Board intervention. Ms. Quimby agreed to allow Ms. Guertin to inspect her property to ensure that there are adequate restraints for the dog, and to license the dog at the Town Clerk's Office. The Board advised Mr. Ryan and Ms. Mitchel that if they do not come to an agreeable resolution with Ms. Quimby they may bring this matter before the Board again.

Resident Mark Bowen inquired if all dogs in town must be penned or otherwise restrained at all times. The Board indicated that the dog ordinance requires a leash in village districts only; in other parts of town dogs are not required to be restrained, but must not be allowed to run at large.

3. Appearance by Ross Page of Bayley-Hazen Road Snowmobile Club regarding 2014-2015 snowmobile trails

Mr. Page appeared to discuss the upcoming snowmobiling season. He requested snowmobile access, for trail connection purposes during the 2014-2015 season, on portions of Laird Road, Somerhill Road, Stevenson Road, and West Main Street, as has been granted in previous years. Discussion ensued. Mr. Roberts indicated that the Board has considered revising the Town's snowmobile ordinance to provide for annual review of town highway trail use. Such review would be assigned a specific annual date, and would be warned including a listing of proposed town highways, similarly to the process for the all-terrain vehicle (ATV) ordinance. Mr. Page indicated that September may be a good time for such a meeting.

- The Board agreed to grant the Bayley-Hazen Road Snowmobile Club access as requested by Mr. Page for Laird Road, Somerhill Road, Stevenson Road, and West Main Street.

4. Appearance by Library Trustees regarding 2015 building maintenance budgeting

Library Trustee Sheri Colby-Schenck appeared to discuss library maintenance items discussed at the Board meeting held March 24, 2014, and to ensure that these items will be included in the budget for library maintenance in 2015. Discussion ensued regarding planning for individual projects, including exterior surface, exterior lighting, hallway paint, bathroom (Trustees estimate \$1,200 to \$1,500), rear emergency exit, and closure of front door. Additionally some items were discussed that were not a part of the discussion in March; these include items identified by the Town's insurance carrier during an insurance risk audit, including removing a wasp's nest that is obstructing an apparently defunct electrical panel.

- The Board agreed to incorporate these maintenance concerns into the 2015 budget.

5. Appearance by Beach Committee regarding ice skating at public beach

Beach Committee members Sarah Walls and Joyce Evans appeared to discuss a proposed event at the public beach. The event would be held Sunday, February 22, 2015 from 12:00 noon until 2:00 p.m. Details of the event were proposed as follows: participants would be required to bring their own skates and other gear; there would be no bathroom facilities or water available; Shane Stevenson would plow the area for skating on the beach side; the entry area may need to be shoveled to allow for safe ingress and egress; the Beach Committee is considering using one of the barbeque grills for cooking hot dogs and roasting marshmallows. Discussion ensued.

- The Board agreed to approve this use of the beach, with the condition that Town Clerk Benjamin Heisholt is able to confirm that the Town's liability insurance would cover the event.

6. Appearances by members of the public

- a. Barnet Fire District #2 Prudential Committee Chair Kevin Daniels regarding water leak repair.** Mr. Daniels appeared to report on the repair of the water leak at the intersection of Church Street and US Route 5 South, as he also appeared to discuss at the previous meeting. Mr. Daniels indicated that work commenced the day of this meeting; the contractor has been given until the end of the month to complete the repairs, but the project is not expected to require the full duration. Discussion ensued.

7. Correspondence from Fairbanks Mill regarding Harvey's Lake Dam gate modifications

Lake Harvey Association (LHA) member Steven Adler spoke, providing a recapitulation of events in this project in recent months. At the September 22, 2014 Board meeting the Board indicated that they wished to observe the desiltification effects of the annual lake lowering in October before proceeding. In the interim, Mr. Adler spoke with engineer Roger Damon and Robert Desrochers of Fairbanks Mill. Subsequently Mr. Desrochers submitted correspondence to the Board providing a framework for moving forward with the project. The letter states that "the ongoing discussions do point out the need

to rewind the project development process and perhaps consider the many fine suggestions that are being offered by the assorted stakeholders regarding various styles of gate mechanisms, modes of operation, and operational enhancements” and that “moving beyond a simple replacement project will certainly bring a greater degree of involvement by the regulating agencies, particularly the Vermont Agency of Natural Resources.” Included with the letter is a Fairbanks Mill proposal prepared for Board signature, which would assign Fairbanks Mill the task of providing “project management, design, and construction services associated with modifications and improvements to the water control mechanisms at Harvey’s Lake dam.” Such management would include engagement of the services of a Vermont licensed engineering firm to assist design development, et cetera. The cost of this initial effort is expected to be approximately \$5,000; the reasonable probable cost for the overall project would be in the \$50,000 to \$75,000 range. Discussion ensued, including the following:

- The Board discussed their meeting with resident Joseph Mangiapane and his recommendation that the Board consult TransCanada Hydro Northeast’s engineer.
- Mr. Roberts and Mr. Bunnell, who viewed the lake lowering in October, indicated their preference for a bottom-up gate system due to anticipated desiltification advantage. Discussion ensued regarding the maintenance requirements of a bottom-up system.
- Mr. Desrochers spoke regarding his proposal, facilitation of attempts to “tease out” a design plan from various inputs from various stakeholders, et cetera.
- All parties discussed State permitting, and how this may restrict design plans.
- Mr. Adler reiterated that LHA is amenable to either top-down or bottom-up gate design, but expresses strong preference for incorporation of automation. Mr. Bunnell expressed a preference to omit automation in the present modifications, but to implement a design that would allow for possible future automation.
- All parties discussed the problem of backflow into the lake from South Peacham Brook. The consensus is that the present modifications will not resolve this problem.
- All parties discussed the possibility of removing the dam altogether. Mr. Desrochers indicated that permitting to remove a dam would take many years and cost at least \$1 million.
- Fire & Rescue Chief Ronald Morse requested that the design plan include a dry hydrant for West Barnet village.
- Mr. Adler indicated that there are grants available for dam modification projects, and suggested that perhaps the Board should investigate these.

Ms. Ford moved to sign the proposal presented by Fairbanks Mill, thereby assigning Fairbanks Mill the task of engaging an engineer for the dam gate modification project and collaborating with this engineer to commence work on an engineered dam design within the parameters discussed at this meeting and at a cost not to exceed \$5,000. Seconded by Mr. Bunnell and approved by voice vote. Mr. Roberts then signed the proposal.

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

Mr. Gadapee was not present at this meeting.

9. Vermont League of Cities & Towns (VLCT) employee wellness consultations

Mr. Heisholt discussed a new program offered by VLCT, which would involve thirty-minute meetings at the Town Garage between Heidi Joyce, VLCT’s Senior Wellness Promotion Consultant, and employees. Two Highway Department employees have expressed interest in the program. Ms. Joyce requests a meeting with the Board to discuss the benefits of the program and to encourage greater participation. Discussion ensued.

- The Board agreed to request that Ms. Joyce attend a Board meeting.

10. Town credit policy and application

Mr. Heisholt presented a proposed town credit card policy. Discussion ensued regarding various aspects of the policy, including credit limits and authorized users.

- The Board agreed to adopt the proposed policy, and signed the same. The Board agreed to request from the bank a credit limit of \$2,500.

11. Correspondence from Vermont Department of Public Safety regarding Federal Emergency Management Agency Public Assistance subgrant for April 2014 disaster

The Board reviewed a fully executed Public Assistance subgrant, cost data regarding the disaster, and a financial report form.

- Mr. Roberts signed the financial report form.

12. Correspondence from Fire & Rescue Chief Ronald Morse regarding Local Emergency Operations Plan

Mr. Morse appeared to inform the Board that Local Emergency Operations Plans now require that the Selectboard Chair, as certifying individual, must receive, at minimum, ICS 402 or ICS 100 training. Discussion ensued.

13. Correspondence from Vermont Department of Environmental Conservation regarding Project Review Sheet of Mosedale Integrated Solutions

The Board reviewed a Project Review Sheet for a change of use at 320 Carter Street from residential to commercial for computer maintenance, consulting, and support for up to 14 client visits per day.

14. Correspondence regarding application of National Grid to Vermont Public Service Board for Certificate of Public Good for line reconstruction project

The Board reviewed 45-day advance notice materials for this project, which was discussed at a previous Board meeting.

15. Correspondence regarding application of National Grid to Vermont Public Service Board for Certificate of Public Good for McIndoe Falls switchyard project

The Board reviewed materials relating to an application to replace two circuit breakers and associated electric equipment and install associated foundations in the McIndoe Switchyard located at 66 Monroe Road. Correspondence requests that the Board recommend a waiver of the 45-day advance notice requirement. Discussion ensued.

- The Board agreed to recommend the waiver; Mr. Roberts signed a letter indicating this recommendation.

16. Correspondence regarding Town of St. Johnsbury Solid Waste Management Facility Certification

The Board reviewed a certification from Vermont Department of Environmental Conservation, which the Town receives because the Town of Barnet abuts the Town of St. Johnsbury.

17. Other business

No other business was discussed.

18. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

19. 2015 budget discussion

Mr. Heisholt presented a preliminary draft budget, and discussed some of the significant changes in budgetary considerations compared with 2014. Discussion ensued.

- The Board agreed to table further discussion of the budget until the next meeting.

20. Adjournment

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 9:30 p.m.

A true copy.

Attest: _____
Town Clerk