

**MINUTES – SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, DECEMBER 22, 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, Fire & Rescue Chief Ronald Morse, Zoning Administrative Officer Shirley Warden, Mark Bowen, and John Leddy.

1. Approve minutes of regular meeting held December 8, 2014

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held December 8, 2014. Seconded by Ms. Ford and approved by voice vote.

2. Other business

- a. **Town Hall land survey.** Mr. Roberts indicated that he had spoken with surveyor Andrew Dussault regarding the Board's request that Mr. Dussault perform a survey of the Town Hall property. Mr. Dussault reported that he has already commenced some research on the project and will begin work in the Barnet Land Records soon.
- b. **Harvey's Lake Beach skating event.** Ms. Ford indicated that she had received a report from the Beach Committee indicating that they have decided against holding the skating event planned for 2015. The insurance company's recommendations were judged to be too onerous compared with the remaining time and number of sub-committee members involved in the project.

3. Discussion regarding pending litigation in connection with the "Thomas Gould v. Town of Barnet for Richard Woodward" lawsuit (executive session)

John Leddy, the Town's attorney in this matter, telephoned and participated in this item via telephone.

- Ms. Ford moved that the Board make a specific finding that premature public knowledge of discussion concerning the pending civil litigation in the lawsuit entitled Thomas Gould v. Town of Barnet for Richard Woodward, in which the Town is a party, would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Bunnell and approved by voice vote.
- Mr. Roberts moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(1)(E) to discuss the pending litigation in the lawsuit entitled Thomas Gould v. Town of Barnet for Richard Woodward, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 7:05 pm. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Town Clerk Benjamin Heisholt, and John Leddy.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 7:15 p.m.
- Ms. Ford moved that the Board authorize its insurance carrier, Vermont League of Cities & Towns Property and Casualty Intermunicipal Fund, Inc. (VLCT PACIF, Inc.) to enter into a settlement of the Thomas Gould v. Town of Barnet for Richard Woodward lawsuit, provided that Town funds of any settlement shall not exceed the sum of \$500.00. Seconded by Mr. Bunnell and approved by voice vote.

4. Discussion regarding employee resignation (executive session)

- Mr. Bunnell moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a) (3) to discuss the resignation of Highway Department employee Thomas Gould, and the hiring process for his replacement. Seconded by Ms. Ford and approved by voice vote. Entered executive session at 7:15 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Town Clerk Benjamin Heisholt, and Road Foreman Keith Gadapee.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 7:30 p.m.
- The Board agreed to accept the resignation of Highway Department employee Thomas Gould. The Board agreed to schedule a special meeting for Monday, December 29, 2014 at 7:00 p.m. at the Town Clerk's Office for the purpose of reviewing applications for employment to fill the vacated Highway Department position.

5. Discussion regarding zoning certificate of compliance (executive session)

- Mr. Bunnell moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a) (3) to discuss the appointment of an attorney for the purpose of issuing a zoning certificate of compliance. Seconded by Ms. Ford and approved by voice vote. Entered executive session at 7:30 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Town Clerk Benjamin Heisholt, and Zoning Administrative Officer Shirley Warden.
- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 7:42 p.m.
- Mr. Bunnell moved to authorize Zoning Administrative Officer Shirley Warden to hire attorney David Willis to represent the Town of Barnet in determining the Town's obligations in connection with zoning certificates of compliance, and if Mr. Willis is unavailable, to hire a different attorney as recommended by Mr. Willis. Seconded by Ms. Ford and approved by voice vote.

6. 2015 tax anticipation borrowing bids

The Board reviewed bids for tax anticipation borrowing for calendar year 2015. Bids received from Community National Bank, Merchants Bank, Passumpsic Savings Bank, and Union Bank. Discussion ensued.

- Mr. Bunnell moved to accept the bid of Union Bank for a lump-sum loan of \$340,000 at a rate of 1.39% with reinvestment of proceeds in a certificate of deposit with a rate of 1.84%. Seconded by Ms. Ford and approved by voice vote.

7. 2015 budget discussion

The Board reviewed the proposed Highway Department budget and discussed with Road Foreman Keith Gadapee various matters relating to planning for expenditures. Among these were road construction project options, Class 2 Roadway Grant, surplus maintenance, pick-up truck replacement, and roadside mower rental or purchase. The Board agreed to plan for the purchase of a pick-up truck and lease of a roadside mower in 2015. The Board then reviewed the Highway Department budget line-by-line, making various adjustments.

8. Appearances by members of the public

- a. Resident Mark Bowen regarding FairPoint Communications.** Mr. Bowen appeared to discuss his poor landline service on Denio Road. He indicated that his line has a constant buzzing sound, and he believes there a number of other residences in Barnet with this same problem. He has not been able to obtain any recourse through FairPoint Communications, and has registered his complaint with the Vermont Public Service Board. He asked if the Selectboard may be able to take any action on behalf of its constituents in this matter. Discussion ensued.

- Mr. Roberts indicated that the Town has very little leverage in these matters, but suggested that Mr. Bowen seek other Barnet residents having the same service problem to gather clout for any potential action by the Board.

9. Other business (continued)

- a. Appearance by Fire & Rescue Chief Ronald Morse regarding Fred's Energy invoice.** Mr. Morse presented an invoice from Fred's Energy in the amount of \$75.57 for kerosene at the Fire & Rescue Station. Mr. Morse indicated that the kerosene was added when the tank ran dry recently. Mr. Morse indicated that the Town is an automatic delivery customer, and asked if the Board would like to pay the invoice or contest it. Discussion ensued.
- The Board agreed that Mr. Roberts will contact Fred's Energy and contest this invoice.

10. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

11. 2015 budget discussion (continued)

The Board commenced review of the Selectboard budget, making several adjustments.

12. Adjournment

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 9:45 p.m.

A true copy.

Attest: _____
Town Clerk