

**MINUTES – SELECTBOARD MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, APRIL 13, 2015**

**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 Mark Chase, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, and Kevin Daniels.

**1. Approve minutes of regular meeting held March 23, 2015**

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held March 23, 2015. Seconded by Ms. Ford and approved by voice vote.

**2. Appearances by members of the public**

**a. Shirley Warden.** Ms. Warden appeared to discuss two matters:

- **Green Up Day.** Ms. Warden advised the Board that the location of Green Up Day 2015 has been changed from the Fire & Rescue Station to the Barnet Elementary School in order to coordinate the event with a School fund-raising auction to be held on the same day. Ms. Warden indicated that a Town dump truck is requested for the Green Up Day event, as usual.
- **Planning Hearing.** Ms. Warden, who is Zoning Administrative Officer, reported to the Board that a public hearing regarding the re-adoption of the Town Plan will be held at the Town Clerk's Office on May 19, 2015.

**3. Appearance by Road Foreman Mark Chase regarding Highway Department matters**

**a. Culvert thawing.** Mr. Chase indicated that the Highway Department has been working on thawing culverts; there are approximately ten culverts that have recurring freezing problems.

**b. Mud season.** Mr. Chase indicated that thus far there are few mud problems on Town roads.

**c. Dump truck #004 valve.** Mr. Chase indicated that Truck #004 is at John Bogie's shop for repair of a valve problem that causes the motor to not work properly. The problem seems to stem from a wiring harness.

**d. Painting.** Mr. Chase reported that the Highway Department continues to work on painting truck bodies.

**e. Consideration of sale of dump truck.** Ms. Ford reported that a Barnet resident suggested an individual who may be interested in purchasing one of the Town's dump trucks. This individual may be visiting the Town Garage to look at Trucks #008 and #009.

**f. Grant projects.** Mr. Chase discussed various State of Vermont highway grant applications.

- A Structures Grant application for a box culvert on Barnet Center Road was submitted to Shauna Clifford at a Selectboard meeting earlier in the day.
- A Class 2 Roadway Grant application is prepared for a paving project on Comerford Dam Road, but was not submitted because the Board had not decided whether they wish to reclaim and pave the road, or pave only.
  - The Board instructed Mr. Chase to apply for the grant including estimates for both reclaiming and paving.
- A Better Backroads Grant was obtained in 2014 in the amount of \$5,000 for a project on Mosquitoville Road. The grant application contemplated the installation of a 48" squashed culvert with a total estimated cost of \$17,299.26, contingent on a subsequent hydraulic report. The hydraulic report, however, indicated that a box culvert would be required; the

Town does not have a cost estimate for the box culvert installation, but it would be much more costly than the squashed culvert project anticipated.

- The Board instructed Mr. Chase to inquire about whether a squashed culvert could be installed using the Better Backroads Grant even though a box culvert was recommended. If it can be, Mr. Chase is instructed to install a squashed culvert using the grant funds and Town funds, and to apply for a second Structures Grant for a headwall project on Brook Circle in McIndoe Falls. If the Town cannot use the Better Backroads grant for a squashed culvert but must install a box culvert, Mr. Chase is instructed to apply for a second Structures Grant to be used in addition to the Better Backroads Grant for the project on Mosquitoville Road.
- The Board instructed Mr. Chase to apply for a 2015 Better Backroads Grant for a project on Town Forest Road.
- g. Street sweeping.** Mr. Chase inquired with the Board about whether or not they wish to solicit bids for street sweeping this year. Discussion ensued.
  - The Board instructed Mr. Chase to not solicit bids, but to hire Little Acres Landscaping.
- h. Culvert on Garland Hill.** Ms. Ford discussed her conversation with resident Calvin “Sherm” Bogie. Mr. Bogie indicated that former Road Foreman Timothy Gibbs purchased a culvert several years ago for installation in the road near the Bogie sugar house, to resolve a problem of water entering the sugar house; this culvert, however, was never installed. Discussion ensued.
  - The Board instructed Mr. Chase to visit the site, discuss the matter with Mr. Bogie, and report back to the Board.

#### **4. Correspondence from Barnet Fire District #2 (Barnet Village) regarding Prudential Committee vacancy**

Mr. Roberts read a letter indicating that at the fire district’s annual meeting there were no candidates for the open three-year position on the Prudential Committee that was vacated by Kevin Daniels at the expiration of his term. The letter also states that since the time of the annual meeting Richard Wallace of Church Street has volunteered to fill the position; the fire district requests that the Selectboard appoint Richard Wallace to the Prudential Committee. Discussion ensued.

- Mr. Bunnell moved to appoint Richard Wallace to the vacant three-year term of Fire District #2 Prudential Committee member. Seconded by Ms. Ford and approved by voice vote.

#### **5. Correspondence from resident Lois White regarding sediment removal on South Peacham Brook**

The Board reviewed Ms. White’s letter, which requests that when discussing removing sediment from the behind the Harvey’s Lake Dam, the Board consider also removing sediment that has accumulated on the South Peacham Brook near the property of Ms. White’s hayfield. Discussion ensued. The Board also reviewed an email and attached letter from Robert Desrochers of Fairbanks Mill. The letter invites the Board to attend an on-site meeting to review the limits of the work involved in the removal of flood debris, etc. blocking the spillway of the Harvey’s Lake Dam. Discussion ensued.

- The Board agreed to discuss Ms. White’s request at the on-site meeting.

#### **6. Consideration of estimate from J & B Property Maintenance for repair and modification of fence and gate at Palmer Cemetery**

Town Clerk Benjamin Heisholt indicated that he spoke with Jeremy Bean of J & B Property Maintenance, as discussed at the previous meeting. Mr. Bean provided a quote of \$200 to repair and paint the fence per the Board’s request. He also requests the Board’s permission to modify the gate to allow his tractor to enter the cemetery. Mr. Bean would not charge any additional amount for the modification of the gate. Discussion ensued.

- Mr. Bunnell moved to hire J & B Property Maintenance to repair and paint the fence, and to modify the gate at the Palmer Cemetery. Seconded by Ms. Ford and approved by voice vote.

**7. Consideration of requesting bids for delivery of diesel fuel, heating fuel, and propane for the ensuing season**

Town Clerk Benjamin Heisholt asked the Board if they wish to solicit bids for the upcoming fuel season. Discussion ensued.

- The Board requested that Mr. Heisholt request bids for delivery of diesel fuel, heating fuel, and propane for the 2015-2016 season.

**8. Consideration of revision of Personnel Policy with regard to health insurance declination stipend, annual wage increases, compensatory time off, and Road Foreman cell phone stipend**

Town Clerk Benjamin Heisholt asked the Board for definition or clarification regarding a number of Personnel Policy issues:

- a. Health insurance declination stipend.** Mr. Heisholt asked if the stipend, as agreed upon at the previous meeting, would extend in any form to the Assistant Town Clerk, a part-time employee who is offered a partial health insurance benefit. Discussion ensued.
  - Ms. Ford moved to offer the health insurance declination stipend only to full-time employees. Seconded by Mr. Bunnell and approved by voice vote.
- b. Annual wage increases.** Mr. Heisholt indicated that several Highway Department employees have inquired about Section VIII, Part D, which indicates that “Pay raises, if there are any, for full time Town employees, shall be effective January 1<sup>st</sup>.” These employees ask whether retro-active pay from January 1, 2015 forward to the date of the recent wage increases will be paid. Mr. Heisholt indicated that it has been a number of years since the Town issued regular January 1<sup>st</sup> wage increases. Discussion ensued.
  - The Board agreed to not issue retro-active pay for the recent wage increases, and to remove Section VIII, Part D from the Personnel Policy.
- c. Compensatory Time Off.** Mr. Heisholt asked if the Board would like to further consider a Compensatory Time Off policy for full-time hourly employees, as discussed at recent meetings. Discussion ensued.
  - The Board agreed to request copies of the policies of the Vermont Agency of Transportation and other local towns to use in consideration of this matter at future meetings.
- d. Road Foreman cell phone stipend.** Mr. Heisholt asked if the Board wishes to pay a stipend for Road Foreman Mark Chase’s use of his personal cell phone for Town business, and if the Board would like to make reference to this benefit in the Personnel Policy. Discussion ensued.
  - The Board agreed to pay a monthly stipend of \$45.00 to Road Foreman Mark Chase for the business use of his personal cell phone, and to include a section in the Personnel Policy that indicates that the Town will pay such a stipend to the Road Foreman, but does not indicate the amount of the stipend.

**9. Notice of Hearing of Vermont Public Service Board regarding petition of New England Power Company d/b/a National Grid for a certificate of public good for removal of existing transmission line in Barnet, etc.**

The Board reviewed the notice, which indicates that a meeting was held on Thursday, April 9, 2015 at the Waterford Elementary School.

#### **10. Correspondence from Green Mountain Power with petition for location of poles, guys, and wires along South Main Street**

The Board reviewed a petition and attached plan describing a request to locate one pole within the highway limits on South Main Street.

- With the Board's approval Mr. Roberts signed the petition.

#### **11. Applications for Uniform Municipal Excess Weight Permits**

The Board reviewed and approved the fleet application of Austin Construction, Inc., and single vehicle applications of Pro Quip Equipment Rental & Sales, Inc., and Nathan Foster.

#### **12. Other business**

- a. Correspondence from resident Brent O'Donnell regarding Ordinance for Regulating All-Terrain Vehicles (ATVs).** The Board reviewed Mr. O'Donnell's letter. Mr. O'Donnell resides on the portion of Warden Road that was included in the 2015 restricted-access expansion of Town Highway ATV use; he objects to ATV traffic on his road and indicates that he was not consulted by the Barnet Trailblazers ATV Club prior to their meeting with the Board. Discussion ensued.

- The Board agreed to send Mr. O'Donnell the Board's standard form letter requesting that he schedule a meeting with the Board at a regular Board meeting.
- The Board agreed to require in the future that the ATV Club to obtain signed agreements from affected landowners when seeking expansion of Town Highway ATV use.

- b. Liquor license renewal applications of Barnet Village Store and West Barnet Quick Stop.** The Board reviewed and approved the applications of the Barnet Village Store and the West Barnet Quick Stop for 2015 Liquor License renewals.

- c. Clicker dog training at Town Hall.** Ms. Ford discussed a request to use the Town Hall for dog training classes. The class would meet once per week for five or six weeks; four or five dogs would be involved in the training. Discussion ensued.

- The Board agreed to investigate the insurance implications of this use of the building, since the building is currently listed for insurance purposes as unoccupied.

- d. Town pit overburden removal.** The Board discussed overburden removal for sand to be completed during 2015.

- The Board instructed Road Foreman Mark Chase to solicit bids for this work.

#### **13. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

#### **14. Consideration of Highway Department performance reviews and appointment of Assistant Road Foreman**

The Board discussed the appointment of an Assistant Road Foreman, pursuant to Section IV, Part B of the Personnel Policy.

- The Board agreed to not appoint a single Assistant Road Foreman, but to leave the appointment to the discretion of the Road Foreman on an *ad hoc* basis each time the Road Foreman is absent for two or more consecutive days.

#### **15. Discussion regarding legal proceedings in the tax appeal of TransCanada Hydro Northeast, Inc. (executive session)**

- Ms. Ford moved that the Board make a specific finding that premature public knowledge of discussion concerning the legal proceedings related to the tax appeal of TransCanada Hydro Northeast, Inc., 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.

- Ms. Ford moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(1)(E) to discuss the legal proceedings related to the tax appeal of TransCanada Hydro Northeast, Inc., 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 8:45 pm. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Bunnell and approved by voice vote. Exited executive session at 9:00 p.m.
- No action taken.

#### **16. Adjournment**

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 9:00 p.m.

*A true copy.*

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