

**MINUTES – REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, DECEMBER 14, 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, Lisa Bowden, Dan Heath, and Jeffrey Riley.

1. Approve minutes of regular meeting held November 23, 2015

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

2. Appearance by Raymond Heath Construction, Inc. and Barnet Fire District #2 regarding invoices for Church Street project

Dan Heath of Raymond Heath Construction, Inc. (RHCI), and Lisa Bowden, Treasurer and Jeffrey Riley, Prudential Committee, of Barnet Fire District #2 appeared to discuss invoices issued by RHCI relating to a project undertaken on Church Street between the dates of September 21 and October 16, 2015. The project was initiated by the Fire District because water appearing on the road surface was assumed to be emanating from a leak in the water system below. The Fire District hired RHCI to perform the excavation work. Once commenced, the excavation revealed that the Town's culvert system was in poor repair and needed replacement. The Town at that time agreed to hire RHCI to perform the necessary work, and the Town and Fire District agreed that RHCI would track hours separately for Town and Fire District aspects of the project and bill accordingly. Additionally, the Vermont Agency of Transportation (VTrans) requested that RHCI replace culverts and catch basins relating to the adjacent section of US Route 5. The Town received two invoices: one, #560, in the amount of \$8,441.81 and another, #562, in the amount of \$44,833.01. Approximately \$10,000 of these bills consists of equipment and labor billable to VTrans; VTrans will reimburse the Town in cash or in kind for payment of this bill. The Fire District received one invoice for this project in the amount of \$9,094.24. As of the date of this meeting, the Town had paid \$20,000 towards the balance of its invoices. Lengthy discussion ensued, as summarized below:

- Road Foreman Mark Chase presented his notes on the invoices, including a sketch of the project and his estimates regarding the pro-ration of expenses between Town and Fire District. Mr. Chase estimates that between \$20,000 and \$30,000 of the Town's invoices should actually be billed to the Fire District.
- Mr. Heath reviewed his notes on the project, and explained his reasoning for his pro-ration of expenses. Mr. Heath indicated that early in the project it appeared that the water found on the road surface may have emanated from the Town's faulty culverts; later, however, a leak in a two-inch copper water line was discovered, which Mr. Heath believes was actually the source of the water noted on the road surface. Mr. Heath stated that a representative of the Fire District had instructed him to bill the Town for the full expense of paving.
- Mr. Bunnell indicated his opinion that the Town should not be responsible for the full expense of paving.
- Ms. Bowden indicated her opinion that the water appearing on the road surface *had* actually emanated from the Town's culverts.
- Mr. Riley and Ms. Bowden communicated that the Fire District does not have funds available to pay any amount in excess of what it has already been billed.
- Ms. Ford agreed to assist the Fire District in attempting to secure federal funding for the needed wide-scale repair of the water system.

The Selectboard agreed to pay the full amount of the invoices billed to the Town at this time in the expectation that the Fire District will, when it attains funding, reimburse the Town in the amount of \$15,000 for paving expenses.

3. Appearances by members of the public

There were no appearances by members of the public.

4. Appearance by Road Foreman Mark Chase regarding Highway Department matters

- a. Truck #003 repairs.** Mr. Chase reported that Dump Truck #003 is in the shop for repairs to the sander control system.
- b. Truck #006 repairs.** Mr. Chase reported that Dump Truck #006 required new body pins; these have been fabricated by Robco, Inc.
- c. Overburden hauling.** Mr. Chase reported that Daryl Mathews Excavating will be hauling overburden out of the Town's gravel pit; it is expected that 2,000 to 2,500 yards will be removed.
- d. Routine road work.** Mr. Chase reported that the Highway Department has been working on ditching and stockpiling materials as it waits for winter to begin in earnest.

5. Consideration of bids for 2016 tax anticipation borrowing

The Board reviewed bids for tax anticipation borrowing for calendar year 2016. 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 \$980,000 at a rate of 1.42% with reinvestment of proceeds in a certificate of deposit with a rate of 1.55%. Seconded by Ms. Ford and approved by voice vote.

6. Consideration of 2015 year-end bonuses

Treasurer Benjamin Heisholt indicated that in 2014 the Board agreed to pay year-end bonuses of \$250 to full-time employees, \$150 to Assistant Town Clerk Cathy McLam, and \$100 each to Transfer Station/Recycling Center employees Melvin Hale, Bruce Marston, and Donald Nelson. Discussion ensued.

- Ms. Ford moved to pay 2015 year-end bonuses of \$250 to full-time employees, \$150 to Assistant Town Clerk Cathy McLam, and \$100 each to Transfer Station/Recycling Center employees Kenneth Dow, Bruce Marston, and Donald Nelson. Seconded by Mr. Bunnell and approved by voice vote.

7. Correspondence from CAI Technologies with proposed GIS Services Maintenance Agreement

The Board reviewed the proposed agreement between CAI Technologies and the Town of Barnet concerning the delivery of user support for listers' Query Manager GIS software. The cost to the Town for this support is \$500.00. Discussion ensued.

- The Board agreed to enter the agreement and signed the contract.

8. Correspondence from Endyne, Inc. regarding laboratory report for October 2015 landfill monitoring

The Board reviewed laboratory reports on samples and analyses of semiannual monitoring performed October 2015.

9. Correspondence from Northeast Kingdom Waste Management District (NEKWMD) regarding 2016 proposed waste district budget

The Board reviewed a letter indicating that the proposed (NEKWMD) budget for 2016 will be finalized by the Board of Supervisors at their regularly scheduled Board meeting on December 8, 2015. The proposed budget is \$732,564, a drop of approximately 1.5% from 2015.

10. Correspondence from Northeast Kingdom Waste Management District (NEKWMD) regarding e-waste collection program update

The Board reviewed a letter indicating that the NEKWMD Board of Supervisors approved a motion that allows NEKWMD to continue collecting e-wastes until July 1, 2016.

11. Correspondence from Federal Energy Regulatory Commission (FERC) regarding Order Modifying and Approving Study of Recreational Use for Green Mountain Power Corporation

The Board reviewed a booklet detailing FERC's order relating to Green Mountain Power Corporation's filing of a study of recreational use of its four hydropower projects on the Passumpsic River.

12. Other business

No other business was discussed.

13. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

14. 2016 budget discussion

The Board began review of the Highway Department budget, discussing with Road Foreman Mark Chase various proposed adjustments.

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

- Mr. Bunnell 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 Ms. Ford and approved by voice vote.
- Mr. Bunnell 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 Ms. Ford and approved by voice vote. Entered executive session at 8:40 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 8:50 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