

DRAFT

MINUTES – REGULAR SELECTBOARD MEETING TOWN OF BARNET, VERMONT MONDAY, FEBRUARY 22, 2016

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, Lister John Cook, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Christopher Boldt, Esq. (via telephone conference), Brian Fogg (via telephone conference), Richard D. Gilmour, and George Sansoucy (via telephone conference).

1. Approve minutes of regular meeting held February 8, 2016

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held February 8, 2016. Seconded by Ms. Ford and approved by voice vote.

2. Appearances by members of the public

- a. **Richard "Doug" Gilmour regarding tax valuation of TransCanada Hydro Northeast's property in Barnet.** Mr. Gilmour discussed flowage rights owned by TransCanada, wishing to ensure that they are properly assessed in the Town's valuation of TransCanada's holdings. Discussion ensued.

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

- a. **Sanding roads.** Mr. Chase reported that the Highway Department has been busy sanding and salting roads during a number of small snow and mixed precipitation weather events.
- b. **Flagger class.** Mr. Chase indicated that the Highway Department will host a flagger recertification class on March 3. The requirement for recertification is every two years.
- c. **Culvert thawed.** Mr. Chase indicated that the Highway Department has spent some time in the past few weeks using the culvert thawer to clear culverts of ice and snow.
- d. **Church Street/US Route 5 South intersection paving.** Mr. Chase reported that the Vermont Agency of Transportation has offered to provide paving to repair the road surface near Church Street's intersection with Route 5, which was damaged during recent excavation for repair of a water leak.

4. Correspondence from Vermont Agency of Transportation (VTrans) regarding FY 2017 Town Highway Grants/Certification of Compliance for Town & Road Bridge Standards and Network Inventory/Annual Town Financial Plan & Meeting

The Board reviewed a cover letter and several attachments. Town Clerk Mr. Heisholt indicated that the Town's annual meeting with VTrans is scheduled for March 9 at 10:00 a.m. at the Town Clerk's Office. Discussion ensued.

5. Correspondence from Planning Commission/Zoning Board Secretary Shirley Warden regarding appointment of Zoning Administrative Officer

The Board read a letter indicating that the Planning Commission/Zoning Board had nominated Shirley Warden to be re-appointed as Zoning Administrative Officer.

- Mr. Bunnell moved to re-appoint Shirley Warden as Zoning Administrative Officer for a three-year term. Seconded by Dylan Ford and approved by voice vote.

6. Correspondence from Zoning Administrative Officer Secretary Shirley Warden regarding issuance of zoning permit to Town's abutting property owners George & Doris Pierce

The Board read a letter and reviewed an attached permit issued for a new foundation for a cottage at 17 Sunny Beach Lane. Discussion ensued.

7. Correspondence from Zoning Administrative Officer Secretary Shirley Warden regarding public hearing for consideration of zoning permit application of Town's abutting property owners Barnet Fire District #2/Andrew & Cindy Mosedale

The Board read a letter and reviewed an attached permit application, including maps and plans, for a wood-framed chemical feed and control building for the Fire District's public water system. A public hearing is required because the structure does not meet the setback from town highway requirement. This hearing will be held March 8 and 7:00 p.m. at the Town Clerk's Office. Discussion ensued.

8. Warning for Pre-Town Meeting Public Hearing

The Board reviewed a warning for the pre-Town Meeting public hearing scheduled for February 23 at 7:00 p.m.

9. Correspondence from Northeast Kingdom Waste Management District (NEKWMD) regarding Insignificant Waste Management Event Approval Application Form

The Board read a cover letter and reviewed an attached application form. NEKWMD is holding a Household Hazardous Waste Collection in Barnet on June 15; a permit for the event is required by the State of Vermont. Discussion ensued.

- Mr. Roberts signed the application form.

10. Correspondence from Northeast Kingdom Waste Management District regarding variance for the collection of leaf and yard wastes

The Board read a letter and reviewed the attached variance from the Vermont Agency of Natural Resources. The variance means that the Barnet transfer station is not required to collect leaf and yard waste.

11. Correspondence from Northeast Kingdom Waste Management District with fourth quarter 2015 Disposal, Recycling and Composting Facility Reports.

The Board read an email and reviewed the attached data reporting tonnages for various categories of waste and recyclables collected at the Barnet Transfer Station & Recycling Center.

12. Correspondence from Vermont Agency of Natural Resources (ANR) and Vermont League of Cities & Towns (VLCT) regarding pending and proposed changes to ANR's Payment in Lieu of Taxes (PILOT) legislation for ANR lands

The Board read a joint letter from ANR and VLCT discussing the effects on Barnet of current legislation pending implementation, and proposed changes to this legislation. Both the current legislation and the proposed amendment would cause a gradual decrease, from fiscal year 2017 to fiscal year 2021, in the PILOT payment Barnet receives from ANR for state-owned lands in Barnet; the latter would feature a less severe decrease. Discussion ensued.

13. Correspondence from ESRI, Inc. regarding quotation for annual ArcGIS maintenance contract

The Board reviewed email correspondence providing a quotation for annual maintenance for Listers' mapping software. The total annual cost of \$400 has remained unchanged for the past four years.

- Mr. Roberts signed the quotation with the Board's approval.

14. Correspondence from Federal Energy Regulatory Commission (FERC) regarding

TransCanada Hydro Northeast, Inc.'s application for amendment of fish passage plan

The Board reviewed notice of TransCanada's application requesting that FERC "suspend of the requirement or permanently amend the license to eliminate the requirement to provide downstream fish passage...due to the suspension of the Atlantic salmon restoration program in the Connecticut River basin by the U.S. Fish and Wildlife Service in 2012..." Discussion ensued.

15. Applications for Uniform Municipal Excess Weight Permits

The Board reviewed and approved the single vehicle application of Mike Lemieux Trucking, Inc. and the fleet application of United Natural Foods, Inc.

16. Other business

- a. Town Agent.** Mr. Roberts indicated that he had received notice from Town Agent Jay Abramson that Mr. Abramson will not seek re-election at Town Meeting. Discussion ensued.
- b. Town Hall property lines.** The Board discussed advice received from surveyor Andrew Dussault that the Town hire an attorney to facilitate discussion on establishing property lines for the Town Hall property.
- c. Melvin Hale memorial dumpster cover.** Shirley Warden reported on a discussion at the memorial service of former Transfer Station employee Melvin Hale. It has been suggested that the Town dedicate to Mr. Hale the construction of a cover for the construction dumpsters at the Transfer Station.

17. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

18. Discussion regarding Highway Department performance reviews and wage adjustments (executive session)

- Ms. Ford moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(3) to discuss performance reviews and wage adjustments for Highway Department employees. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 7:46 p.m. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Road Foreman Mark Chase, 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 7:55 p.m.
- No action taken.

19. 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 7:56 pm. Those present in executive session: Mr. Roberts, Mr. Bunnell, Ms. Ford, Lister John Cook, Town Clerk Benjamin Heisholt, Christopher Boldt, Esq. (via telephone conference), Brian Fogg (via telephone conference), and George Sansoucy (via telephone conference).

- Mr. Bunnell moved to exit executive session. Seconded by Ms. Ford and approved by voice vote. Exited executive session at 8:11 p.m.
- No action taken.

20. Discussion regarding Highway Department performance reviews and wage adjustments (continued) (executive session)

- Ms. Ford moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(3) to discuss performance reviews and wage adjustments for Highway Department employees. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 8:12 p.m. 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 8:37 p.m.
- Ms. Ford moved to issue wage increases to Highway Department employees according to performance reviews discussed in executive session at this meeting. Seconded by Mr. Bunnell and approved by voice vote.

21. Adjournment

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 8:37 p.m.

A true copy.

Attest: _____
Town Clerk