

**MINUTES – REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, MARCH 26, 2018**

Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk’s Office.

Board members present: Dylan Ford and Benjamin Gates.

Others present: Road Foreman Mark Chase, Beach Committee Member Christen Emerson, Building Committee Chair William Graves, Town Clerk Benjamin Heisholt, Michael Bigelow, Kenneth Faris, Frank Jannarone, Kathleen Monroe, and James Pircher.

1. Consideration of approval of minutes of regular meeting held March 12, 2018

Mr. Gates moved to approve as presented the minutes of the special meeting held March 12, 2018. Seconded by Ms. Ford and approved by voice vote.

2. Appearance by Barnet School Facilities Director Michael Bigelow regarding proposed school speed zone

Mr. Bigelow appeared to request enforcement of the current speed zone on West Barnet Road, and a special speed zone on West Barnet Road near its intersection with Kid Row, and on Kid Row. The Board reviewed a copy of the most recent Town speed ordinance, adopted in 1987, which indicates that the speed limit on West Barnet Road (SA #1) is 35 miles per hour, from the west side of I91 to its junction with McLam Lane (TH #62) in West Barnet. Mr. Bigelow reported that this speed limit is unenforceable at this time because there are no speed limit signs posted. The speed limit for unposted roads in Vermont is 50 miles per hour. Mr. Bigelow indicated that there is currently no speed limit adopted for Kid Row, making the default speed limit 50 miles per hour. Discussion ensued regarding the original purpose for adopting the West Barnet Road speed limit, the mechanisms for enforcing current speed ordinances and adopting new speed ordinances, the process for adopting a “school speed zone.” Mr. Bigelow indicated that he would prefer that the current speed limit for West Barnet Road be properly posted and enforced, and that a speed limit of 15 or 20 miles per hour be adopted for Kid Row.

- The Board agreed to instruct Road Foreman Mark Chase to investigate the requirements for posting the current speed limit on West Barnet Road, and request that Town Clerk Benjamin Heisholt investigate the process for adopting a speed limit on Kid Row.

3. Appearances by members of the public

- a. Resident Kathleen Monroe regarding proposed acquisition of Barnet School District property.** The Board read an email, and reviewed an attached map, from Ms. Monroe. The email discusses the possibility of the Town of Barnet acquiring a portion of the land owned by the Barnet School District, prior to the Barnet School District’s merger with the Caledonia Cooperative School District, which will be effective July 1, 2018. The email reports that Barnet School Board member Louis Bushey has indicated that there is a 4.5-acre portion of the Barnet School District property that may be suitable for building upon, with specific reference to the Town’s current contemplation of a site for a proposed new town office building. The email suggests that it may be in the best interest of the Town to look into this possibility further, whether the land is used for town offices or for some other future need, and that time is of the essence, since there is an ostensible June 30 deadline. Ms. Monroe appeared at this meeting and indicated that this matter has been discussed by the Caledonia Cooperative School District at their meeting March 19, 2018. Ms. Monroe reported that the that School Board’s attorney will review this matter. William Graves, Chair of the Building Committee, also appeared, and

indicated that he had spoken to Ms. Monroe and the Barnet School Board about this issue. He indicated that he had visited the proposed building site, and that it may have potential as a valid building site.

- The Board agreed to add this issue to their next Board meeting agenda, and to investigate the possibility of the Town acquiring some portion of the lands currently owned by the Barnet School District.

4. Appearance by Harvey's Lake Beach Committee regarding beach matters

Beach Committee Member Christen Emerson appeared and discussed several matters with the Board.

- a. Hiring 15-year-old.** Ms. Emerson asked if the Board would consider allowing the Beach Committee to hire a 15-year-old as a lifeguard. The Beach Committee currently has a 15-year-old applicant. The Board reviewed correspondence from the Vermont League of Cities & Towns (VLCT) regarding the legality of such hiring, and its impact on insurance considerations. The VLCT staff attorney indicated that he did not find anything prohibiting minors from employment as a lifeguard, provided that the job does not include prohibited hazardous activities. The VLCT insurance loss control consultant indicated that lifeguards may be employed at 15 years old but must be certified. Discussion ensued.
 - Mr. Gates moved to allow the Beach Committee to use its own judgment in determining whether to hire 15-year-olds as lifeguards. Seconded by Ms. Ford and approved by voice vote.
- b. Smoke-Free Zone.** Ms. Emerson indicated that the Beach Committee had been approached by Barnet School Nurse Ruth Vaal with an inquiry about the Beach cooperating in a student project to designate the Beach as a smoke-free zone. Ms. Emerson indicated that the area near the entrance of the public beach is currently a designated smoking area, but it is seldom used. Discussion ensued.
 - The Board agreed to investigate the process for designating a smoke-free zone within Town ordinances and policies.
- c. New Beach Committee member.** Ms. Emerson indicated that the Beach Committee is prepared to nominate an individual to fill a current vacancy on the Committee.
 - The Board requested that the Beach Committee officially nominate, and the Board will consider the nomination at its next meeting.
- d. Non-responsive Beach Committee member.** Ms. Emerson reported that there is a member of the Beach Committee who no longer resides in Barnet and has not been an active or responsive member of the Committee for many months. The Beach Committee would like to replace this member and inquires as to a process for removing an inactive member. Discussion ensued.

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

- a. Pit stripping.** Mr. Chase asked the Board if they would like him to request bids for stripping the pit to remove overburden. Discussion ensued.
 - Mr. Gates moved to request that Darrell Mathews, Gary Bunnell, and Chief Bogie submit bids for 2018 overburden removal at the Town pit. Seconded by Ms. Ford and approved by voice vote.
- b. Cloud Brook Road culvert issue.** William Graves, resident on Cloud Brook Road, indicated that a culvert near his driveway is in need of rehabilitation; concrete blocks on the lower end need to be raised. Discussion ensued.

6. Correspondence from Vermont Agency of Transportation (VTrans) regarding Interstate 91 ledge stabilization project

The Board reviewed an email and attachments indicating that VTrans will perform a ledge stabilization project on the west side of Interstate 91 southbound from mile marker 116.88 to mile

marker 117.11. Interstate 91 southbound will be closed from Exit 18 (Barnet) to Exit 17 (Newbury) during this period; traffic will be detoured through Barnet via Bimson Drive and US Route 5 South. The closure is anticipated for a three-week period from April 15th to May 15th, 2018. Discussion ensued.

- The Board agreed that Ms. Ford will inquire with VTrans about funding for traffic policing on Bimson Drive and on US Route 5 South in Barnet during the time of this project.

7. Correspondence from Vermont Agency of Transportation regarding proposed West Main Street culvert and drainage project

The Board reviewed correspondence from the Vermont Agency of Transportation regarding the Town's proposed culvert and drainage replacement project near the West Barnet Quick Stop. The email indicates that because the project is considered "permanent" work under the Federal Highway Administration's emergency relief program, it must have NEPA clearance as well as right-of-way and utility clearances. Among the complications caused by this is that the owner of the West Barnet Quick Stop must sign an agreement for work on her property, in addition to the easement the Town has already obtained. This agreement must include just compensation for the agreement, or a waiver. Alternatively, the Town could withdraw the project from Federal Highway funding and use either Town funds or a State Structures grant to fund the project. Discussion ensued.

- Mr. Gates moved to ask Debra King, the owner of the West Barnet Quick Stop, to sign a waiver for compensation for the easement. Seconded by Ms. Ford and approved by voice vote.

8. Consideration of operation of all-terrain vehicles (ATVs) on town highways for Green-Up Day activities

The Board reviewed correspondence from the Barnet Trailblazers ATV Club requesting ATV access on all Town Highways for Green Up Day activities on Green Up Day in 2018. Discussion ensued.

- Mr. Gates moved to allow ATV access on all Town Highways for Green Up Day activities in 2018, contingent on submission to the Town Clerk of proof of insurance and registration of all ATVs participating.

9. Correspondence from Vermont Department of Forests, Parks & Recreation regarding appointment of Town Forest Fire Warden

The Board reviewed a letter indicating that the term of current Forest Fire Warden, Christopher Bunnell is expiring June 30, 2018, and asking the Board to approve the re-appointment of Mr. Bunnell as Forest Fire Warden.

- Mr. Gates moved to approve the re-appointment of Christopher Bunnell as Forest Fire Warden. Seconded by Ms. Ford and approved by voice vote.

10. Correspondence from Vermont Natural Resources Board regarding Act 250 Jurisdictional Opinion for proposed utility line reconstruction and relocation project near Kitchel Hill Road

The Board reviewed an email and attachment indicating that the District #7 Environmental Commission is requesting a jurisdictional opinion from the District Coordinator regarding the jurisdiction of Act 250 over this project.

11. Consideration of 2018 mowing of town properties

Town Clerk Benjamin Heisholt indicated that he had not received any responses regarding mowing of town properties, as discussed at the previous meeting. Discussion ensued.

12. Consideration of applications for uniform municipal excess weight permits

The Board reviewed and approved the fleet applications of N.A. Manosh, Inc., Limlaw Chipping and Land Clearing, Inc., Bourne's Inc. & Bourne's Energy, Brian Tallmadge/BIT Enterprises, Austin Construction, Inc., and Darrell Mathews/Mathews Excavating.

13. Other business

- a. Building Committee activities.** Building Committee Chair William Graves spoke about recent Building Committee activities and presented an overview of the activities of the Building Committee over the past several years in seeking a new home for the municipal offices, for the benefit of new Board member Mr. Gates.
- b. All-funders meeting.** Ms. Ford indicated that an "all-funders meeting" for the proposed renovation of the McIndoe Falls Academy building is scheduled for April 13, 2018. This will not be a public meeting.
- c. Interfluve study March 27.** Ms. Ford indicated that Interfluve will be at the Harvey's Lake dam on March 27, 2018 to collect bore samples. Discussion ensued.

14. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

15. Adjournment

Mr. Gates moved to adjourn the meeting. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 10:00 p.m.

A true copy.

Attest: _____ Town Clerk