

**MINUTES – REGULAR SELECTBOARD MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, FEBRUARY 11, 2019**

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

**Board members present:** Jeremy Roberts, Dylan Ford, and Benjamin Gates.

**Other Town officials and employees present:** Town Agent Steven Adler, Beach Committee member Joseph Breidenstein, Road Foreman Mark Chase, Building Committee chair/Trustee of Public Funds William Graves, and Town Clerk Benjamin Heisholt.

**Members of the public present:** Kaye Breidenstein, Jonathan Carpenter, Laura Goldberg, Jacqueline Sprague.

**1. Consideration of approval of minutes of regular meeting held January 28, 2019**

Ms. Ford moved approve as presented the minutes of the special meeting held January 28, 2019. Seconded by Mr. Gates and approved by voice vote.

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

There were no appearances by members of the public.

**3. Correspondence from Christen Emerson regarding resignation from Beach Committee**

The Board read a letter indicating Ms. Emerson’s resignation from the Beach Committee effective Town Meeting Day 2019.

Beach Committee member Joseph Breidenstein appeared and discussed beach matters with the Board. Matters discussed included: another possible resignation from the committee, lifeguard hiring difficulties, and potential changes in staffing. Ms. Ford related information from a discussion with Beach Committee Chair Christen Emerson.

Residents Kaye Breidenstein and Jacqueline Sprague appeared and expressed interest in becoming members of the Beach Committee, in the context of the current vacancy on the committee (normally a five-member committee, currently with four members), the vacancy that will occur with Ms. Emerson’s resignation, and the other potential resignation discussed above. Discussion was had regarding procedures for appointments to the committee. Town Agent Steven Adler provided the legal opinion that the Board would be free to appoint to a Board-created committee without previous nomination from the committee or other restriction. Town Clerk Benjamin Heisholt indicated that he was unaware of any Beach Committee bylaw or other document that would restrict the Board from appointing without nomination.

- Ms. Ford moved to appoint Kaye Breidenstein and Jacqueline Sprague to the Harvey’s Lake Beach Committee. Seconded by Mr. Gates and approved by voice vote.

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

**a. Other business.**

- i. New overhead lights at Town Garage.** Mr. Chase reported that the lighting project at the Town Garage is completed, and that the improvement is helpful to the road crew.

- ii. **Winter road maintenance.** Mr. Chase reported that the Highway Department continues to spend much of its time on routine winter road maintenance, including plowing, sanding, and salting in response to precipitation.
- iii. **Dump Truck #006.** Mr. Chase reported that the locking rear-axle in truck #006 has been repaired.
- iv. **Backhoe bids.** Mr. Chase presented bids from three vendors for purchase of a new backhoe with trade-in of the backhoe the Town currently owns. All bids include trade-in value and government discount. These bids are summarized below.

<u>Vendor</u>	<u>Make/Model</u>	<u>Net Price</u>
Nortrax	John Deere 410L	\$98,200
Milton Cat	Caterpillar 420F2IT	\$109,900
Northland JCB	JCB 3CX	\$106,400

- Mr. Gates moved to approve the purchase of a John Deere 410L from Nortrax, as per their quote. Seconded by Ms. Ford and approved by voice vote.
  - v. **No communication from communications companies.** Mr. Chase reported that the two communications companies with which he has been in contact have not been responsive regarding proposed strategies to improve poor radio reception.
    - The Board instructed Mr. Chase to seek other options with regard to communications vendors.
  - vi. **Additional Town Garage improvements.** Mr. Roberts indicated that in his recent visits to the Town Garage he noted that an outlet for the welder should be added, and that outdoor storage container sheds may be useful for storing equipment not in regular use.
  - vii. **Road maintenance compliments.** Ms. Ford indicated that she had recently received several compliments regarding the maintenance of Barnet town highways.
- b. **Correspondence from Ruggles Engineering Services, Inc. regarding Pearlmont Road culvert replacement.** The Board reviewed an invoice for engineering services (\$3,000) and memo with attached application to the Vermont Department of Environmental Conservation for coverage under the stream alteration general permit for a culvert replacement project on Pearlmont Road. Discussion ensued.
- The Board agreed to submit the permit application; Mr. Roberts signed the application.
  - Mr. Gates moved expend funds to pay the invoice submitted by Ruggles Engineering Services, Inc. Seconded by Ms. Ford and approved by voice vote.
- c. **Consideration of Selectboard practices regarding damages to mailboxes and other hazards.** The Board reviewed an email from a resident on Valley View Road claiming the Highway Department had damaged a mailbox in the course of plowing snow. Mr. Chase reported another recent complaint from a resident claiming the Highway Department had damaged a mailbox. Mr. Chase reported that it is not clear the Highway Department was at fault in either of these incidents. Mr. Chase asked for the Board's direction with regard to incidents of this nature. Discussion ensued.
- The Board agreed to continue its practice of not repairing or replacing hazards within the Town's right-of-way that are damaged.
- d. **Consideration of winter maintenance practices on Carter Street.** The Board discussed maintenance of Carter Street, continuing its discussion from the previous Board meeting.
- The Board agreed to instruct the Highway Department to prioritize plowing Carter Street with the pick-up truck when possible.

## **5. Consideration of response to public correspondence and inquiries**

Town Agent Steven Adler appeared to discuss with the Board legal and practical considerations with regard to response to public correspondence and inquiries. Mr. Adler reviewed the requirements to comply with public meetings law and public records law. Mr. Adler also indicated that the Board is not required to respond to correspondence or inquiries by creating new documents or by inviting the public to private meetings; rather, public documents and public participation in public meetings must be made available.

- The Board agreed to request that Town Agent Steven Adler respond to a public inquiry, explaining the Board's legal obligations and the limitations on their legal obligations to respond to inquiries.

## **6. Consideration of animal control complaint received from David Stevenson Jr.**

The Board reviewed a complaint describing an incident occurring January 18, 2019 involving a dog named "Moon," reportedly owned by resident George Hannon, running at large and aggressively approaching Mr. Stevenson and his son at a bus stop at the intersection of Blaine Drive and Garland Hill. The Board noted that a similar complaint regarding this dog was received from a different complainant in 2016. Discussion ensued.

- The Board agreed to request that Town Agent Steven Adler send a letter to Mr. Hannon, informing him of this reported violation of the Animal Control Ordinance, and warning him that further violations will result in financial penalties.

## **7. Consideration execution of documents relating to 2019 tax anticipation note**

The Board reviewed and executed all documents presented to initiate 2019 tax anticipation borrowing, and related deposit account, with Passumpsic Savings Bank.

## **8. Correspondence from CAI Technologies regarding renewal of Tax Map Maintenance Contract**

The Board reviewed the 2020 proposal and contract. Terms of proposal and contract are the same as the 2019 proposal and contract; the cost to the Town is \$2,225.

- The Board signed the contract.

## **9. Consideration of maintenance of Barnet School property and proposed indemnification and hold harmless agreement**

Town Clerk Benjamin Heisholt indicated that he had not received any new information or documentation regarding this matter.

- Mr. Roberts indicated that he would contact Caledonia Cooperative School District Director Louis Bushey regarding this matter.

## **10. Consideration of applications for Uniform Municipal Excess Weight Permits**

- The Board reviewed and approved the fleet application of Austin Construction, Inc.

## **11. Other business**

- a. Trustees of Public Funds investment practice.** Trustee of Public Funds William Graves appeared and indicated that the Trustees of Public Funds are considering moving a portion of the Town's Esden Fund to a different type of investment that may be somewhat less liquid with regard to length of term. In this context, the Trustees wished to inquire with the Board regarding their intention to expend funds from the Esden Fund in the near future. Discussion ensued.

- The Board agreed that their short-term projections for expenditures from the Esden Fund would not interfere with the investment strategy proposed by the Trustees.

- b. Building Committee update.** Building Committee chair William Graves appeared to discuss recent developments with Building Committee action and next steps for action. Mr. Graves reported that the Building Committee did not receive any proposals in response to its request for proposals for the community engagement specialist project. A second request for proposals has been issued. Discussion ensued.
- The Board agreed to not request that the Building Committee schedule any meetings until after the community engagement specialist hiring process has advanced, allowing an interview process, if applicable, by a sub-committee.
- c. Highway Department holiday.**
- The Board agreed to grant an additional paid day off to the Highway Department on a convenient day in the near future, in recognition of good work over many overtime hours in recent weeks.

## **12. Outstanding check warrants**

The Board signed all outstanding check warrants.

## **13. Adjournment**

Mr. Gates moved to adjourn the meeting. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 9:02 p.m.

*A true copy.*

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