

DRAFT

MINUTES – REGULAR SELECTBOARD MEETING TOWN OF BARNET, VERMONT MONDAY, APRIL 8, 2019

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

Board members present: Dylan Ford, Benjamin Gates (presiding co-chair), and Mark Jefferson.

Other Town officials and employees present: Planning Commission/Zoning Board Chair William Biddle, Road Foreman Mark Chase, Town Clerk Benjamin Heisholt, and Recreation Director Shawn Hilliker.

Members of the public present: Jonathan Carpenter, Jane Casavant, Stephen Casavant, Deborah Chandler, Janette Hoague, and Robert Patneau.

1. Consideration of approval of minutes of regular meeting held March 25, 2019

Ms. Ford moved approve as presented the minutes of the regular meeting held March 25, 2019. Seconded by Mr. Jefferson and approved by voice vote.

2. Hearing regarding bite by domestic pet, pursuant to Animal Control Ordinance Section 8, Subsection B, in connection with animal control complaint received from Stephen and Jane Casavant regarding incident involving dog kept at 205 Anderson Street

The Board reviewed the animal control complaint received March 15, 2019, regarding an incident occurring March 14, 2019, as discussed at the Board's March 25, 2019 meeting. This hearing is required, pursuant to Section 8 of the Animal Control Ordinance, because the incident described in the complaint involved a bite of a domestic dog by another domestic dog.

Complainant testimony: Mr. Casavant described the incident according to the description in the written complaint, with some detail added. Mr. Casavant indicated that he was walking his dog, Zeke, on Anderson Street at approximately 6:30 p.m. As Mr. Casavant was walking in a westerly direction, between the two interstate overpasses west of the Casavant residence, the grandson (Kayne Somers) of Robert Patneau, owner of 205 Anderson Street, approached with a leashed dog, Suede, owned by Deborah Chandler. Due to Zeke's fear of this dog, Mr. Casavant turned and walked easterly, towards his residence. He then heard Mr. Somers shouting behind him; shortly thereafter Suede was near Mr. Casavant, off his leash, and attacking and biting Zeke. Mr. Casavant, after kicking and punching Suede to ward off the attack, retreated to his residence with Zeke. Emergency veterinary services were then required to treat Zeke's wounds.

Defendant testimony: Deborah Chandler appeared, and indicated that she is the owner of Suede, the dog under the care of Kayne Somers the time of the incident. She indicated that she is a caretaker for Mr. Somers, and was housesitting for Robert Patneau on the date of the incident while Mr. Patneau was out of town. She testified that it was an error of judgment on her part to allow Mr. Somers to walk the dog; it was intended as a lesson in responsibility for animals. She reported that Suede has not had any other similar incidents. Suede is not licensed in Barnet because Ms. Chandler does not reside permanently in Barnet; she intends to move out of town soon. She testified that she is willing to pay for the Casavants' veterinary expenses stemming from this incident, and to ensure that Suede is muzzled and leashed whenever he is off the Patneau property.

Selectboard decision: The Casavants indicated that they were agreeable to the solution suggested by Ms. Chandler. The Board agreed to require, according to the agreement between the Casavants

and Ms. Chandler, that Ms. Chandler reimburse the Casavants for their veterinary expenses related to this incident, and cause Suede to be muzzled and leashed at all times when not on the property owned by Robert Patneau.

3. Appearances by members of the public

- a. Barnet Fire District #2 Prudential Committee member Jonathan Carpenter regarding resident reimbursement request relating to Mill Hill water leak.** Mr. Carpenter appeared to inform the Board that a resident of Mill Hill has requested reimbursement of towing expenses from the fire district. These expenses resulted from resident's vehicle becoming stuck in mud in the resident's driveway; the resident claims the mud was caused by the Mill Hill water leak.

4. Appearance by Town Recreation Director Shawn Hilliker regarding use of Town Hall

Mr. Hilliker appeared to discuss various matters in advance of potential use of the Town Hall for recreational activities beginning May 1, 2019. Issues discussed included lead paint and asbestos exposure, bathroom access/portable toilet rental, Mr. Hilliker's access to a key to the Town Hall, storage of curtains kept at the Town Hall, storage of Barnet Historical Society exhibits kept at the Town Hall, background check for the Town Recreational Director, and a back-up person for the Recreational Director when he is unavailable.

- The Board agreed that Ms. Ford will meet with Mr. Hilliker at the Town Hall on Tuesday, April 9 to assess the Town Hall space and take action regarding storage of items, etc.

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

- a. New backhoe.** Mr. Chase indicated that the Town's new backhoe has been delivered to Nortrax in Williston, Vermont. It is now undergoing final assembly with addition of the Town's ordered attachments. Discussion ensued regarding undercoating of trucks and equipment upon purchase, and subsequently between winter seasons.
- b. Annual meeting with Vermont Agency of Transportation (VTrans).** Mr. Chase reported that the Town's annual meeting with VTrans is scheduled for Wednesday, April 10 at 10:00 a.m. at the Town Clerk's Office.
- The Board agreed that Mr. Gates will attend this annual meeting.
- c. Paving projects.** Mr. Chase presented a quote from Pike Industries, Inc. for 2019 paving projects. The quote includes projects on West Barnet Road (from park and ride to Kid Row), Kid Row, Roy Mountain Road, West Barnet Road (from West Barnet Quick Stop to McLam Lane), Barnet Center Road, Comerford Dam Road, and Bridge Street; total quoted price is \$363,520. Discussion ensued.
- The Board agreed to proceed with all the quoted projects except the West Barnet Road section from the park and ride to Kid Row and with exclusion of the circle at the end of Kid Row, which is not part of the Town road. The Board agreed to inform the school board that Kid Row will be paved in 2019, with the suggestion that it may be an opportune time to pave the circle as well.

6. Consideration of proposed amendment to Town Plan as approved by the Planning Commission; take any action pursuant to 24 VSA § 4385, including preparation of changes, and adoption of resolution to hold a public hearing

Planning Commission Chair William Biddle appeared and discussed the proposed changes to the Town Plan, as approved by the Planning Commission. The Board also reviewed the Planning Commission's Notice of Public Hearing for the hearing which preceded the Planning Commission's approval. The notice indicates that the proposed amendment consists of the following recommended action to be inserted on page 36 of the current plan, adopted August 10, 2015: "Pursue Village Center Designation for qualifying village cores, including McIndoe Falls, Barnet Village, West Barnet, and

Passumpsic. This designation, while not regulatory, would make tax credits available for fit-up of income-producing properties, and enhance eligibility for grants to improve infrastructure and civic and governmental buildings.” Discussion ensued.

- Ms. Ford moved to proceed with the amendment of the Town Plan as approved by the Planning Commission without alteration by the Selectboard. Seconded by Mr. Jefferson and approved by voice vote.
- Ms. Ford moved to resolve to hold a public hearing on the proposed amendment to the Town Plan on May 13, 2019 at 7:00 p.m. at the Town Clerk’s Office. Seconded by Mr. Jefferson and approved by voice vote.

7. Consideration of, and any action on, draft Policy Regarding Conflicts of Interest and Ethical Conduct

The Board reviewed the Policy, as amended by Town Agent Steven Adler per the Board’s request at their March 25, 2019 meeting.

- Ms. Ford moved to approve the Policy as presented at this meeting. Seconded by Mr. Jefferson and approved by voice vote. The Board signed the policy.

8. Consideration of maintenance of Barnet School property and proposed indemnification and hold harmless agreement

Town Clerk Benjamin Heisholt indicated at the Town’s estimated costs for the 2018-2019 winter season had been forwarded to the school board. Discussion ensued.

9. Consideration of 2019 mowing of town properties

Mr. Heisholt indicated that the Town remains under contract with Little Acres Landscaping for most of the mowed Town properties for the 2019 season; this is the second year of a two-year contract. He asked the Board how they would like to proceed with regard to the properties mowed by Dennis McLam in 2018.

- The Board agreed to ask Mr. McLam if he would like to continue to mow the same properties in 2019, and what his price for these services would be.

10. Consideration of purchasing of fuel oil, propane, and diesel fuel for 2019-2020 season

Town Clerk Benjamin Heisholt asked if the Board will like to request bids for purchasing fuel oil, propane, and diesel fuel for the 2019-2020 season. Discussion ensued.

- Ms. Ford moved to request bids for purchasing fuel oil, propane, and diesel fuel for the 2019-2020 season from Bourne’s Energy, Dead River Company, Fred’s Energy, and Irving Energy. Seconded by Mr. Jefferson and approved by voice vote.

11. Consideration of 2019 liquor license renewal application of Paul’s Whistle Stop

The Board reviewed and approved the 2019 liquor license renewal application of Paul’s Whistle Stop.

12. Consideration of 2019 liquor license renewal application of West Barnet Quick Stop

The Board reviewed and approved the 2019 liquor license renewal application of West Barnet Quick Stop.

13. Consideration of applications for Uniform Municipal Excess Weight Permits

The Board reviewed and approved the fleet applications of Agri-Mark Inc. DBA Cabot Creamery, Barrett Trucking Co. Inc., Camp Precast Concrete Products Inc., Connecticut Valley Trucking Inc., Darrell Mathews/Mathews Excavating, Thomson Fuels, and Stacey Thomson Properties LP.

14. Other business

a. Consideration of evaluation of personnel (executive session).

- Ms. Ford moved to enter executive session to discuss evaluation of personnel, pursuant to 1 V.S.A. § 313(a)(3). Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:35 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Road Foreman Mark Chase, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Gates and approved by voice vote. Exited executive session at 9:05 p.m.
- No action taken

15. Outstanding check warrants

The Board signed all outstanding check warrants.

16. Adjournment

Ms. Ford moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 9:05 p.m.

A true copy.

Attest: _____ Town Clerk