

**MINUTES – SPECIAL SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, DECEMBER 2, 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 member Dakota Butterfield, Planning Commission/Zoning Board member Mark Bowen, Road Foreman Mark Chase, Lister John Cook, Lister Sarah Cook, Town Clerk Benjamin Heisholt, and Zoning Administrative Officer Shirley Warden.

Members of the public present: Jonathan Carpenter, Frank Jannarone, Rachel Kittredge, Kathleen Monroe, Amy Ash Nixon (Caledonian-Record), Charles Smith, and Cynthia Stuart.

1. Consideration of approval of minutes of regular meeting held November 11, 2019

- Ms. Ford moved to approve as presented the minutes of the regular meeting held November 11, 2019. Seconded by Mr. Jefferson and approved by voice vote.

2. Comment on agenda items, and any other business, by members of the public

There was no comment on agenda items, or any other business, by members of the public.

3. Consideration of, and take any action on, warning Town Meeting article for Communications Union District

Resident Kathleen Monroe appeared and provided an update on the activities of the group facilitating the formation of “NEK Community Broadband,” which would be a municipal entity in the form of a Communications Union District (CUD), made up of two or more towns, with specific purpose to build out, maintain, and operate broadband infrastructure in order to provide a last mile, Fiber-To-The-Home (FTTH) network for Caledonia and southern Essex county, which will provide high-speed internet (up to 100 mbps) to all residents of member communities. As discussed at previous meetings, the group proposes to add an article to the 2020 Annual Town Meeting warning that would allow the Town of Barnet to join NEK Community Broadband. Ms. Monroe reported the proposed language of the article as: “Shall the Town of Barnet enter into a communications union district (CUD) to be known as NEK Community Broadband, under the provisions of 30 VSA Chapter 82?” Discussion ensued.

- Ms. Ford moved to include an article on the 2020 Town Meeting regarding entering into a communications union district with language as proposed by Ms. Monroe. Seconded by Mr. Jefferson and approved by voice vote.

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

a. Consideration of, and take any action on, resident request for reimbursement of mailbox damage

The Board reviewed an email from Town Clerk Benjamin Heisholt detailing a complaint received from Mosquitoville Road resident Christopher Kaufman. Mr. Kaufman indicates that the Highway Department struck and damaged his mailbox on November 12, 2019. Mr. Kaufman requests reimbursement for or replacement of his mailbox.

Road Foreman Mark Chase reported that Mr. Kaufman’s residence is on his plow route, and that he plowed Mosquitoville Road on November 12, 2019. He indicated that Mr.

Kaufman's mailbox is not close to the edge of the road –approximately 5 feet from the traveled/plowed portion of the road. Mr. Chase does not believe his plow/wing hit the mailbox. He inspected the area around your mailbox after hearing of Mr. Kaufman's complaint, and found that the path of the plow/wing appeared to be no closer than 4 feet from the mailbox. Mr. Chase indicated the possibility that the wet, heavy snow coming off the plow/wing on that particular day may have damaged the mailbox, although he did not witness this.

Discussion ensued, with the Board noting that the precedent of the Board is to not reimburse or replace in cases of damage to obstructions in the Town's right-of-way.

- Ms. Ford moved to decline Mr. Kaufman's request. Seconded by Mr. Jefferson and approved by voice vote.

b. Other business

i. Digital speed sign relocated

Mr. Chase reported that one of the two digital speed signs on West Main Street has been relocated to Church Street.

ii. Part-time and temporary winter plow drivers.

Mr. Chase reported that Mark Fuller and Ernest Bourtelle have been employed as part-time and temporary winter plow drivers.

iii. Monument Circle/Anderson Street paving

Mr. Chase reported Pike Industries has patched the pavement that was recently disturbed for water distribution line repairs.

iv. Extended Sick Leave policy

Mr. Chase requested clarification on the Personnel Policy's Extended Sick Leave policy, which in section H.1. indicates that, "Eligibility shall begin only after 15 days of continuous absence from work due illness or injury." Mr. Chase requested that the Board clarify whether "days" in this clause refers to calendar days, business days, or work days. Discussion ensued.

- The Board agreed that the word "days" in this clause should be interpreted as regular work days of the Highway Department, which is currently five days per week (Monday through Friday). The Board agreed to add this matter to a future agenda so the policy can be amended to make this interpretation explicit.

5. Other business presented by other Town officers

a. Act 60/Reappraisal Reserve Fund

Town Clerk Benjamin Heisholt asked the Board for direction with regard to funding for the new Listers computer workstation agreed upon at the previous Board meeting. This could be expensed from the General Fund's computer maintenance budget, or from the Act 60/Reappraisal Reserve Fund. Discussion ensued.

- The Board instructed Mr. Heisholt to pay for the new Listers computer workstation from the Act 60/Reappraisal Reserve Fund.

Lister Sarah Cook suggested that the Board consider using funds from the Act 60/Reappraisal Fund to pay bonuses to Town Clerk's Office staff for their efforts in facilitating the ongoing town-wide reappraisal.

6. Municipal office building project update; take any action

Consultant Cynthia Stuart (Stuart Consulting) presented a memo updating progress on the current phase of research for the Municipal Building Project. This memo reports on a) land/site visits of potential new construction sites at 163 Kid Row, 131 Granger Street, and a land-only site on US Route 5 South south of Barnet Village, and b) town office visits to new construction municipal offices in

Moretown and Waitsfield. Next steps in the process were identified as receiving analysis from Steven Pitkin, site visit to Gorham, New Hampshire town offices, creating potential grant schedule, and determining ballot voting options. Discussion ensued.

7. Consideration of, and take any action on, appointment of Planning Commission/Zoning Board members

Planning Commission/Zoning Board members Mark Bowen and Dakota Butterfield reported that there are no candidates to nominate to fill the current vacancy. Ms. Butterfield indicated that the vacancy had been posted on the local Front Porch Forum web page.

8. Consideration of, and take any action on, retention of municipal ownership of lease lands

The Board reviewed 24 VSA § 2409, which contains new legislation stating that “On January 1, 2020, fee simple title to perpetual lease lands shall vest in the current lessee of record, free and clear of the interest of a municipal corporation in the perpetual lease lands held in accordance with section 2401 of this title, unless prior to that date the legislative body of the municipal corporation votes in the affirmative to retain ownership of some or all of the perpetual lease lands within that municipal corporation.” The Board also reviewed guidance on this statute from the Vermont League of Cities & Towns’ Weekly Legislative Report. Discussion ensued.

- Ms. Ford moved to vote in the affirmative to retain ownership of all of the perpetual lease lands within the Town of Barnet. Seconded by Mr. Jefferson and approved by voice vote.

9. Consideration of, and take any action on, communication regarding tree growth near Town Clerk’s Office boundary

The Board reviewed a proposed letter from Town Clerk Benjamin Heisholt to Peggy Morehouse, owner of the parcel to the immediate north of the Town Clerk’s Office parcel. The letter indicates that a maple sapling is growing near the Town Clerk’s Office, and that this sapling may be on Ms. Morehouse’s property; it and requests her consent to cut the sapling down. Discussion ensued.

- The Board requested that Mr. Heisholt send the letter as proposed to Ms. Morehouse.

10. Consideration of, and take any action on, 2020 health insurance benefits

The Board continued their review of 2020 health insurance benefits. They reviewed correspondence from April Kuhl, a health insurance broker from CGI Business Solutions. This email and attachment detail the services offered by CGI, and indicate a monthly fee of \$25 per enrolled employee per month. Discussion ensued.

- Ms. Ford moved to not amend the personnel policy with regard to health insurance but to continue to grant employees choice of Blue Cross Blue Shield plans, paying 90% of the premium of whichever plan is chosen, and to fund the Town’s Health Reimbursement Accounts in 2020 at the same level as 2019 (beginning with a balance of \$2,500 for each full-time employee on January 1, 2020). Seconded by Mr. Jefferson and approved by voice vote.

11. Consideration of, and take any action on, animal bite report regarding incident at Anderson Street residence

The Board reviewed an animal bite report regarding an incident occurring November 17, 2019 involving a dog kept at 92 Anderson Street biting a 16-year-old male residing at the same address. The report indicates that Health Officer Michael Walsh was aware of this incident.

12. Consideration of, and take any action on, 2020 service contract with Caledonia County Sheriff’s Department

The Board reviewed a contract with a term of January 1, 2020 to December 31, 2020 for the Caledonia County Sheriff's Department to provide the Town with police services including the aggregate amount of six hours per week from June 1 to October 31 and four hours per week from November 1 to May 30.

- The Board agreed to enter the contract; Mr. Gates signed the same.

13. Outstanding check warrants

- The Board signed all outstanding check warrants.

14. Other business presented by Selectboard

a. Inspector of Lumber inquiry

Ms. Ford reported that she had recently received a request for the services of an Inspector of Lumber. This is an optional office appointed, upon request, to examine, measure, and classify the quality of lumber, shingles, and wood sold within the town (24 V.S.A. § 871). The Town does not currently have an appointed Inspector of Lumber.

- The Board agreed not to appoint an Inspector of Lumber.

15. Consideration of 2020 budget

The Board briefly reviewed a first draft of the 2020 General Fund budget, agreeing to table further discussion to the next meeting.

16. Consideration of Highway Department personnel matters

- Ms. Ford moved to enter executive session to discuss Highway Department personnel matters, pursuant to 1 V.S.A. § 313(1)(3). Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:05 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. Jefferson and approved by voice vote. Exited executive session at 9:00 p.m.
- Ms. Ford moved to offer a full-time Highway Department position to Steve Mosher. Seconded by Mr. Jefferson and approved by voice vote.

17. Adjournment

- Ms. Ford moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 9:07 p.m.

A true copy.

Attest: _____ *Town Clerk*