

**MINUTES – REGULAR SELECTBOARD MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, MAY 11, 2020**

**Meeting convened at 7:00 p.m. via GoToMeeting telephone/video conference. There was no physical meeting place for this meeting. This meeting was audio recorded via GoToMeeting.**

**Board members participating via GoToMeeting telephone/video conference:** Dylan Ford, Benjamin Gates (presiding co-chair), and Mark Jefferson.

**Other Town officials and employees participating via GoToMeeting telephone/video conference:** Road Foreman Mark Chase and Town Clerk Benjamin Heisholt.

**Members of the public participating via GoToMeeting telephone or video conference:** Steven Adler, Laurie Jefferson, Mona Marceau, Brent O'Donnell, and January O'Donnell.

**1. Consideration of approval of minutes of regular meeting held April 27, 2020**

- Ms. Ford moved to approve as presented the minutes of the regular meeting held April 27, 2020. Seconded by Mr. Jefferson and approved by voice vote.

**2. Public Hearing regarding Animal Control Ordinance violation finding involving dog kept by Brent & January O'Donnell at 389 Warden Road**

The Board held a public hearing pursuant to Section 12, Part C.5. of the Animal Control Ordinance. The hearing was held at the request of Brent and January O'Donnell in response to the Board's decision regarding a running-at-large report, as decided at the Board meeting held March 23, 2020. The decision was to assess a fine of \$500.00 pursuant to Section 12 (c)(4) of the Animal Control Ordinance, finding that Mr. and Ms. O'Donnell's dog Goliath was running at large as reported in the complaint discussed at that meeting.

Mr. and Ms. O'Donnell testified regarding their appeal of the Board's decision. The basis of their appeal is as follows: 1) They find the fine to be excessive in light of the brief duration of time in which Goliath was actually off the O'Donnells' property, which they believe to have been only a few seconds. 2) They find the fine to be excessive in light of the order issued relating to a bite that occurred in the same incident. This order required, among other things, that the O'Donnells construct a physical fencing system to contain Goliath. The O'Donnells indicated that they have ordered materials and planned for labor to construct the fence; they estimate that it will cost more than \$4,000.

Attorney Steven Adler, who represents the complainant in the Animal Control Complaint from which this hearing derives, spoke; he suggested that the Board should bear in mind that the O'Donnells' dogs have been the subject of five previous running-at-large complaints, and that these complaints described ten different incidents.

Discussion was had regarding the O'Donnells' compliance with the Board's order relating to the bite occurring in this same incident. The O'Donnells described their planned fence construction and indicated that all other elements of the order (muzzling, confinement to property) are being adhered to.

- Ms. Ford moved to reduce the civil penalty assessed for the running-at-large violation from \$500 to \$50. Seconded by Mr. Jefferson and approved by voice vote.

- The Board agreed to require that the O'Donnells provide pictorial evidence of the finished construction of the above-referenced dog fencing system as soon as possible.

### 3. Other business presented by members of the public

There was no other business presented by members of the public.

### 4. Appearance by Road Foreman Mark Chase regarding Highway Department matters; take any action

#### a. Consideration of, and take any action on, operations under COVID-19 Coronavirus restrictions

Mr. Chase reported that operations under COVID-19 restrictions had not changed since the last Board meeting, and were working well.

#### b. Consideration of, and take any action on, revised quote from HP Fairfield for 2020 tractor rental

Mr. Chase reported that HP Fairfield had sold the tractor that the Town had originally been scheduled to rent. A revised quote had therefore been prepared, which changed the dates of rental (July 6 to July 17) and the equipment model (2018 John Deere), but otherwise was unchanged from the original quote. The Board reviewed the quote, as already signed by Mr. Gates and returned to HP Fairfield.

#### c. Consideration of, and take any action on, sand screening bids and gravel crushing bids

The Board reviewed and discussed bids, which were as summarized below:

##### Sand Screening:

- Chief Crushing & Excavation, Inc.: \$2.00 per cubic yard
- Darrell Mathews/Mathews Excavating: \$2.00 per cubic yard

##### Gravel Crushing:

- Chief Crushing & Excavation, Inc.: \$5.48 per cubic yard

- Ms. Ford moved to accept the bids of Chief Crushing & Excavation, Inc. for both sand screening and gravel crushing. Seconded by Mr. Jefferson and approved by voice vote.

#### d. Consideration of, and take any action on, annual financial plan

The Board reviewed the annual financial plan for the 2020, which has total income and total expenses each equaling \$1,386,089.

- The Board signed the plan.

#### e. Consideration of, and take any action on, State grant applications for Class 2 Roadway and Structures programs

Mr. Chase reported that there is some uncertainty regarding grant funding for the State's 2021 fiscal year, but that towns are nevertheless encouraged to apply for grants as planned. Mr. Chase reported on a proposed Class 2 Roadway grant project on Barnet Center Road, and proposed Structures grant projects on Roy Mountain Road and Bridge Street. Discussed ensued.

#### f. Consideration of, and take any action on, applications for Uniform Municipal Excess Weight Permits

- The Board reviewed and approved the single vehicle applications of Donald Moore Jr. and Shane Stevenson, and the fleet application of United Natural Foods, Inc.

#### g. Other business

##### i. Digital radios

Mr. Chase reported that CVC Paging will deliver a few digital radios and bases for the Highway Department to test.

##### ii. Street sweeping

Mr. Chase asked the Board if they would like him to pursue any limited street sweeping this spring. Discussion ensued.

- The Board agreed to authorize Mr. Chase to rent equipment for a limited amount of street sweeping this spring.

**iii. West Barnet Road potholes**

Mr. Jefferson reported on potholes on West Barnet Road, near its intersection with Barnet Center Road, and asked that the Highway Department apply cold patch.

**iv. Road sign theft and vandalism**

Ms. Ford and Mr. Chase discussed a recent rash of road sign theft and vandalism. Discussion ensued.

- The Board agreed to publish social media posts alerting the public to these incidents and asking for any available information.

**5. Other business presented by other Town officers**

There was no other business presented by other Town officers.

**6. Consideration of, and take any action on, bid summary and proposed budget for Town Hall & former Fire Station asbestos abatement**

The Board reviewed the bid summary and proposed budget.

- The Board agreed to table discussion of this matter.

**7. Consideration of, and take any action on, bids for delivery of fuel oil, diesel fuel, and propane**

The Board reviewed bids submitted by Bourne's Energy, Dead River Company, Fred's Energy, and Thomson Fuels. Discussion ensued.

- Ms. Ford moved to accept the bid of Dead River Company purchasing heating fuel oil (#2) at the fixed price of \$1.5528 per gallon, and diesel fuel at the fixed rate of \$1.6247, and to continue to purchase propane under the current contract at the fixed price of \$1.6536. Seconded by Mr. Jefferson and approved by voice vote.

**8. Consideration of, and take any action on, Harvey's Lake water level and beaver activity in outlet channel**

Ms. Ford discussed her communications with Skip Lisle of Beaver Deceivers LLC about possible solutions to the beaver difficulties in the lake outlet channel. A site evaluation is necessary to determine the best approach and an accurate cost. The costs for a system would be a maximum of \$3,500 to \$4,500. Discussion ensued.

- Mr. Jefferson moved to pursue Skip Lisle of Beaver Deceivers LLC for installation of a beaver control system in the Harvey's Lake outlet channel. Seconded by Ms. Ford and approved by voice vote.

**9. Consideration of, and take any action on, correspondence from Federal Emergency Management Agency regarding Risk Mapping, Assessment, and Planning Discovery Meeting.**

The Board reviewed a letter regarding the meeting, as discussed in a previous Board meeting. The meeting has been rescheduled to be conducted virtually online on May 26, 2020. Discussion ensued.

**10. Consideration of, and take any action on, copy of correspondence from Federal Energy Regulatory Commission to Great River Hydro LLC regarding amendment of license application**

The Board reviewed a notice that a hydroelectric application has been filed and is available for public inspection. According to the notice, "The licensee proposes to amend the license to allow for the construction and operation of an additional 4.7 MW unit at the Moore Development for the primary

purpose of providing the minimum flow of 320 cubic feet per second (cfs), or inflow if less, more efficiently than current operation.” Discussion ensued.

**11. Consideration of, and take any action on, 2020 Memorial Day observance**

The Board continued its consideration of 2020 Memorial Day observances in light of COVID-19-related restrictions on public gatherings.

- The Board agreed to continue to tentatively plan for the observances, but to postpone officially announcing them.

**12. Other business presented by Selectboard**

**a. Green Up Day**

Ms. Ford reported that a dumpster specifically for Green-Up materials is stationed at the Transfer Station, per the Board’s decision at their most recent meeting. She indicated that the dumpster has received some use, and that patrons seem to be using it responsibly and honestly.

**b. Harvey’s Lake boat wash program**

Ms. Ford discussed a possible funding shortfall for the State grant for the boat wash program (Aquatic Nuisance Control Grant). She also reported on some difficulty with the size and location of the boat wash station, indicating that the State deems the station to be too large to be parked in the boat access parking lot.

**c. Banner for high school seniors**

Ms. Ford reported that she has been working with Assistant Town Clerk Catherine Roy in designing and placing a banner recognizing Barnet’s high school seniors. She indicated that the banner has been paid for by a private donation.

**13. Adjournment**

- Mr. Jefferson moved to adjourn the meeting. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 8:27 p.m.

*A true copy.*

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