

# MINUTES - REGULAR SELECTBOARD MEETING

## TOWN OF BARNET, VERMONT

MONDAY, MAY 9, 2022

Meeting convened at 7:00 p.m. in-person at Barnet Fire & Rescue Station (151 Bimson Drive) and via GoToMeeting telephone/online conference. This meeting was recorded via GoToMeeting.

**Board members participating in-person:** Dylan Ford (presiding co-chair), Benjamin Gates, and Mark Jefferson.

**Other Town officials and employees participating in-person:** Road Foreman Mark Chase, Town Clerk Benjamin Heisholt, and Zoning Administrative Officer Shirley Warden.

**Other Town officials and employees participating via GoToMeeting:** None.

**Members of the public participating in-person:** Norman Patenaude (Pike Industries).

**Members of the public participating via GoToMeeting:** Jonathan Carpenter and Mona Marceau.

### 1. Consideration of approval of minutes of special meeting held April 18, 2022

- Mr. Gates moved to approve as presented the minutes of the special meeting held April 18, 2022. Seconded by Mr. Jefferson and approved by voice vote.

### 2. Organization of the Board:

#### a. Appoint Chair

- Mr. Gates moved to appoint Co-Chairs of Benjamin Gates and Dylan Ford. Seconded by Mr. Jefferson and approved by voice vote.

#### b. Appoint Road Commissioner(s)

- Ms. Ford moved to appoint Benjamin Gates as Road Commissioner. Seconded by Mr. Jefferson and approved by voice vote.

#### c. Appoint Tree Warden

- Mr. Gates moved to appoint Stanley Robinson as Tree Warden. Seconded by Mr. Jefferson and approved by voice vote.

#### d. Appoint Town Attorney

- Ms. Ford moved to appoint Steven Adler as Town Attorney. Seconded by Mr. Jefferson and approved by voice vote.

#### e. Appoint Grand Juror

The Board noted that at Annual Town Meeting the Town elected David Willis as Grand Juror; this election was inappropriate, as Grand Juror is now an appointed position. The Board agreed that an appointment should be made to ratify the election and ensure procedural completeness.

- Ms. Ford moved to appoint David Willis as Grand Juror. Seconded by Mr. Jefferson and approved by voice vote.

**f. Set date and time of meetings**

- Mr. Gates moved to continue to hold regular meetings on the second and fourth Mondays of each month at 7:00 p.m. at the Fire & Rescue Station. Seconded by Mr. Jefferson and approved by voice vote.

**3. Consideration of, and take any action on, ratification of annual review of Ordinance for Regulating All-Terrain Vehicles (ATVs)**

The Board reviewed its decision at the March 14, 2022 meeting to give preliminary approval for certain requested Town Highway access.

- Mr. Gates moved to ratify and officially approve the same Town Highway access as was given preliminary approval at the Board’s March 14, 2022 meeting. Seconded by Mr. Jefferson and approved by voice vote.

**4. Other business presented by members of the public**

No other business was presented by members of the public.

**5. Appearance by Road Foreman Mark Chase regarding Highway Department matters; take any action**

**a. Consideration of, and take any action on, bids for paving projects**

The Board reviewed bids for paving various roads as submitted by Blaktop, Inc. and Pike Industries. Blaktop, Inc.’s bid is based on a per ton price of \$90.26; Pike Industries, Inc.’s bid is based on a per ton price of \$82.00. Bids are summarized below:

<u>Project</u>	<u>Blaktop, Inc.</u>	<u>Pike Industries, Inc.</u>
Barnet Center Rd from W. Barnet Rd to top of hill	\$153,422.00	\$137,760.00
West Barnet Rd from Park & Ride to Kid Row	\$162,287.48	\$147,190.00
West Barnet Rd from Barnet Ctr Rd to Roy Mtn Rd	\$106,416.54	\$96,350.00
West Barnet Rd from 911 address 3613 to McLam Ln	No bid	\$88,560.00
Roy Mountain Rd from end of 2021 work to boat launch	No bid	\$205,920.00

- Mr. Gates moved to accept the bid of Pike Industries, Inc. with regard to the entire Barnet Center Road project (\$137,760.00) and a portion of the West Barnet Road project from the park and ride to Kid Row, starting at park and ride (\$40,000.00). Seconded by Mr. Jefferson and approved by voice vote.

**b. Consideration of, and take any action on, bids for gravel pit stripping**

The Board reviewed one bid received for stripping and moving overburden in the gravel pit. The bid, from Mathews Excavating, is summarized below:

Price per yard for stripping over sand/gravel: \$1.55  
Price per yard for stripping over ledge: \$1.95

- Mr. Gates moved to accept the bid of Mathews Excavation. Seconded by Mr. Jefferson and approved by voice vote.

**c. Consideration of, and take any action on, bids for sand screening**

The Board reviewed bids for screening winter sand, as received from Chief Crushing & Excavation and from Mathews Excavating; the bids are summarized below:

Chief Crushing & Excavation: \$2.19 per yard

Mathews Excavating: \$2.60 per yard

- Mr. Gates moved to accept the bid of Chief Crushing & Excavation. Seconded by Mr. Jefferson and approved by voice vote.

**d. Consideration of, and take any action on, bids for gravel crushing**

The Board reviewed one bid received Chief Crushing & Excavation, as summarized below:

Chief Crushing & Excavation: \$6.67 per yard

- Mr. Gates moved to accept the bid of Chief Crushing & Excavation. Seconded by Mr. Jefferson and approved by voice vote.

**e. Consideration of, and take any action on, estimates for pick-up truck corrosion repair**

The Board discussed estimates for repair of corrosion damage on pick-up truck, as originally reviewed at the previous meeting. These two estimates are summarized below:

Darling's Auto Repair: \$9,269.45

Erik's Auto Body: \$5,685.00

- Mr. Gates moved to accept the bid of Erik's Auto Body. Seconded by Mr. Jefferson and approved by voice vote.

**f. Consideration of, and take any action on, correspondence from Vermont Agency of Transportation regarding Bridge#10 inspection finding and repair plan**

The Board reviewed an email indicating that inspectors visited the subject bridge April 27 and found that conditions remain about the same but that temporary shoring/blocking had not been installed. The email indicates that temporary shoring is required for all four corners of the bridge. Discussion ensued. Mr. Chase indicated that he had spoken to Vermont Agency of Transportation representative Shauna Clifford regarding the details of the required action by the Town; Ms. Clifford is investigating this matter.

**g. Consideration of, and take any action on, correspondence from Vermont Agency of Transportation regarding 2023 town highway grant applications, etc.**

Mr. Chase reported that the Town's application for a Class 2 Roadway grant was not funded and that the Town continues to await a response regarding its Structures Grant application.

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

No applications for Uniform Municipal Excess Weight Permits were received.

**i. Other business**

**i. Highway Department training**

Mr. Chase reported that in-person training for Highway Department personnel has re-commenced and that the Highway Department plans to participate in these trainings as deemed appropriate.

**ii. New grader**

Mr. Chase reported that there was no new information regarding the delivery of the Town's new grader.

**6. Other business presented by other town officers**

No other business was presented by other town officers.

**7. Consideration of, and take any action on, correspondence from Beach Committee regarding resignation of members and appointment of new members**

The Board reviewed emails from Beach Committee Chair Christen Emerson, which indicate that the Committee expected resignations from two of its members and would submit names of recommended replacements. The Board also reviewed an email from Committee member Daniel Pearl indicating that he wishes to resign from the Committee. Ms. Ford indicated that she had received communication from Ms. Emerson indicating that the Committee would like to recommend Christene Demers as a replacement for Mr. Pearl's position.

- Mr. Gates moved to appoint Christene Demers as a member of the Beach Committee to fill the position vacated by Daniel Pearl. Seconded by Mr. Jefferson and approved by voice vote.

**8. Consideration of, and take any action on, correspondence from Planning Commission/Zoning Board Secretary regarding public hearing for zoning application of Blue Sky Builders, Inc.**

The Board reviewed an abutter's notice for a hearing (May 10, 2022) related to an application for back lot subdivision.

**9. Consideration of, and take any action on, correspondence from Northeast Kingdom Broadband regarding appointments to governing board**

The Board reviewed an email and attached resolution for annual appointment of a representative to the Northeast Kingdom Broadband governing board.

- Mr. Gates moved to appoint Kathleen Monroe as representative and Jerri Kohl as alternate. Seconded by Mr. Jefferson and approved by voice vote. Ms. Ford signed the completed resolution.

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

The Board reviewed bids for delivery of fuels as submitted by Dead River Company and Fred's Energy. Bids for per-gallons prices are summarized below:

<u>Product</u>	<u>Dead River Company</u>	<u>Fred's Energy</u>
Diesel Fuel	Rack plus \$0.20	Rack plus \$0.40
#2 Heating Oil	Rack plus \$0.25	Rack plus \$0.40
Liquid Propane	Rack plus \$0.75	\$3.04 (fixed price two-year contract)

- The Board agreed to table discussion of this matter.

**11. Consideration of, and take any action on, planning for Memorial Day services**

The Board continued discuss and plan details of the Sunday, May 29<sup>th</sup> services at Passumpsic and Barnet Village.

**12. Consideration of, and take any action on, complaint regarding dumping of waste off North Monroe Road**

The Board reviewed an email from Caledonia County Sheriff's Department indicating that the Sheriff's Department had searched the dumping site and was unable to discover any trash with names for possible identification. The Board discussed possible options for physical barriers to discourage parking for dumping purposes.

**13. Consideration of, and take any action on, planning for expenditure and documentation of American Rescue Plan Act (ARPA) funding**

The Board reviewed a completed 2022 annual compliance report. Town Clerk Benjamin Heisholt indicated that the report had been completed, including the election to use the standard allowance for identifying revenue loss for the full amount of the Town's ARPA award.

**14. Consideration of, and take any action on, sign for Fire & Rescue Station**

Mr. Gates indicated that there was no new information to report or discuss regarding this matter.

**15. Consideration of, and take any action on, memorial for veterans of wars in Iraq and Afghanistan**

Mr. Gates reported on his communications regarding acquisition of and payment for the memorial plaque.

**16. Consideration of approval of outstanding check warrants**

- The Board reviewed and approved all outstanding check warrants.

**17. Other business presented by Selectboard**

**a. Mowing discussion**

The Board discussed a few minor changes to make to the mowing schedule of the Town's mowing contractor, Benoit Landscaping.

- The Board agreed to request a few minor changes in the mowing schedule.

**b. Garland Hill speeding**

Mr. Jefferson reported that he had received a complaint regarding speeding on the eastern end of Garland Hill. The complainant had requested that the Town post speed limit signs. Discussion ensued.

**18. Consideration of, and take any action on, next steps in Town Hall project**

The Board reviewed email correspondence from Town Attorney Steven Adler. The email indicates that a vote of the Town's voters is not necessary to approve acceptance of the gift/donation of real estate as approved by the Board at their previous meeting.

- The Board agreed that Mr. Gates will respond to Mr. Adler's email and request that he contact Wells River Savings Bank to initiate the property transfer.

**19. Consideration of, and take any action on, tax appeal to Superior Court submitted by Great River Hydro LLC**

Ms. Ford indicated that there was no new information to report or discuss regarding this matter.

**20. Consideration of, and take any action on, appeal to Vermont Superior Court Environmental Division of Zoning Board decision on permit application of Michael Lawton**

Town Clerk Benjamin Heisholt asked the Board if they intend to appoint legal counsel to assist the Town with the appeal.

- Mr. Gates moved to appoint Town Attorney Steven Adler as legal counsel to assist the Town with the appeal. Seconded by Mr. Jefferson and approved by voice vote.

**21. Adjournment**

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 8:05 p.m.

*A true copy. Attest.* \_\_\_\_\_ *Town Clerk*