

MINUTES – REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, 28 JULY 2025

Meeting convened at 7:00 p.m. in-person at Barnet Town Hall (154 Church Street) 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 Benjamin Adams.
- **Via GoToMeeting online video conference:** None.

Other Town officials and employees participating:

- **In-person:** Road Foreman Mark Chase, Town Clerk Benjamin Heisholt, and Dam Committee Member Joseph Mangiapane.
- **Via GoToMeeting online video conference:** None.

Members of the public participating:

- **In-person:** Richard Downer, John Fairchild, Roseann Leute, Jan Parsons, David Warden, and Shirley Warden.
- **Via GoToMeeting online video conference:** Mona Marceau

Approval of Minutes

1. Consideration of approval of minutes of regular meeting held 14 July 2025

- Mr. Adams moved to approve as presented the minutes of the regular meeting held 14 July 2025. Seconded by Mr. Gates and approved by voice vote.

Appearances by Members of the Public

2. Appearance by Barnet Historical Society (BHS) regarding storage space at Town Hall; take any action

BHS members John Fairchild, Roseann Leute, Jan Parsons, and David Warden appeared and discussed proposed BHS use of basement space at the Town Hall. Mr. Fairchild reported that BHS officially requests use of 25% of the lower level (basement) vault and 20 to 30 feet of wall space for shelving in the basement's undeveloped storage room. Discussion ensued.

- Mr. Gates moved to allocate 25% of the lower level (basement) vault and a 20 feet x 20 feet section of the basement's undeveloped storage room for use by BHS. Seconded by Mr. Adams and approved by voice vote.

3. Other business presented by members of the public

a. Appearance by Richard Downer regarding safety cables for Harvey's Lake Dam

Dr. Downer indicated that plans are prepared for dam safety cables; he asked how the plans should be presented for approval.

- The Board instructed Dr. Downer to present the plans to the Dam Committee for approval.

Appearances by Town Officers

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

a. Consideration of, and take any action on, progress report on reimbursement funding for July 2024 flooding disaster

Mr. Chase and Town Clerk Benjamin Heisholt reported on the progress in compiling and reporting documentation for reimbursement funding from the Federal Emergency Management Agency and Federal Highway Administration.

b. Other business

i. Uniform Municipal Excess Weight Permits

- The Board reviewed and approved the fleet application of McElwain Contracting, LLC.

ii. Roadside mowing

Mr. Chase reported that the Highway Department has been mowing roadsides throughout Town in recent weeks.

iii. Sand screen project

Mr. Chase reported that the sand screening project is almost complete; some hauling of sand remains to be done.

Appearances by Members of the Public (continued)

5. Other business presented by members of the public

a. Roseann Leute regarding beach staff

Ms. Leute noted that she has found the Harvey's Lake beach staff to be courteous and helpful, particularly employee Ben Wright.

b. Joseph Mangiapane regarding beach field

Mr. Mangiapane asked if the Board intends to mow the field to the west of the beach parking lot, noting that there appear to be trees beginning to grow.

- The Board agreed they will inquire about the status of the mowing.

6. Other business presented by other town officers

No other business was presented by other town officers.

New Business

7. Consideration of, and take any action on, manual manipulation of Harvey's Lake water level

Ms. Ford reported that there have been complaints recently lodged regarding perceived relatively low water level. She noted that at the time complaints were received, all stop logs were installed in the dam; if water level is lower than expected it is because 1) there has been below-average precipitation and 2) the beaver dams in the channel, which had artificially elevated the water level, have been removed. She noted that the complaints prompted her research to confirm that the State of Vermont does not authorize manual manipulation of the lake water level by removal of dam stop logs. This policy was first communicated to the Town in autumn 2019, when the Board ceased its annual practice of lowering the water level in the autumn. An email to Ms. Ford from Benjamin Green of the Dam Safety Program 22 July 2025 (forwarded to Town Clerk Benjamin Heisholt 25 July 2025) confirms the restriction, stating that "the state regulation that prevents lake level and flow manipulation is the Vermont Water Quality Standards, specifically the hydrology policy and criteria.

The Water Quality Standards are rules that are intended to lay out how the Agency will manage waters in accordance with 10 VSA Chapter 47.” Discussion ensued.

8. Other business presented by Selectboard

No other business was presented by the Selectboard.

Old/Continuing Business

9. Consideration of, and take any action on, sale of former Town Clerk’s Office at 1743 US Route 5 South

The Board recapped their discussion at the previous meeting, at which Ms. Ford was absent.

- Mr. Gates moved to contract with Tim Scott Real Estate to list the former Town Clerk’s Office for sale for \$125,000. Seconded by Mr. Adams and approved by voice vote.

10. Consideration of, and take any action on, proposed sale of Town property on Anderson Street

Ms. Ford reported that she had brought the Board’s proposal to sell the property for \$15,000 to the prospective buyer. The prospective buyer declined the offer and offered \$3,500.

- The Board agreed to offer to sell the property to the prospective buyer for \$7,500.

11. Consideration of, and take any action on, beaver management in Harvey’s Lake outlet channel

Ms. Ford indicated that she had contacted a local beaver trapper per the reference of Dam Committee member Joseph Mangiapane. Mr. Gates discussed a recommendation, received from resident Theodore Faris, that the Town take action to remove the alder trees and brush from the channel to discourage construction of dams.

- The Board agreed that Mr. Gates will investigate pricing for tree removal by an excavation contractor.

12. Consideration of, and take any action on, renewal of lease of library building space to Karme Choling

Ms. Ford reported that there was no new information to report or on which to take action regarding this matter.

13. Consideration of, and take any action on, quotes for library building upgrade to oil tank and installation of outdoor water faucet

Ms. Ford, who also serves as Library Director, reported on information she had gathered in speaking to heating/plumbing contractors regarding this matter. Materials costs vary little across various contractors’ costs.

- The Board agreed to authorize Ms. Ford to choose a quote from those submitted by qualified contractors.

14. Consideration of, and take any action on, appointment of Town representative to Northeastern Vermont Development Association board

The Board noted that there was no new information to report or on which to take action regarding this matter.

Check Warrants

15. Consideration of approval of outstanding check warrants

- The Board reviewed and approved all outstanding check warrants.

Executive Session(s) Anticipated

16. Consideration of, and take any action on, personnel matter (executive session anticipated pursuant to 1 V.S.A. § 313(a)(3))

- Mr. Gates moved that the Board enter executive session pursuant to 1 V.S.A. Section 313(a)(3) to discuss a personnel matter. Seconded by Mr. Adams and approved by voice vote. Entered executive session at 7:34 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Adams, Road Foreman Mark Chase, and Town Clerk Benjamin Heisholt,
- Mr. Gates moved to exit executive session. Seconded by Mr. Adams and approved by voice vote. Exited executive session at 8:08 p.m.
- No action taken.

17. Consideration of, and take any action on, Summons in a Civil Action from United States District Court regarding United States of America v. Marvin R. Kendall et al (executive session anticipated pursuant to 1 V.S.A. § 313(a)(1)(E))

- Mr. Adams moved that the Board make a specific finding, pursuant to 1 V.S.A. Section 313(a)(1)(E), that premature public knowledge of discussion concerning Summons in a Civil Action from United States District Court regarding United States of America v. Marvin R. Kendall et al would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Gates and approved by voice vote.
- Mr. Adams moved that the Board enter executive session pursuant to 1 V.S.A. Section 313(a)(1)(E) to discuss Summons in a Civil Action from United States District Court regarding United States of America v. Marvin R. Kendall et al, as premature public disclosure of which would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Gates and approved by voice vote. Entered executive session at 8:09 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Adams, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Adams and approved by voice vote. Exited executive session at 8:10 p.m.
- Mr. Gates moved to authorize Town Attorney James Barlow to file an answer in the Summons in a Civil Action from United States District Court regarding United States of America v. Marvin R. Kendall et al. Seconded by Mr. Adams and approved by voice vote.

18. Consideration of, and take any action on, negotiations on payment of retainage on Town Hall construction management contract (executive session anticipated pursuant to 1 V.S.A. § 313(a)(1)(A))

The Board noted that there was no new information to report or on which to take action regarding this matter.

- No action taken.

Adjournment

19. Adjournment

- Ms. Ford moved to adjourn the meeting. Seconded by Mr. Adams and approved by voice vote. Meeting adjourned at 8:12 p.m.

A true copy. Attest: _____ Town Clerk