

**MINUTES
ANNUAL TOWN MEETING
TOWN OF BARNET, VERMONT
MARCH 6, 2012**

The meeting was called to order at 11:40 a.m. at the Barnet Elementary School gymnasium by Moderator Dennis McLam.

ARTICLE 1. To elect a Moderator.

- Moderator stated that one-year term of Dennis McLam is expiring.
- Dennis McLam nominated by William Biddle.
- James McFaul made motion that nominations cease. Seconded.
- Moderator instructed Town Clerk to cast one ballot for Dennis McLam.

ARTICLE 2. To elect all other Town Officers as required by law and additional Town Officers as approved by the voters.

Selectman

- Moderator stated that the three-year term of Gary Bunnell is expiring.
- Gary Bunnell nominated by Stanley Robinson.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Gary Bunnell.

Town Clerk

- Moderator stated that the three-year term of Benjamin Heisholt is expiring.
- Benjamin Heisholt nominated by Mona Marceau.
- Mona Marceau made motion that nominations cease. Seconded.
- Moderator instructed Town Clerk to cast one ballot for Benjamin Heisholt.
- Theodore Faris spoke regarding the transition of Town Clerks from the previous Town Clerk William Hoar to Mr. Heisholt. The change has been smooth and the Selectboard and Town Clerk have worked well together.

Treasurer

- Moderator stated that the three-year term of Benjamin Heisholt is expiring.
- Benjamin Heisholt nominated by Rosemary Kinerson.
- Mona Marceau made motion that nominations cease. Seconded.
- Moderator instructed Town Clerk to cast one ballot for Benjamin Heisholt.

Lister

- Moderator stated that the three-year term of Sherry Tolle is expiring.
- Scott Renfrew nominated by Sherry Tolle.
- Sherry Tolle nominated by Mona Marceau.
 - Sherry Tolle declined nomination.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Scott Renfrew.

Auditor

- Moderator stated that the three-year term of Jonathan Smires is expiring.
- Jonathan Smires nominated by Mona Marceau.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Jonathan Smires.

Collector of Delinquent Tax

- Moderator stated that one-year term of Lisa Bowden is expiring.
- Lisa Bowden nominated by Mark Gilleland.
- Mona Marceau made motion that nominations cease. Seconded.
- Moderator instructed Town Clerk to cast one ballot for Lisa Bowden.

Grand Juror

- Moderator stated that one-year term of Michael Bergeron is expiring.
- Michael Bergeron nominated by Theodore Faris.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Michael Bergeron.

Meeting recessed at 11:55 a.m.

Meeting reconvened at 1:02 p.m.

Town Agent

- Moderator stated that one-year term of Jay Abramson is expiring.
- Jay Abramson nominated by Mona Marceau.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Jay Abramson.

Trustee of Public Funds

- Moderator stated that three-year term of Kenneth Hammer is expiring. Moderator announced that Mr. Hammer has indicated that he does not seek re-election.
- William Hoar nominated by William Graves.
- Mona Marceau made motion that nominations cease. Seconded.
- Moderator instructed Town Clerk to cast one ballot for William Hoar.

Library Trustee

- Moderator stated that five-year term of Mary Mallon is expiring.
- Mary Mallon nominated by Sherry Tolle.
- Hearing no further nominations, Moderator announced that nominations would cease.
- Moderator instructed Town Clerk to cast one ballot for Mary Mallon.

ARTICLE 3. To consider and act upon the report of the Town Auditors.

- Mona Marceau made motion to accept the report of the Town Auditors as it appears on page twenty-seven of the Town Report. Seconded.
- Passed by voice vote.

ARTICLE 4. Shall the Town of Barnet appropriate the sum of Two Hundred Fifty Dollars (\$250.00) to the American Red Cross, Northern Vermont Chapter?

- Mona Marceau made motion to so move. Seconded by John Cook.
- Passed by voice vote.

ARTICLE 5. Shall the Town of Barnet appropriate the sum of One Thousand Dollars (\$1,000.00) to Area Agency on Aging for Northeastern Vermont?

- Rosemary Kinerson made motion to so move. Seconded by Mona Marceau.
- Passed by voice vote.

ARTICLE 6. Shall the Town of Barnet appropriate the sum of Five Hundred Dollars (\$500.00) to the Barnet Historical Society to be used for maintaining the Goodwillie House?

- Mona Marceau made motion to so move. Seconded.
- Theresa Del Pozzo asked if these funds will be used for the celebration of Barnet's 250th anniversary in 2013.
 - David Warden responded: These funds are used only for the maintenance of the Goodwillie House.
- Robert Roos asked how much the Historical Society expended for Goodwillie House maintenance in 2011.
 - David Warden responded: Expenditures were in excess of \$500, and included exterior painting and exterminator expenses.
- Passed by voice vote.

ARTICLE 7. Shall the Town of Barnet appropriate the sum of Two Thousand Three Hundred Dollars (\$2,300.00) to Caledonia Home Health Care?

- Rosemary Kinerson made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 8. Shall the Town of Barnet appropriate the sum of Seven Thousand One Hundred Sixty Dollars (\$7,160.00) to CALEX Ambulance Service?

- James Verrill made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 9. Shall the Town of Barnet appropriate the sum of Five Hundred Dollars (\$500.00) to Catamount Arts?

- Robert Roos made motion to so move. Seconded by William Biddle.
- Passed by voice vote.

ARTICLE 10. Shall the Town of Barnet appropriate the sum of One Thousand Seven Hundred Dollars (\$1,700.00) to Fairbanks Museum and Planetarium?

- Mona Marceau made motion to so move. Seconded.
- Virginia Bailey spoke: The School budget includes \$5,000 for field trips to the museum. If Barnet adults wish to visit the museum they should pay admission individually rather than funding an appropriation.
- Some discussion followed regarding whether the \$1,700 requested and the one-dollar-per-resident appropriation request as quoted by the museum's Town Report description reflects an accurate census of the town's residents.
- David Warden made motion to call the question. Seconded.
 - Approved by voice vote to proceed to vote on the question.
- Original motion to approve appropriation passed by voice vote.

ARTICLE 11. Shall the Town of Barnet appropriate the sum of Ten Thousand Dollars (\$10,000) to the Lake Harvey Association to be used for a boat monitoring/wash program dedicated to the prevention of milfoil and other invasive species at Harvey's Lake?

- Mona Marceau made motion to so move. Seconded.
- Robert Roos asked if boat owners pay for their boats to be washed by this program.
 - Jan Sherman responded: State law prohibits charging a fee for this service.
- Passed by voice vote.

ARTICLE 12. Shall the Town of Barnet appropriate the sum of One Thousand Seven Hundred Seventy-Five Dollars (\$1,775.00) to Northeast Kingdom Human Services, Inc.?

- James Verrill made motion to so move. Seconded by Mona Marceau.
- Passed by voice vote.

ARTICLE 13. Shall the Town of Barnet appropriate the sum of Three Hundred Dollars (\$300.00) to Northeast Kingdom Learning Services, Inc.?

- Mona Marceau made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 14. Shall the Town of Barnet appropriate the sum of One Thousand Dollars (\$1,000.00) to Northeast Kingdom Youth Services?

- Rosemary Kinerson made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 15. Shall the Town of Barnet appropriate the sum of One Thousand One Hundred Dollars (\$1,100.00) to Rural Community Transportation?

- James Verrill made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 16. Shall the Town of Barnet appropriate the sum of Four Hundred Dollars (\$400.00) to Umbrella Inc.?

- Rosemary Kinerson made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 17. Shall the Town of Barnet appropriate the sum of Two Hundred Eighty Dollars (\$280.00) to the Vermont Center for Independent Living?

- Mona Marceau made motion to so move. Seconded by Rosemary Kinerson.
- Passed by voice vote.

ARTICLE 18. Shall the Town of Barnet appropriate the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to the West Barnet Senior Meal Site?

- James Verrill made motion to so move. Seconded by Rosemary Kinerson.
- Passed by voice vote.

ARTICLE 19. To see what arrangements the Town and Town School District will vote for the collection of its taxes and by what lawful official for the ensuing year.

- Lisa Bowden made motion that taxes be made due and payable to the Town Treasurer during business hours on or before October 20, 2012, with said taxes to be actually received in hand by said Treasurer on or before the due date without regard to postmark; and thereafter said taxes shall be payable to the Collector of Delinquent Tax with interest at the rate of 1% per month or fraction thereof for the first three months, and thereafter at the rate of 1 ½ % per month or fraction thereof, plus the collector's fee as provided by law. Seconded by Mona Marceau.
- Passed by voice vote.

ARTICLE 20. To see what sum of money the Town will vote to raise to defray the expenses and liabilities of the Town for the current year.

- Theodore Faris made motion to raise the sum of \$587,434 for the Selectmen's budget and \$548,200 for the Highway budget, for a total of \$1,135,634. Seconded by Rosemary Kinerson.
- Rosemary Kinerson requested that the Board discuss the financial impact of the May and August 2011 flooding.
 - Jeremy Roberts responded: Most of the funds due from the Federal Emergency Management Agency, as reported in the Town Report, have been collected. Most of the funds due from the State of Vermont have not been collected at this time because the State pays for all projects in one lump sum. A loan was secured in July to resolve cash flow shortages in anticipation of grant funds. The estimated cost actually borne by the Town for eligible flooding projects is between \$100,000 and \$125,000. The Selectmen consider this to be a good deal for the Town; over one million dollars in roadwork was done and roads are in better condition today than they were prior to the floods. The Selectmen thank the road crew, local contractors, and good neighbors for helping in the recovery from these town-wide hardships.
- Passed by voice vote.

ARTICLE 21. Shall notice of availability of the annual auditors' report be posted in at least two public places in the town and in or near the Town Clerk's Office, and published in a newspaper of general circulation in the town at least 30 days before the annual town meeting, pursuant to 24 V.S.A. § 1682 (a) and in lieu of mailing the report to the residents of the town?

- Robert Roos made motion to so move. Seconded.
- Passed by voice vote.

ARTICLE 22. Shall the Town convey the real estate located at 4465 US Route 5 North upon terms and conditions as determined by the majority of the Selectboard?

- Robert Roos made motion to so move. Seconded.
- Joyce Evans asked if the Selectmen have a buyer, and for what price they plan to sell this property.
 - Theodore Faris responded: This property has been the subject of a project with the Vermont Petroleum Clean-Up Fund, as contamination from a leaking underground storage tank has dissipated. This arrangement has worked well, and the contamination has now diminished to a level that allows for sale of the property. The Selectmen have received a substantial offer from a potential buyer. They plan first to offer the property to abutting owners at the fair market value determined by the Board of Listers. If no abutting owners wish to purchase the property at this price, the Selectmen will offer it to a wider range of potential buyers.
- Mona Marceau asked when the Selectboard would actually sell this property, since the former Town Garage, which the Town voted to convey several years ago, is still in town ownership.
 - Jeremy Roberts responded: The buyer of the former Town Garage listed on page 120 of the Town Report (Town Garage LLC) is not a town entity but a private corporation. The proceeds from this sale were deposited into the Municipal Buildings Fund, as reported on pages 71 and 72 of the Town Report.
- David Warden made motion to call the question. Seconded.
 - Approved by voice vote to proceed to vote on the question.
- Passed by voice vote.

ARTICLE 23. To elect an agent to convey real estate owned by the Town and located at 4465 US Route 5 North.

- Shirley Warden asked if the Selectboard has a preference regarding who should be elected.
 - Theodore Faris responded: The Selectboard would prefer to that the Selectboard itself be elected, if the voters so choose.
- The Selectboard nominated by John Cook.
- The Selectboard elected by voice vote.

ARTICLE 24. In light of the United States Supreme Court’s *Citizens United* decision that equates money with speech and gives corporations rights constitutionally intended for natural persons, shall the Town vote to urge the Vermont Congressional Delegation and the U.S. Congress to propose a U.S. Constitutional amendment for the States’ consideration which provides that money is not speech, and that corporations are not persons under the U.S. Constitution, that the General Assembly of the State of Vermont pass a similar resolution, and that the Town send its resolution to Vermont State and Federal representatives within thirty days of passage of this measure?

- John Cook made motion to pass over this article. Seconded.
- A voice vote was had, immediately after which Howard Gaston called for a division of the house.
 - The results of the paper ballot vote on the question of passing over the article were: eighty-seven “No” and twenty-seven “Yes.” The article was therefore not passed over.
- Celina Wright made motion to so move. Seconded.
- Celina Wright spoke in favor of the resolution: Ms. Wright was responsible for collecting signatures for inclusion of this article on the warning. The Supreme Court decision adversely affected the core of American democracy, giving too much power to corporations.
- George Copenrath spoke in opposition to the resolution: There is too much money in politics, but the passage of a Constitutional amendment would be to use a large tool to repair a problem that only requires a small tool; this would have unintended negative consequences.
- Theresa Del Pozzo spoke in favor of the resolution: The Constitutional amendment would not result in a fundamental change to American democracy but a return to original American democracy wherein each person must play by the same rules.
- Peter Blose spoke: It does not appear that this article speaks in favor of any particular legislation in the United States Congress, so there is no need to suggest that passage of the resolution will necessarily support Senator Bernie Sanders’s legislation.
- Michael Lamp spoke in favor of the resolution, quoting an unknown source who said, “I’ll believe corporations are people when Texas executes one.”
- Celina Wright spoke in favor of the resolution: This resolution should be viewed as a values statement, not an endorsement of any particular politician or legislation.
- Jack Lesnik spoke: Citizens should have the right to express opinions regarding Supreme Court decisions.
- Ms. Wright’s motion to so move passed by voice vote.

ARTICLE 25. To transact any other business that may legally come before the meeting.

- Rosemary Kinerson asked the Selectboard to comment regarding maintenance of dead-end roads.
 - Theodore Faris spoke: The Selectboard would prefer that any concerns regarding road maintenance be discussed with the Road Foreman prior to the Selectboard.
- Mona Marceau spoke regarding a concern about the maintenance of the triangle intersection of Old West Road and West Main Street.

- Hezzie Somers spoke: Residents of the town appreciate the Selectboard trying to run the town the way that town businessmen run their businesses.
- Peter Blose and Shirley Warden spoke regarding Green-Up Day, to be held May 5, 2012.
- Theodore Faris made motion to adjourn. Seconded.
 - Passed by voice vote. Meeting adjourned at 2:10 p.m.

Dennis McLam, Moderator

Theodore Faris, Selectman

Attest: Benjamin Heisholt, Town Clerk