

**MINUTES - SELECTMEN'S MEETING  
TOWN OF BARNET, VERMONT  
MONDAY, MARCH 11, 2013**

**Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk's Office.**

**Board members present:** Selectmen Theodore Faris and Gary Bunnell.

**Meeting Chair:** Co-Chair Theodore Faris presided as Chair for this meeting.

**Others present:** Road Foreman Keith Gadapee, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Harry Adamek, David Conant, Sarah Cook (Caledonian-Record), Tammi Davis, Albert Despins Jr., Albert Despins III, and Steve Mosher.

**1. Approve minutes of regular meeting held February 25, 2013**

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held February 25, 2013. Seconded by Mr. Faris and approved by voice vote.

**2. Appearance by members of the public**

There were no appearances by members of the public.

**3. Organization of the Board:**

- a) **Elect Chairman.** Mr. Bunnell moved to elect Co-Chairs of Theodore Faris and Jeremy Roberts. Seconded by Mr. Faris and approved by voice vote. Some discussion was had regarding the election of Co-Chairs rather than one Chair.
- b) **Appoint Road Commissioners.** Mr. Faris moved to appoint Gary Bunnell as Road Commissioner. Seconded by Mr. Bunnell and approved by voice vote.
- c) **Appoint Tree Warden.** Mr. Bunnell moved to appoint Stanley Robinson as Tree Warden. Seconded by Mr. Faris and approved by voice vote.
- d) **Set date and time of meetings.** Mr. Bunnell moved to hold regular meetings on the second and fourth Mondays of each month at 7:00 p.m. Seconded by Mr. Faris and approved by voice vote.

**4. Annual review of Ordinance for Regulating All-Terrain Vehicles (ATVs)**

The Board discussed the Ordinance, as adopted in 2010, which includes a provision (Section IX) for annual review of the sub-section (Section IV.C.) naming specific roads on which ATV travel is permitted.

- Steve Mosher, President of the Barnet Trailblazers ATV Club spoke regarding the list of town highways, or portions thereof, on which the Club requests ATV travel be permitted in 2013. This list was transmitted by Club Secretary Tammi Davis to Town Clerk Benjamin Heisholt via email on March 3, 2013. A total of approximately 16.17 miles of town highway access was requested, including approximately 14.15 miles of the same town highways as permitted by the Board in 2012. Ms. Davis indicated that the Club is working to reduce town highway mileage, and will keep the Board informed of their progress.
- Some public comment was made, and discussion was had, regarding the possibility of allowing ATVs on all town highways in the future.
- The Board agreed to in future years include in the warning for the annual review of the ordinance a list of the town highways on which ATV travel is requested.
- The Selectboard granted the Club's request for permission to use all town highways for collection of litter on Green Up Day on May 4, 2013. The Club must provide the Town with a list of the members who will participate along with proof of driver's license, vehicle registration, and insurance. Numbered tickets will be issued to confirm receipt of this documentation, without which access will be denied.

- The Board agreed to allow Steve and Maureen Mosher to have ATV access on Ferguson Road from their residence at 739 Ferguson Road to the former trail access on Ferguson Road, so that Mr. and Mrs. Mosher may access the trail system.
- Mr. Bunnell moved to renew the Ordinance for Regulating All-Terrain Vehicles (ATVs) as adopted in 2010, with changes only in the modification of specified town highway use permitted; this new permitted use being as requested by the Barnet Trailblazers ATV Club at this Board meeting and in the email from Club Secretary Tammi Davis to Town Clerk Benjamin Heisholt on March 3, 2013. Seconded by Mr. Faris and approved by voice vote.

**5. Appearance by Road Foreman Keith Gadapee regarding Highway Department matters**

- Structures Grant projects.** Mr. Gadapee discussed his meeting with Shauna Clifford of the Vermont Agency of Transportation, District 7 regarding the Annual Financial Plan and grant projects. Three Structures Grant projects Mr. Gadapee plans to pursue, with the Board's approval, are as follows: 1) replacement of a culvert on Anderson Street, 2) deck replacement on Bridge #48 on Bridge Street in Passumpsic, and 3) an engineering study on Bridge #7 on Joe's Brook Road.
  - The Board agreed to approve Mr. Gadapee's application for grants on these projects.
- Class 2 Roadway Grant project.** Mr. Gadapee indicated that he plans to pursue, with the Board's approval, a grant for completing the two remaining sections of the West Main Street construction project as commenced in 2012.
  - The Board agreed to approve Mr. Gadapee's application for a grant for this project.
- Adoption of Codes and Standards.** Mr. Gadapee asked if the Board would like to adopt the Vermont Agency of Transportation's Minimum Town Road & Bridge Codes and Standards. The State offers incentives to Towns (ten percent extra State funding for Structures and Class 2 Roadway Grants, etc.) to adopt these standards. According to Mr. Gadapee, Ms. Clifford urged the Town, if it will not adopt the State's Codes and Standards to adopt its own standards. Discussion ensued.
  - The Board instructed Mr. Gadapee to discuss this matter further with Ms. Clifford to see if the State will offer incentives to the Town if it adopts its own standards that are different from the State's.
- Bids for dust control products.** Mr. Gadapee asked the Board's permission to request bids for calcium chloride and other dust control products from three vendors.
  - The Board agreed to authorize bid requests.
- Dump Truck #8 repairs.** Mr. Gadapee updated the Board regarding repairs to this dump truck, as discussed at the previous Board meeting. An in-frame engine rebuild is being performed. The total cost including labor is expected to be approximately \$9,000.
- Backhoe repairs.** Mr. Gadapee updated the Board regarding repairs to the backhoe, as discussed at the previous Board meeting. Matt Duggan, of Milton, Vermont will perform the repairs at an estimated cost of \$500.
- Winter sand and gravel crushing.** The Board discussed with Mr. Gadapee a plan for dealing with overburden material at the town pit.
  - The Board agreed that Mr. Gadapee, Mr. Bunnell, and Mr. Faris will meet with local contractors at the town pit to discuss this matter.
  - The Board agreed that Mr. Bunnell will attend an MSHA training class with the Highway Department.
- Roadside mower.** Mr. Gadapee presented to the Board options for leasing a tractor with roadside mower. Hourly costs and lease-to-own options were discussed. The Board instructed Mr. Gadapee to inquire regarding a tractor with mower at Harvest Equipment.
- Excess Weight Permits.** Mr. Gadapee discussed a presentation he recently attended regarding posting roads and overweight permits. The Board and Mr. Gadapee agree that the Town should not post its roads. Mr. Gadapee recommends adding a restriction to Barnet's Uniform

Municipal Excess Weight Permit that would restrict overweight vehicles from traveling on thawing gravel roads. This restriction, if adopted by the Board, could not be put into effect until 2014. Discussion ensued.

- The Board agreed to add a restriction to Barnet's Uniform Municipal Excess Weight Permit application per Mr. Gadapee's recommendation.
- j) Garage laptop.** Town Clerk Benjamin Heisholt discussed recent problems with the Town Garage laptop computer. It currently does not work well enough to allow Mr. Gadapee to perform his day-to-day office work, is not valuable enough to merit repair costs, and its capabilities no longer meet the needs of the Highway Department. Mr. Heisholt has researched replacement options, which range in cost from \$500 to \$700.
- The Board agreed to approve the expenditure of no more than \$700 to replace the Highway Department's laptop computer.
- k) Mulcher.** Mr. Gadapee asked the Board's permission to purchase a mulcher (bale chopper) from All Around Equipment for \$7,250, as discussed at a previous Board meeting.
- The Board agreed to approve this purchase.
- l) Pump for bridge washing.** Mr. Gadapee asked the Board's permission to purchase a 5.5 horsepower pump for washing bridges. Discussion ensued.
- Mr. Bunnell indicate that he will inquire regarding purchasing a pump from a certain private owner.
- m) Slope laser.** Mr. Gadapee asked the Board's permission to purchase a slope laser.
- The Board agreed to approve this purchase, and instructed Mr. Gadapee to inquire regarding purchasing this item at Kibby Equipment in White River Junction, Vermont.
- n) Discussion regarding personnel matters (executive session)**
- Mr. Bunnell moved to enter executive session. Seconded by Mr. Faris and approved by voice vote. Entered executive session at 8:20 p.m. Attendance in executive session: Mr. Faris, Mr. Bunnell, Mr. Gadapee, and Mr. Heisholt.
  - Mr. Bunnell moved to exit executive session. Seconded by Mr. Faris and approved by voice vote. Exited executive session at 8:30 p.m.
  - Mr. Bunnell moved to add to the Personnel Policy a Section VI, Part E.1.v., to wit: "Beginning with the 20<sup>th</sup> year of employment, Highway Department personnel's vacation time shall accrue at a rate of 12 hours per month." Seconded by Mr. Faris and approved by voice vote.

## **6. Correspondence from Students Pursuing Understanding Relationships (S.P.U.R.) regarding request for horse and rider signs on Morrison Hill**

Mr. Faris read a letter requesting signs be installed at the intersection of East Peacham Road and Morrison Hill and on Morrison Hill above the residence of Fred Gombas for the purpose of causing motorists to slow down and thereby increase safety for riders and horses. Discussion ensued.

- The Board agreed to refer this matter to the Road Commissioner.

## **7. Discussion regarding 2013 mowing of town properties**

Town Clerk Benjamin Heisholt requested that the Board indicate whether they wish to solicit bids for 2013 mowing services or request the services of the contractor hired in 2010, 2011, and 2012 (J & B Property Maintenance). Brief discussion followed.

- Board agreed forego the bidding process and to offer 2013 mowing of Town properties to J & B Property Maintenance, if the contractor is willing to perform the work at the same price as 2011. If the price has increased, the Board requested that Heisholt report back to the Board at the next regular meeting with the updated price.

**8. Correspondence from Vermont Department of Environmental Conservation regarding Passumpsic Village Store**

Mr. Faris read an email indicating that the Town owes \$25,051.05 to the State of Vermont Petroleum Cleanup Fund pursuant to an agreement entered at the time the cleanup project at this site was commenced. Attached documents relating to the agreement were also read. Discussion ensued.

- The Board instructed Mr. Heisholt to forward these documents to Town Agent Jay Abramson to determine if the correct amount due to the State is the amount quoted in this email or the sale price of the property (\$18,000).

**9. Correspondence from Vermont Department for Children & Families regarding appointment of Town Service Officer**

Mr. Faris read a cover letter advising the Board that the term of office of the present Town Service Officer expires April 14, 2013, and that Vermont law provides for the appointment of such an officer on or before April 15<sup>th</sup> of each year.

- Mr. Bunnell moved to re-appoint Stanley Robinson as Town Service Officer. Seconded by Mr. Faris and approved by voice vote.

**10. Financial statements from CALEX Ambulance Service, Inc.**

The Board reviewed a 2011 Profit and Loss Statement and Balance Sheet, as forwarded at the request of the Board.

**11. Correspondence from Downs Rachlin Martin, PLLC regarding Notice of De Minimis Modification and Request for a Certificate of Public Good for VTel Wireless, Inc.**

The Board reviewed a binder containing details pertaining to the telecommunications project to be located at 140 Kinerson Lane, as discussed at the previous meeting.

**12. Correspondence from Vermont Agency of Natural Resources regarding revised General Permit for Stream Alterations**

The Board read an email and reviewed attached public notice and permit relating to authorization of activities that may change, alter, or modify the course, current, or cross section of any watercourse within or along the boundaries of Vermont.

**13. Uniform Municipal Excess Weight Permit applications**

The Board reviewed and approved the fleet permit applications of Camp Precast Concrete Products, Inc., Gil's Construction, and Newport Sand & Gravel Co., Inc./Carroll Concrete Co., Inc., and single vehicle permits of A. Withers Trucking, C & C Bunnell Excavating, LLC, and Michael L. Townsend.

**14. Other business**

No other business was discussed.

**15. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

**16. Adjournment**

Mr. Bunnell moved to adjourn. Seconded by Mr. Faris and approved by voice vote. Meeting adjourned at 9:00 p.m.

*A true copy.*

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