

DRAFT

MINUTES - SELECTMEN'S MEETING TOWN OF BARNET, VERMONT MONDAY, AUGUST 12, 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, Jeremy Roberts, and Gary Bunnell.

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

Others present: Planning Commission/Zoning Board Member Benjamin Adams, Road Foreman Keith Gadapee, Town Clerk Benjamin Heisholt, Zoning Administrative Officer Shirley Warden, Gail Aloisio (Northeastern Vermont Development Association), Donald Burke, Karla Cornelius, David Curtin, Robert Dufresne, Julie Murphy, Robert Perrin, Jan Sherman, and David Warden.

1. Approve minutes of regular meeting held July 22, 2013

Mr. Roberts moved to approve as presented the minutes of the regular meeting held July 22, 2013. Seconded by Mr. Bunnell and approved by voice vote.

2. Appearance by Lake Harvey Association (LHA) regarding Harvey's Lake-related matters

Mr. Faris read a letter from LHA arising out of their annual meeting in July, and identifying several matters of concern relating to the municipality. David Curtin, President of LHA, appeared with other LHA members Donald Burke, Karla Cornelius, Robert Dufresne, Julie Murphy, Robert Perrin, and Jan Sherman. They discussed with the Board several matters of concern to LHA, as summarized below:

- **Harvey's Lake Dam**

- Mr. Faris gave an update on progress in design and installation of a new gate. The Board hopes to install the new gate this fall, pending availability of materials and contractors. Beyond this, the Board hopes to remove material from the floodway; neighboring owner Michael Vereline has indicated his willingness to allow access for machinery.
- LHA expressed concern regarding identifying a reliable and capable replacement for George Coppenrath, who has resigned as dam operator. Mr. Faris indicated that the Board was not aware that Mr. Coppenrath had resigned, and that the Board will seek a replacement as soon as possible.
- Various specifics regarding dam design were discussed.

- **South Peacham Brook**

- LHA expressed concern regarding backflow from the brook entering the lake from its confluence with the Stevens River above the dam. This results in sedimentation and risk of contamination. Mr. Faris indicated that this problem will persist after the redesign of the dam gate is implemented, and will occur even with the gate fully open. The Board is hopeful that ongoing maintenance and improvements of the dam and floodway eventually will be persuasive with State officials in allowing the Town to alter the channel to resolve this problem. To this end, discussion ensued regarding various means of influence that LHA and the Board may have with the State Legislature.

- **Milfoil**

- LHA expressed gratitude for the Town's participation in milfoil prevention, and discussed how resolution of problems with the dam and South Peacham Brook are critical for continued prevention.

3. Appearance by Gail Aloisio of Northeastern Vermont Development Association regarding municipal planning grant

Benjamin Adams of the Planning Commission/Zoning Board (PC/ZB) spoke briefly, indicating that the PC/ZB is interested in this grant that will help in revising the Zoning Ordinance/Bylaws and the Town Plan. Ms. Aloisio then appeared to discuss details relating to work that the grant covers, and the schedule for application. Grants less than \$8,000 do not require Town matching funds; Barnet's grant application would likely be for \$6,000 to \$8,000. Selectboard approval is required for all grant applications. Discussion ensued.

- The Board agreed to approve the application for this grant. Mr. Roberts was appointed as the Board's representative in the application process.

4. Appearances by other members of the public

a. David Warden. Mr. Warden appeared to discuss several matters. He thanked the Board for their help with various 250th anniversary events, discussed a need for improved ditching on Barnet Center Road with Road Foreman Keith Gadapee, and spoke with the Board regarding the septic system at the Town Hall.

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

a. Paving quotes. Mr. Gadapee presented the Board with quotes from Pike Industries for two paving projects planned for this summer, which were submitted as follows: West Main Street: \$67,230.60; Town Forest Road: \$19,886.46. Discussion ensued.

- The Board signed the quotes, and instructed Mr. Gadapee to proceed with these projects.

b. County Hill Road paving. Mr. Roberts suggested that the Board pursue a paving project on a stretch of thirty to forty feet at the bottom of County Hill Road (intersection with US Route 5 North). Discussion ensued.

- The Board instructed Mr. Gadapee to obtain a quote for this project.

c. Pavilion Lane project. Mr. Gadapee presented a plan for reducing a hazard that was brought to his attention by a resident of Pavilion Lane. The project, which would involve installing a catch basin with frame and grate where there is currently an open hole and culvert at Pavilion Lane's intersection of Harvey Mountain Road, would cost an estimated \$1,618. Discussion ensued.

- Mr. Roberts moved to instruct the Highway Department to do this project. Seconded by Mr. Bunnell and approved by voice vote.

d. Driveway culverts. Mr. Gadapee asked the Board for guidance in determining whether or not to install culverts at driveways having no culvert and predating the Highway Access Ordinance (1983). Discussion ensued.

- The Board instructed Mr. Gadapee, as he encounters these situations, to install a culvert wherever there is any indication that a culvert has existed in the past, and in other instances to make case-by-case decisions based on his judgment regarding potential downstream damage in the absence of a culvert.

6. Discussion regarding response to letters to the Selectboard

Mr. Faris summarized the discussion regarding this matter at the previous Board meeting. Mr. Faris then read the proposed response form letter for residents and taxpayers who submit letters to the Selectboard, as composed by Town Clerk Benjamin Heisholt.

- The Board agreed to use this proposed letter in response to future letters to the Board.

7. Discussion regarding Sheriff's patrols on state roads

Mr. Faris discussed a request the Town recently received for a Sheriff's Department presence in McIndoe Falls. Mr. Heisholt indicated that the Sheriff's Department occasionally patrols other portions of US Route 5 in Barnet, but not at the Town's specific request. Discussion ensued regarding using Sheriff's patrols, a Town-paid resource, to enforce laws on state roads.

- The Board agreed to request that the Sheriff's Department occasionally patrol US Route 5 South near the foot of Garland Hill in McIndoe Falls.

8. Discussion regarding penalty for late-filed Homestead Declarations

Mr. Heisholt indicated that the State allows the Town to determine whether they will apply or waive the eight percent penalty for late-filed Homestead Declarations. The Town retains any penalties assessed. In 2011 the Board decided to continue to apply the penalty. Mr. Heisholt suggested that, given the multiple law changes in recent years and the severity of the penalty, the Board should commence waiving the penalty at this time. Discussion ensued.

- Mr. Roberts moved to waive the late-filed Homestead Declaration penalty beginning with the 2013 property tax billing. Seconded by Mr. Bunnell and approved by voice vote.

9. Discussion regarding dead-end drive Town Highways

Mr. Faris read passages from the Vermont League of Cities & Towns Highway Handbook regarding the process for discontinuing or reclassifying Town Highways. Mr. Faris summarized previous discussions the Board has had regarding discontinuing the many short spurs or circles that presently serve as driveways for one or fewer residences. Mr. Gadapee suggested that the Board consider reclassifying these roads as Class 4 rather than discontinuing them altogether. Discussion ensued regarding how to accomplish either discontinuing or reclassifying these roads without causing severe hardship for the present owners that these roads serve.

- The Board agreed to begin the process for either discontinuing or reclassifying these “dead-end” drives. To this end they instructed Mr. Gadapee to construct a list of Town Highways serving one residence or fewer, including the length of each.

10. Solid Waste Transfer Station Report and Solid Waste Facility Report from Vermont Agency of Natural Resources

Mr. Faris reviewed the highlights of the report detailing second quarter 2013 waste disposed (total of 74.63 tons) and waste recycled (total of 25.54 tons) at the Barnet Transfer Station and Recycling Center.

11. Other business

a. Discussion regarding personnel matters (executive session)

- Mr. Roberts moved to enter executive session. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 9:06 p.m. Attendance in executive session: Mr. Faris, Mr. Roberts, Mr. Bunnell, Mr. Gadapee and Mr. Heisholt.
- Mr. Roberts moved to exit executive session. Seconded by Mr. Bunnell and approved by voice vote. Exited executive session at 9:27 p.m.
- The Board instructed Mr. Gadapee to hire two temporary flaggers for road construction projects.

12. Outstanding check warrants

The Board reviewed and approved all outstanding check warrants.

13. Discussion regarding legal proceedings (executive session)

- Mr. Roberts moved to enter executive session. Seconded by Mr. Bunnell and approved by voice vote. Entered executive session at 9:27 p.m. Attendance in executive session: Mr. Faris, Mr. Roberts, Mr. Bunnell, and Mr. Heisholt.
- Mr. Roberts moved to exit executive session. Seconded by Mr. Bunnell and approved by voice vote. Exited executive session at 9:30 p.m.
- No action taken.

14. Adjournment

Mr. Roberts moved to adjourn. Seconded by Mr. Bunnell and approved by voice vote. Meeting adjourned at 9:30 p.m.

A true copy.

Attest: _____
Town Clerk