# TOWN OF HIGHGATE
## Selectboard Mtg.

### January 22, 2015 @ 7pm

### Approved Minutes

***NOTE: All actions taken are unanimous unless otherwise stated.***

**A. Call to Order & Pledge of Allegiance**
The meeting was called to order by Jeff Towle, Chair @ 7:00pm, followed by the Pledge of Allegiance.
**Highgate Selectboard Members-** Jeff Towle, Chair; Andy King, Vice-Chair; Chris Yates; Diana O'Hara; *absent – Luke Choiniere*
**Highgate Office Staff** – Wendi Dusablon - Town Clerk; Heidi Britch-Valenta – Town Admin; Tom Racine – Town Treasurer
**Public / Other** – Ben Lowell – Constable; Paulette Tatro; Kristy Brow; Stephen Bushey; Chris Uzell; Josh LaRocque

**B. Public Comments**
Kristy Brow was present to inquire about the ACO position. She submitted a letter of interest which was forwarded to the board. Jeff noted that they appoint the ACO after town meeting and they now have two interested applicants as well as Ray Dixon, if he is interested. Kristy asked about the ACO job becoming an elected position vs. an appointed position. Jeff and Andy noted that the change would be up to the voters to change it to an elected position. Andy thanked her for being willing to serve in this way. Jeff also thanked her and said they would consider her for the position after town meeting in March.

**C. Highway Department**
- Steve Ploof was not present tonight. Chris asked if the highway department had purchased the items mentioned at a previous meeting. Tom said, yes, they did purchase the oil drain pan, the grease gun and the jack. They will purchase the step ladder locally.
- Heidi said that Steve has previously reviewed our annual recertification of highway mileage and there have been no changes since last year. Jeff noted we have a total of 21 miles of class 2 roads, almost 23 miles of state highway and 42.5 miles of class three roads. We also have to submit our weight restrictions and register them with the state. Heidi has the list and she will submit those online. Motion by Chris Yates to accept the certificate of highway mileage for the year ending February 10, 2015. Motion was seconded by Jeff Towle – **APPROVED.**

**D. Library update – Liza Comiskey**
Liza has prepared her first draft for the town report of all the happenings at the Highgate Public Library. She does not have the financial report but let the board know there was close to $14,000.00 in additional grant funds and donations that came in which really helped with programming. Thanks to grant funding, there are now snowshoes available at the library, 4 adult pair and 5 childrens pair, very new and exciting! The Polar Express was the biggest event in 2014 with 145 children and 205 adults going through the library on two evenings in early December. The Polar Express event also helps with donations to Operation Happiness in Highgate. Steve Bushey reported to Liza that 44 families in Highgate were helped with the Operation Happiness Food Drive. The first ever Duct Tape Derby will be held on February 21st (with a snow date of March 7, meaning if we don't have any snow on Feb. 21st it will be held on Mar. 7th). The library works

with the Parks & Rec. Committee and the school community partnership to kick off the winter carnival. Liza presented a chart to show how much library usage has grown in the last ten years. Jeff asked about the upcoming meeting for Memorial Day. There will be a Memorial Day planning meeting on Sunday, Feb. 1st @ 2pm at the library. Liza and Ty Choiniere will be helping out Richard Flint and Keith Ploof and anyone else interested in volunteering to help is encouraged to attend. The Parks & Rec. Committee is looking into a Pitch, Hit & Run event to be held here in town. This is a free event through Major League Baseball. It is a one day event for boys and girls, ages 7-14 and simple to host. Once we sign up with a date and time we will receive a kit with all that is needed to host the event. Greg Farnham brought the idea forward and there is no other community locally that holds this event. Kids compete and move on to different levels. Chris asked Liza if she needs support for the Duct Tape Derby event. Yes, she will need the town crew to plow for parking and the fire department is on board to support the event. The Boucher's have already approved using the hill. Liza will connect with MVR to have an ambulance on standby, as a precaution. Liza clarified, the only items you can use on your entry for the Duct Tape Derby are cardboard, duct tape, zip ties and paint. Interested entries need to contact Liza to participate. The Parks & Rec. committee is meeting on Feb. 3rd to work our more details. Liza made mention of grant funding regarding town properties being smoke free zones, not just town buildings and vehicles. Heidi congratulated Liza on the recent St. Albans Messenger article, which was fabulous! The library will also soon be sponsoring another Caitlyn's Closet event. The name may be changing, but the concept stays the same. Youth in our area can come in with moms / dads / guardians and pick out a prom dress that has been donated. To see these young ladies leave with a beautiful dress that they don't have to pay for is amazing. In four years they have been able to give out over 80 dresses. It is not your typical library program, but Liza is not your typical librarian. The board thanked Liza for the update.

**E. <u>Treasurer – Tom Racine</u>**

1. **Pay bills**
   Andy asked about the bill for $900 from Tenco. This is for the chain that brings sand to the front of the truck. They also ordered a spare for the shelf, so they will see another entry in the coming weeks. Andy asked Tom if there was a way to delineate OT vs. regular time on the warrant. Tom isn't sure, but he will check.
2. **Town meeting day articles**
   Aside from what we have already discussed, there were no other thoughts or concerns regarding warned articles for town meeting. There were no articles petitioned this year. The deadline was Jan. 20th @ 5pm. Tom noted there is information on VLCT website regarding some legislative changes with postitions of auditor, constable and delinquent tax collector. Tom encouraged the board to take a look at them on VLCT's website. Next week we will hopefully have some info from the school and library. Wendi has been going a great job of compiling info into the report. We will get the rest squeezed in on the CIP and on the Highway and General Funds. The General Fund and CIP are in good shape. The General Fund is lengthy and the library and parks and recreation will have more detail. Tom provided a rough draft for review. Tom said it would be helpful to have the board make a determination on what the contract might look like for MAHA if we move in that direction. The other thing is we tried to get more info on the MVR contract and budget. It still, in Tom's opinion, is confusing at best. Heidi and Tom agree it would be a good idea to invite folks from St. Albans and Swanton to a board meeting and get key people here to gain more understanding on this topic. We will put in the number they have given us and move forward from there.
3. **<u>MVR Budget</u>**
   This was discussed above in E #2.

F. **Town Clerk – Wendi Dusablon**

1. **Minutes from January 5th and January 8th**
   Motion by Chris Yates to approve the minutes from *January 5, 2015*, as amended. Motion was seconded by Andy King – **APPROVED.**
   Motion by Andy King to approve the minutes from *January 8, 2015*, as written. Motion was seconded by Chris Yates – **APPROVED.**
2. **Dog update**
   Flyers regarding dog registration and the rabies clinic were mailed out on Friday, January 9th. We have had very few kick back in the mail, and those have been redirected. As of today, we have licensed 42 dogs, with about 850 left to go!
3. **Town Meeting Day update**
   The date has passed to petition articles, that was Jan. 20th @ 5pm, we did not receive anything. Petitions for elected office and consent of candidate forms are due by Jan. 26th @ 5pm. The warning must be published by February 1st. Absentee ballots will be available by Feb. 11th, requests can be made anytime. Tom will be clarifying with VLCT if the elected vs. appointed positions are via paper ballot or Australian ballot.
4. **Liquor license renewal for RL Vallee dba: Highgate Village Mkt.**
   Motion by Chris Yates @ 7:40pm to exit the regular Selectboard Meeting and enter into the liquor control board. Motion was seconded by Andy King – **APPROVED.**
   Motion by Chris Yates to accept the liquor license for RL Vallee dba: Highgate Village Market. Motion was seconded by Jeff Towle – **APPROVED.**
   Motion by Jeff Towle @ 7:42pm to enter back into the regular Selectboard Meeting. Motion was seconded by Chris Yates – **APPROVED.**
5. **Misc.**

- Chris asked Tom if he received an MOA from Efficiency VT regarding assigning someone to work with us on street lights. Tom does not recall receiving anything. Chris would like to get Swanton Village converted over this year and then deal with the Co-Op after that.

G. **Town Administrator – Heidi Britch-Valenta**

1. **Misc.**

- The annual PACIF Insurance equipment grant is now open. The highway department usually has items to submit, but not this year. Heidi spoke with Liza at the library. They were interested in a security system but did not want to wait for this grant, so they have gone ahead. The arena is interested in beefing up security. The terms of the grant have changed. It is now based on how much you pay in insurance for workmans comp premiums, so we are now only eligible for $2,500.00. There is also a 50% match. Andy asked if the security system could be monitored remotely. Jeff would like to continue this discussion in executive session. Motion by Jeff Towle to apply for the PACIF equipment grant for the arena security system. Motion seconded by Chris Yates – **APPROVED.**
- A safety update is in their packets regarding highway department safety procedures. VLCT also stopped in the office today to point this out. It is an easily preventable problem associated with tailgates.
- There is progress being made regarding the upcoming construction at the arena. Steve Bushey is expected here around 8pm and Paulette is here. We will wait for Steve before we discuss this.
- Selectboard report for the 2014 Town Report. Andy did a great job on this, Jeff only asked that we get it down to two pages in the town report for space purposes.
- Heidi has her draft report here as well. If the board is comfortable with it she will also forward to Wendi to insert in the report.

- She has a few things for executive regarding the legal matter going on for a while and a personnel issue.
- We are ahead of schedule, which doesn't happen very often. We have warned the dog hearing for 8pm also, so we can't start that yet in case others plan to show up.
- Tom noted that he had a discussion about the floor in the fire department. It is where the largest truck is sitting and there is a depression in the floor, cracking going on and it is sinking. Andy said it seems that we would need to hire someone with qualifications. It is sinking in a very distinct circle, over the course of five years, but increasing dramatically in the last few months. Chris asked if the board could go look at it now. Motion by Jeff Towle @ 7:50pm to recess the Selectboard meeting to go look at the fire department floor. Motion was seconded by Chris Yates – **APPROVED.** Motion by Jeff Towle @ 7:57pm to re-enter the Selectboard meeting. Motion was seconded by Andy King – **APPROVED.**

2. **Arena Construction Committee update**
Steve Bushey and Paulette Tatro were here to give the board an update. The project is moving forward. We received seven proposals and narrowed it down to three. Those three were interviewed on January 16th. The committee is submitting a strong recommendation for DEW for Construction Management Services. Josh LaRocque also arrived and joined the discussion. Once the board approves the selection of the contractor, the first order of business will be to look at the purlins to be sure they will hold snow load in Vermont for the next 20-30 years. DEW will be putting together a contract, which we should have on Monday, and should be reviewed by our town counsel. The process of inspecting the purlins will begin on Wednesday and could take a few days. They understand there is activity in the arena this time of year. We should know in a few weeks what the recommendation is with regard to the purlins. Once the ice goes out, construction will start. There is a three month lead time on some of the refrigeration equipment, so it will be mid-summer before we have our compressors. The arena construction committee has put together a time line for the project. Josh reached out to Efficiency VT today. Craig Simmons will be joining them at their Feb. 2nd meeting. The Arena Construction Committee is made up of the following people; Steve Bushey, Paulette Tatro, Josh LaRocque, Don Gilbert, Brian Spears, Steve Roy (architect), and Heidi Britch-Valenta. This will be a busy summer and Steve encourages people to help in any way they can throughout the project. Fundraising will be a big part of this also. Anyone with experience fundraising is asked to step forward to assist with the "wish list". The scope of the bond vote is concise to the replacement of the ice system. Steve and Josh spoke to the importance of a heat reclaim system. This would virtually eliminate our gas bill and heat the entire building, for a small investment. We have a proposal from Wiemann Lamphere for their architectural services and some other costs associated with the project. We have asked Wiemann Lamphere and DEW to handle all subcontracts, so none are coming to us. Wiemann Lamphere will assist with development of bid specs, attending meetings and assist with the process. They will also be doing drawings for equipment and a new mechanical room. The inspection of the purlins next week will cost $2,000.00 plus the cost of the lift and an operator. Paulette noted that Wiemann Lamphere has provided us with multiple drawings and scenarios over the years with various modifications to the arena project. The three companies that were interviewed for the construction management services were Engleberth, Peak CM as well as DEW. Chris asked if we have any say in who is the superintendent. Steve noted that they presented to us as a team and put together that team based on who was best capable to perform the work. Josh has been associated with DEW in the past with his job at Jay Peak. We chose DEW based on the

team, which included the superintendent. We are currently in the pre-construction phase of the project. DEW will go out and get bids on the components of the project. DEW felt that with the roughly $1,000,000.00 we have to work with that they can do the work. Josh has offered to be the point person between DEW, Wiemann Lamphere and the Selectboard to keep everyone informed. DEW holds weekly meetings to ask questions and they keep minutes. The committee will also pass on these minutes to the Selectboard electronically. It would be beneficial if a member of the Selectboard could attend weekly or bi-weekly meetings with DEW for even better continuity. Motion by Chris Yates to approve moving forward with DEW and Wiemann Lamphere, contingent upon review of their individual contracts (DEW $96,647.00 and Wiemann Lamphere $38,500.00). Motion was seconded by Andy King – **APPROVED.** It was noted that both amounts would be coming out of the bond, which was approved on November 4th. We should have the contract from DEW on Monday, which Heidi will forward to the town attorney as well as the Selectboard.

**H. <u>Animal Control Officer – Ray Dixon</u>**

1. **Dog hearing – 27 Meadow Lane**

The dog hearing was opened up @ 8:17pm. This is regarding two huskies that currently reside @ 27 Meadow Lane, off Lamkin Street. On January 19th Ray received two messages. One was from 261 Cassidy Road stating that two dogs had just killed their geese and rabbits. The next call came from 2839 VT Route 78 that two dogs were loose and currently at her property and needed to be picked up. Ray called back the Cassidy Road resident and let her know that he was headed to Route 78 to pick up two dogs with the same description. When Ray arrived at 2839 VT Route 78, the Cassidy Road resident was also there and identified the dogs as the same ones that killed her geese and rabbits on Cassidy Rd. Ray has picked up these dogs before. They used to reside on Shayla Drive, off Frontage Road. On Jan. 19th, Ray brought both huskies to the FCHS in St. Albans (now called Franklin County Animal Rescue). The dogs are owned by Brandy Gardner. She has a total of three dogs (all are Huskies), all are vaccinated and licensed with the Town of Highgate. The two dogs in question are Kawai (male brown & white) and McKenzie (female black & white). Ray stated that Ms. Gardner has done a lot to try to contain her dogs and they still get out. They wear shock collars, but they have not been effective. Ms. Gardner has paid restitution to the Cassidy Road resident for the animals that were killed. She has also paid the town fine and had to pay FCAR to get her dogs back. These dogs have killed chickens on Carter Hill Road prior to this incident. They do not appear to be aggressive towards humans, but have a pattern of destructive behavior towards property and other animals when they get loose. Ms. Gardner could not be here tonight, but she did submit a written statement that she plans to find alternative homes for the dogs, and until then she will keep them confined, but is limited on what she can do until spring. Chris Yates offered up some ideas based on what was done on the Jedware Circle situation, which appears to have been successful. Muzzling the dogs when they are outside and when the owner is not with them so no one or no other animals would again be hurt if they got loose again. Chris would also like to have Ms. Gardner immediately notify the ACO that the dogs are loose. He would rather see it come from the dog owner, not another taxpayer. Chris also added that if the dogs are picked up again and have not been reported missing, they should not be allowed back to town. These dogs have two strikes already. Ray agrees with what Chris had to say. Ray notified the Cassidy Road resident that she would receive a latter from the town with the boards decision. Jeff added that if she is actively looking for new homes for her dogs, she should notify us every 60 days so we know if they are still in town and are aware of it. If she ends up keeping them and installs a kennel, the ACO will have to

inspect it. Motion by Andy King concerning the Huskies owned by Brandy Gardner that she immediately upon knowledge that the dogs are loose notifies the Highgate ACO. If the dogs are outside they will be muzzled at all times, period. The dogs will never be loose outside and if they are outside they will be chained or leashed with the owner and muzzled. We will also require an update from the dog owner in 60 days concerning the progress on a permanent containment unit or the dogs moved to another home. Motion was seconded by Chris Yates – **APPROVED.** Jeff added if we are back here again because they got loose and killed more animals or caused destruction, these dogs will need to be removed from the Town of Highgate, to which the other board members agreed. Heidi will see that the Cassidy Road resident, Ms. Gardner, and Windy Minor (property owner @ 27 Meadow Lane) all receive a copy of the boards decision. Luke and Tammy Greenia live nearby and also came in prior to this meeting. They have encountered the dogs before and did not find them to be vicious. The Greenia's will also be notified as an interested party.

**I. Selectboard items**

See Arena Construction Committee update under G #2.

**J. Upcoming events**

| | | |
|---|---|---|
| Feb. 5 | 7pm | Selectboard Mtg. – zoning bylaw adoption hearing |
| Feb. 12 | 6pm | DRB |
| Feb. 17 | 6pm | Planning Comm. |
| Feb. 19 | 7pm | Selectboard Mtg. – Town Mtg. info session |

**K. Executive session**

Motion by Chris Yates to enter into executive session @ 8:30pm for a legal matter, personnel matter and contracts. Motion was seconded by Jeff Towle – **APPROVED.**

Motion by Jeff Towle to exit executive session @ 10:29pm. Motion was seconded by Andy King – **APPROVED.**

Motion by Jeff Towle to purchase a truck for the Fire Department from the three bids received from Heritage Ford, Handy GMC and Barrette Ford. The truck selected was from Heritage Ford and the specs are as follows: 2015 Ford F350 Crew Cab, Platform Body, Vermillion Red, 176" wheelbase, 4x4, Utility Bed, Tool Boxes Installed and Upgraded Tires – at a total price of $36,000.00. Motion was seconded by Diana O'Hara. **APPROVED 3 Yes / 0 No.** *Members participating in the vote were Chris Yates, Jeff Towle and Diana O'Hara. Luke Choiniere was absent and Andy King recused himself from the discussion and vote.*

**L. Adjournment**

Motion by Chris Yates to adjourn the meeting @ 10:40pm. Motion was seconded by Diana O'Hara – **APPROVED.**

Respectfully submitted by:

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by:

_____ Jeff Towle, Chair - Highgate Selectboard