

TOWN OF HIGHGATE

Selectboard Mtg.

March 5, 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; Chris Yates; Diana O'Hara; Paulette Tatro; Randy Connelly

Highgate Office Staff – Wendi Dusablon - Town Clerk; Heidi Britch-Valenta – Town Admin; Tom Racine – Town Treasurer

Public / Other – Ben Lowell – Constable; Andy King; Brad Aldrich; Rachel Marvin; Andy Leduc; Lisa Shelkrot; Sam Ruggiano; Eric Leduc; Ty Choiniere

B. Public Comments

No public comments. Jeff welcomed our two new Selectboard members, Paulette Tatro and Randy Connelly. Jeff also thanked Andy King, who was present, for his two years of service to the board.

C. Swanton Water Line Update – Aldrich & Elliot

Brad Aldrich and Rachel Marvin were present from Aldrich & Elliot. They are close to constructing the water line, and are here to present details. The only portion that is in Highgate is on the east end of Waugh Farm Road. There will be about 2,000 linear feet of 16" water main outside of the road way, but in the right of way. There is some archeology there so it will be installed shallow in some places, either 4' or 2.5' of cover over insulated pipes. The gravel road will be restored to its pre-existing condition. Water line markers will be along where the main will go. Swanton Village will be installing power poles and overhead power out there as well. The village is asking for a right of way so they can maintain the transmission main and access it. Chris asked if Steve Ploof had been down to look at this, Heidi thinks yes, but Steve isn't here tonight. Rachel noted that the entire project is within the right of way except on the Howrigan property, they will need an easement. Andy King asked about consideration for fire hydrants, to which Rachel answered yes, there will be on the higher end of Waugh Farm Road. There will also be a blow off assembly where the river crossing is. This area also floods, so whatever is installed they want to make sure it does not contaminate the system. They are looking to go out to bid in the next few weeks, so construction will start in the spring and likely go into November and December. Motion by Chris Yates to grant a utility right of way to Swanton Village for their new utility transmission on the Waugh Farm Road. Paulette asked about the width of the soil that will be disturbed. Mr. Aldrich noted that 10' is a conservative width. Motion was seconded by Jeff Towle – **APPROVED**.

D. Highway Department

- Steve Ploof is not present tonight. Jeff noted that they had moved more sand into the building and they had to order more salt, it has been a rough winter.
- Richard Noel is our TAC representative and he participated in compiling a list of projects that are considered the most significant for 2015. Heidi shared the list with the board for this budget cycle. Bridge 25 on Machia Road is already on the capital projects list, so it is not listed here. Richard was in agreement that the projects on this list rank higher than any projects in Highgate at this time. Paulette asked if we have any more bridges in town, other than B25, with significant issues. Heidi noted that the walking bridge on Rt. 207 was repaired by the state and since the accident last fall on the Rt. 207 traffic bridge involving a tractor, it has been inspected and all looks ok.

E. Town Treasurer – Tom Racine

1. Pay bills

The jetting service from Drummac was for the town offices, but the library is now frozen up again also – no water. Drummac themselves are frozen and are on their own list for service. Chris asked about the bricks, and will we be reimbursed for those by insurance – yes. The projector is a new wide screen projector for the community meeting room. Matt will be in next week to set up one tablet that we have purchased and to connect it to the drop box and see how it all works. If we find it acceptable, we will order tablets for the board.

2. Town Meeting updates

Not much to report, other than there was some very good discussion and the general fund budget was amended after some lengthy discussion.

3. Misc.

- The Selectboard Institute is March 21st in Montpelier. Randy will let us know tomorrow if he can attend. Paulette has a conflict in the afternoon that day. Tom believes all the literature is available on the VLCT website.
- Climate Systems is extending the same pricing on the maintenance contract for the HVAC system. Motion by Jeff Towle to authorize CSI for the maintenance contract on the HVAC system, at a cost of \$1,096.00. Motion was seconded by Chris Yates – **APPROVED**.
- Simplex Grinnell wants to set up a three year contract for the fire alarm system. It is listed on tonight's warrant, Tom can hold the payment and show them the contractual language first.
- The Merchant's Bank note proposal – Option #1 was a lump sum disbursement at 2.2% spread out over a 15 year term, with the ability to pre pay. The only question Tom has is regarding the initial disbursement listed as May 1st. Tom isn't sure how quickly larger disbursements would happen. Motion by Jeff Towle to go with Option #1 with Merchants Bank for financing of the \$990,000.00 bond (note). Motion was seconded by Chris Yates, and Chris noted this is a traditional note, not a bond – **APPROVED**.
- MOA was signed with Efficiency Vermont regarding street lights and LED fixtures.
- Tom is looking for a time frame that the board would like to meet with MVR and St. Albans Dispatch. The contract is ending on June 30th. Chris would like to meet with Chief Taylor and Judy Dunne to discuss our needs and interests regarding dispatching services as part of a regular meeting agenda.
- MAHA lease agreement – we will need to iron out any language changes and finalize the revised lease agreement with MAHA. The current lease expires on July 24, 2015. Chris would like a copy of the current lease sent to the board for review. Tom is also trying to square away invoices with Mary Laroche that are relative to maintenance issues at the snack bar. Tom has forwarded the invoices to Ashley LaRocque and Mary came in with another invoice today. Tom feels the language in the current lease is confusing with regard to this issue. Chris added that the voters at town meeting made it clear that Swanton residents should be charged differently for use of the arena. Can that be incorporated into the lease. Tom is not sure, as the town is not the one actually charging people at the door, its MAHA. Heidi feels it is prudent to tackle just one topic at a time. Looking at dispatching fees should come first, and then we still have time to work on the MAHA lease. Paulette asked if there would be any point in changing the lease dates to coincide with the end of the fiscal period, June 30th. The board thinks this is a good idea.

F. Town Clerk – Wendi Dusablon

1. Minutes

Motion by Chris Yates to accept the minutes from *February 19, 2015* as written. Motion was seconded by Jeff Towle – **APPROVED**. Chris noted that the NWSWD would be holding a hazardous waste collection day at the Highgate Transfer Station on May 9th from 8am – 1pm. This was brought up at the Feb. 19th meeting and we did not have this information at that time.

2. Town Meeting recap

We had 376 voters cast ballots in Highgate on 3/3/15, which is 19.7% of our checklist. There were no races on the ballot, and the results were as follows:

Board of Listers – <u>Peter St. Germain</u>	351 votes	
Cemetery Comm – <u>Dennis Nolan</u>	351 votes	
Delinquent Tax Collector – <u>Tom Racine</u>	334 votes	
Library Trustee – <u>Becky Root Johnson</u>	342 votes	
Selectboard 2 year term – <u>Paulette Tatro</u>	262 votes	Josh LaRocque 58 write-ins
Selectboard 3 year term – <u>Randy Connelly</u>	317 votes	
Town Agent – <u>John Ferland</u>	343 votes	
Town Moderator – <u>Patrick McGovern</u>	47 votes	all were write-in votes
Trustee of Trust Funds – <u>Evangeline LaRocque</u>	337 votes	

Australian ballot question: *Shall the voters of the Town of Highgate authorize the Selectboard to appoint a First Constable, and if needed a Second Constable, in which case at least the First Constable shall be appointed ?*
Yes – 276 No – 68 Blank – 32 Spoiled – 0

From the floor (town side of warning):
Article #3 – Voice Vote **APPROVED**
Article #4 – Voice Vote **APPROVED as amended from the floor**, amounts changed to appropriate \$972,077.00 to meet the expenses and liability of the General Fund with an estimated \$379,802.00 to be raised by taxes.
Article #5 – Voice Vote **APPROVED**
Article #6 – By Paper Ballot **Yes – 66 No -15 APPROVED**
Article #7 – **TABLED**
Article #8 – Voice Vote **APPROVED**
Article #9 – Voice Vote **APPROVED**

From the floor (school side of warning):
Article #1 – Moderator, Pat McGovern; School Director 1 year, Chad Larivee;
School Director 2 year, Richard Flint; School Director 3 year, Nola Gilbert;
Voice Vote **APPROVED**
Article #2 – Voice Vote **APPROVED**
Article #2 – Voice Vote **APPROVED**
Article #4 – By Paper Ballot **Yes – 84 No – 28 APPROVED**
Article #5 – Voice Vote **APPROVED**
Article #6 – Voice Vote **APPROVED**

3. Liquor License Renewals – Tyler Place

Jeff Towle recused himself. Motion by Chris Yates to enter the liquor control board @ 7:30pm. Motion was seconded by Paulette Tatro – **APPROVED**. Motion by Chris Yates to accept the liquor licenses from the Tyler Place. Motion was seconded by Diana O’Hara – **APPROVED**. Liquor license applications were signed by Paulette, Chris, Randy & Diana. Motion by Jeff Towle to enter back in to the regular Selectboard meeting @ 7:33pm. Motion was seconded by Diana O’Hara – **APPROVED**.

4. Kraft Hockeyville update

We currently lead the pack (nationwide) in nominations with 1,202. There are 13 days left for nominations to be accepted in this first round – visit www.krafthockeyville.com to enter your nomination, you can nominate up to three times with one email address. After the judging, if we are ranked in the top 10, we will move on to round #2 and are guaranteed \$20K towards arena renovations, and possibly more depending on how we would do in round #2. It doesn’t cost you anything, just a few minutes of your time.

G. Town Administrator – Heidi Britch-Valenta

1. TDSRS

Temporary disposal sites are part of the state’s emergency management plan to provide site for debris in the event of an emergency. The program comes with a list of responsibilities to the town, Heidi encourages the board to read the material thoroughly. Chris had a questions regarding permittee vs. landlord, to which Heidi noted the town would be considered both, depending on the situation. Buzz Surwilo would be able to answer their questions more definitively. We are not obligated to do this, but in a state of emergency we would need a place to bring debris.

2. Misc.

- The Memorial Day Planning Committee is looking to have a petting zoo in the Municipal Park on May 25th in conjunction with the BBQ and parade. It would

not need a vending permit. Jeff would like to hear more and who would be setting up, cleaning up and leaving the park presentable.

- Ben Lowell, 1st Constable, has provided the board with a report for 2014. He is putting in a fair amount of hours and doing a great job. Ben will be working on setting up "Coffee with a Cop" in Highgate. Ben noted that the petting zoo mentioned earlier might fall under the ordinance of public assembly. Randy asked if Ben would be interested in attending a mental health first aid training at the VT State Police barracks. Randy will get the information to Ben.
- The ACO report for the month of February is here from Ray Dixon.
- Core Logic is requesting information from our GIS program. It is our obligation to provide it to them. They assure us they are not reselling it to anyone. We will authorize our GIS company to provide them with the info they are requesting. We are not allowed to charge Core Logic a fee, as it is considered a public information request, but we can charge whatever it will be to package it. Motion by Chris Yates to allow Core Logic to use our GIS information. Motion was seconded by Jeff Towle – **APPROVED.**
- Casella is in the process of refinancing. They have asked the board to sign off that all the equipment belongs to Casella and can be used by them as collateral for their financing. Motion by Chris Yates to sign the subordination agreement with Casella. Motion was seconded by Paulette Tatro – **APPROVED.**
- Heidi will be attending a workshop in Montpelier on April 9th regarding construction contracts.
- The State of Vermont Office of Professional Regulation is looking for input on proposed rules to govern the practice of property inspections by town listers and property inspectors. There will be a public hearing on March 17th @ 10am in Montpelier with regard to this.

H. Selectboard Items

1. Zoning bylaw adoption

Motion by Chris Yates to accept the new zoning bylaw rewrite. Motion was seconded by Jeff Towle – **APPROVED.** The new bylaws shall be effective 21 days from today, unless otherwise petitioned. There were previously multiple Planning Commission hearings and two Selectboard hearings on this topic. This is the last step for us, and 21 days from today the new zoning bylaws will be in effect.

2. Arena Construction Committee update

Steve Bushey did a thorough update at Town Meeting. There will be interviews on Monday 3/9 @ 6pm for the two finalists regarding the replacement of the cooling system.

3. Appoint officials and reorganize the Selectboard

- Motion by Chris Yates to appoint *Wendi Dusablon* as the *Town Service Officer*. Motion was seconded by Jeff Towle – **APPROVED.** The board signed the appointment certificate for Wendi to return to the Department for Children & Families.
- Motion by Chris Yates to appoint *Steve Ploof* as *Tree Warden*. Motion was seconded by Diana O'Hara – **APPROVED.**
- Motion by Chris Yates to nominate *Jeff Towle* as *Chair of the Selectboard*. Motion was seconded by Diana O'Hara – **APPROVED.**
- Motion by Jeff Towle to nominate *Chris Yates* as *Vice-Chair of the Selectboard*. Motion was seconded by Paulette Tatro – **APPROVED.**

We have other positions open for appointment, and the board would like to give an opportunity for the public to submit a letter of interest. The remainder of the appointments will be done at the Selectboard meeting on March 19th. Wendi will get the list circulated on line and around town.

Animal Control Officer	1 year term
Planning Commission Member	3 year term
Planning Commission Member	3 year term
Development Review Board Member	3 year term
North West Regional Planning Commission - Highgate Rep.	1 year term
Health Officer	3 year term
Deputy Health Officer	1 year term
North West Solid Waste District - Highgate Rep.	1 year term

There has been interest in the ACO position, with two people already submitting letters to the board and attended a meeting. Pauline Decarreau has decided to step down from the DRB, and we have received one letter of interest

already. Tim Reynolds and Julie Rice have stepped down from the PC, so we have two openings on the PC. We are also looking for a Health Officer and Deputy Health Officer. With regard to the library trustees, Lucie Fortin did not run this year. Becky Root Johnson was on the ballot and is the newest trustee. Patty Rainville has since submitted a letter of resignation and will not complete the final year of her term. Lucie Fortin has offered to complete Patty's term until March 2016. Motion by Jeff Towle to appoint Lucie Fortin as Library Trustee to complete Patty Rainville's term until March 2016. Motion was seconded by Chris Yates - **APPROVED.** Any interested parties for any of the appointed position listed on page 4 of these minutes should submit their letter of interest to Heidi Britch-Valenta by Tuesday, March 17th.

4. Other / Misc.

Present were Andy Leduc, Eric Leduc, Sam Ruggiano and Lisa Shelkrot. Chris Yates recused himself from this discussion. An application was put before the DRB for a conditional use business review permit at 835 VT Route 78 that was denied and is now under consideration by the court. The Leduc's are trying to be proactive to see if the board is interested in any other proposals and work towards an agreement. There were no formal plans drawn up, so the Leduc's have consulted with Sam Ruggiano. Mr. Ruggiano presented their proposal. The parcel they want to extract sand from is broken into three phases. The front phase will not be extracted.

Phase 1 - 1 acre; Phase 2 - 1 acre; Phase 3 - 1 acre.

The requirement from the town is that a parcel used for extraction must have setbacks of 150'. They are asking for a reduction in setback from 150' to 50', which the Leduc's asked for at the DRB meeting. Mr. Ruggiano showed the various phases and how things would occur. Phase 1 would be an extraction of approximately 21' down with 50' setbacks on each side. The area would be extracted down and filled back to the original elevation with material that the Leduc's would bring in from other pits. Once done with Phase 1 and it is filled in, on to Phase 2 which would be extracted down 20' and Phase 3 being the final extraction going down about 20'. The final reclamation plan would be based on existing elevations of the parcel. The extraction rate to accomplish this is 96,000 cubic yards, assuming extraction dates of April 15 - December 30, plus or minus 180 days would be just under 2 years of extraction with 15 truckloads per day. Trucks would carry 15 cubic yards, and obviously 15 trucks per day would be when weather is suiting and there is demand. There will be times that Leduc's would bring a truck in that has loaded fill material filled in. They would fill it up with mound sand and deliver it from this pit back to their other pit on Route 207. They use the material to mix and make various mound sands. Finding mound sand is becoming difficult. Highgate and Swanton have a lot of it right now. If they bump up the number of trucks it could be less than a two year time frame. The Leduc's are proposing a \$10,000.00 letter of credit or bond to make sure the site is reclaimed to a vegetative state. They are looking for approval for sand extraction and approval for a reduction of setbacks from 150' to 50'. This is not uncommon, the town has granted that reduction to other sand pits that have been approved and are operating. Heidi interjected to clarify some things. The town's legal counsel has suggested the board does not comment tonight on anything. The board is not in a position to make a decision or an approval. They are in a position to consider an option that could potentially be presented to the court as a possible resolution to the suit. Mr. Ruggiano said that is fine, they just are here to get the dialogue going to make this more appealing or palatable. Leduc's have gotten curb cut approval for the access. They will need an erosion control approval which is a construction general permit. They will need to provide a landscaping screen from the extraction area. The Leduc's want the least amount of impact on the community as possible. As sand pits go, this is very small. The board had no questions at this time, but they will discuss it and they appreciate the presentation. Jeff said this is the process, and we will continue on. Eric Leduc added that the only trucks going in and out of there would be Andy's. No trucks will be coming in to get loaded and sold on that site. Heidi clarified, they will take it to the pit on Rt. 207 and sell it from there - yes. There will be no commercial sales from this site being discussed. There were no other questions or comments.

I. Upcoming Events

March 12	6pm	DRB Mtg.
March 14	10am – Noon	Rabies Clinic @ Fire Station
March 17	6pm	PC Mtg.
March 19	7pm	Selectboard Mtg.
April 1	by 4:30pm	2015 dog licenses are due LATE FEES WILL APPLY AFTER APR. 1

J. Executive Session

Motion by Jeff Towle to enter into executive session @ 8:10pm to discuss a legal matter. Motion was seconded by Chris Yates – **APPROVED.**
Motion by Paulette Tatro to exit executive session @ 9:30pm. Motion was seconded by Chris Yates – **APPROVED.**

K. Adjournment

Motion by Chris Yates to adjourn the meeting @ 9:32pm. Motion was seconded by Jeff Towle – **APPROVED.**

Respectfully submitted by,

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

_____ Jeff Towle, Chair – Highgate Selectboard