

# TOWN OF HIGHGATE

## Selectboard Mtg.

September 1, 2016 @ 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 Chair Chris Yates @ 7:02pm, followed by the Pledge of Allegiance.

**Highgate Selectboard Members** – Chris Yates, Chair; Sharon Bousquet, Vice-Chair; Randy Connelly; Josh LaRocque; Bruce Butler

**Highgate Office Staff** – Wendi Dusablon, Town Clerk; Heidi Britch-Valenta, Town Administrator; Shelley Laroche, Town Treasurer

**Public / Other** – Alice S. Cota; Jean Chevalier; George Greenwood; Eric Chevalier; Don Gilbert; Andy King; Kellie Uzell; Tom Dacres – VHV; Dick Wilcox – VHV; Steve Shaw; Ben Lowell; Debbie Rouse; Joseph Depatie; Kirt Mayland; Henry Rainville; Virginia Holiman; Sandra Stone; David Desorcie; Sarah Chevalier; Nicole Duquette – Efficiency Vermont (via conference call).

#### **B. Public Comments**

- Jean Chevalier felt that the letter sent with tax bills was very misleading with regard to sidewalk projects and Route 78. She wants the town to do a better job at communicating what has been done. Heidi spoke to Jean's concerns stating that some things are a done deal, like the Lamkin Street sidewalk project. That was secured with a grant back in 2013. There will be more presentations on the future of Route 78 when the committee is interested in pursuing that project. The Planning Commission is working on an open house event to get more information out on the ADA modifications, sidewalks and other projects. Jean also asked about the Jedware property. Chris is not prepared to answer questions about this topic without legal advice.
- Sue Cota asked about the cost of the digital sign, including the base. Shelley retrieved the information; \$17,350.00 is the cost of the sign, start to finish, including training and the work you see being done outside includes the digging, concrete work, masonry work and he (Pat Jenkins) volunteered a lot of his time for \$3,790.00 = complete job total of \$21,140.00 which was all budgeted for.
- Debbie Rouse asked about the Elwood property at 293 Lamkin Street. Heidi clarified that we are operating under a court order and that the owners of the property were removed this past week by FCSO. The town has until Sept. 15<sup>th</sup> to give the owners an opportunity to make arrangements to remove any further items. Immediately the town will move forward with remediating the property and the cost will be put on the property as a lien. We have received one bid already to clean up the property. It requires a specialized knowledge and we need to move quickly. Debbie asked more about who the bids will come from and also what would happen if someone buys it. The town is still obligated to clean it up, per the court order.

#### **C. Arena Construction Committee – Dehumidifier Issue & Other Updates**

- *Dehumidifier issue* - present for this discussion were; Don Gilbert, Tom Dacres & Dick Wilcox – VHV, Steve Shaw, and Nicole Duquette – Efficiency VT (via conference call). The dehumidification system at the arena is having difficulty when the temperature in the rink goes below 40 degrees. Between 40 – 30 degrees is where the unit is having issues. VHV has a proposal to install an electric heater in the return duct work to warm the return air back to the dehumidifier when the temp in the rink goes below 40 degrees. This will allow the unit to do its job. The Selectboard, having no knowledge on HVAC, reached out to Steve Shaw (engineer) for his opinion. Steve Shaw sees the solution as one involving dew point, not relative humidity. If there is a dew point sensor, the machine would never be out of its capability range. Nicole Duquette from Efficiency VT was participating via conference call. Chris asked about the electric coil being added and not meeting the energy code. Nicole thinks that Steve's recommendation to control on dew point is an interesting

topic to consider. Josh asked Nicole how Efficiency VT feels about adding the coil with regard to the energy code. She is not sure it violates code at all, but will check. The estimated operational costs to add the coil would increase by approximately \$3,000.00 per year. To control on dew point would drive down operating costs. Josh pointed out that even with the additional energy costs, we would still be well ahead than if we had a Munter's or a conventional unit. Sharon's concern is simple – will this work? She asked if there are any other units like ours that have shown an improvement using a heat coil. Sam Adams Brewery did a similar retrofit, but they have different operating conditions. The manufacturer, Advantix, is out of business in the United States, but there are vendors stateside that are available. Sharon also asked Steve Shaw if he was comfortable with the electric heat coil idea – no, he is not, he is not sure what that will accomplish. Steve expressed concern with the sliding scale of relative humidity and going below a dewpoint of 35. Tom from VHV said it is not a sliding scale, its controlled to a fixed dry bulb temperature of relative humidity. He also pointed out that our first winter with the unit was much colder and it operated fine. Last winter was very mild, and we had issues. Don gave some background on the issues the unit has been experiencing, all between the 30-40 degree window this past winter. Dick Wilcox feels that VHV's solution is the most cost effective. Josh brought up unknowns, like if the controller were to be hit by lightning, and how would they replace it, and what is compatible. Green Mountain Coffee Roasters uses the same units also, but do not have the same issues, due to different operating conditions. There is one rink in Rochester NY that has these units as well and they are currently using rental units to replace their Advantix units. Today it would cost \$125,000.00 to replace the unit with a Munter's unit. The cost to put in the electric coil would be no cost for the coil or the labor, per VHV. The only cost to the town or MAHA would be for the electrical work. We have a rough number from Eric Rainville of \$3,900.00 and VHV gave us a quote of \$4,600.00. Nicole added that she found the spread sheet with the data on electrical usage. Our system uses just over 13,000 kwh per year. A Munter's unit would be 22,000.00 KWH per year, so multiply that by our electrical structure and we are saving \$3,000.00 per year in electrical costs with our unit. If we put the coil in, we break even. Henry Rainville asked some questions about the trouble we are having with our unit, vs. what has been seen with other units. Our unit and a Munter's unit use different technology. The manufacturer is no longer supporting this piece of equipment and VHV has agreed to replace the coil at their own cost and do the best they can for the town. Josh pointed out that the unit does work and it works well in most conditions. This time of year, the inside of the arena is usually moist and it's perfectly dry – so the unit does work, outside of the 40-30 degree window where it struggles. Sharon asked if the system can be alarmed. Don wanted to know if the control can be moved inside the building. If this doesn't work, we are out the cost of the electrical, approximately \$3,900.00. Josh asked if this does not work, if VHV will reimburse us for the electrical costs. VHV has not discussed that, and noted that they are already contributing quite a bit. Sharon asked Don if he would be comfortable with the fix involving the electric coil – yes, he would. Steve Shaw reiterated that dew point is how ice rinks should be controlled. Dick Wilcox does not think dew point will help for that 10 degree window issue. Randy asked about costs associated with running off dew point monitoring and if it's more efficient. Sharon asked who pays for the anticipated \$3,900.00 in electrical costs. Josh would like to see the town and MAHA split this, like they split the costs associated with the unit itself, and Don agreed. Chris isn't comfortable with it. The board chose to get an assessment with Steve Shaw, and that tells us that it is not money well spent. If MAHA wants to do this, Chris is comfortable with MAHA going in that direction, but not spending any town money to do it. Kellie Uzell agreed with this. David Desorcie had questions about why the unit kicks off. Andy King pointed out that a piece of mechanical equipment wears down and eventually will need parts. We need to consider this for the future and plan for that. Sarah Chevalier asked about possibly putting in the alarm and no heater. The board has enough information on this topic. Nicole will send some calculations next week if that will be helpful. Josh wants to move forward with VHV's fix. If we do nothing we know that something will happen. MAHA is willing to chip in, and it would be fair if the town did also. Shelley pointed out that the town did not budget for this, and that we already paid Steve Shaw \$800.00. Randy would like to see firm electrical bids in writing, and noted that if the town did

contribute, that the \$800.00 already spent should be deducted from the town's portion. Shelley agrees with Randy on this point. Don added that MAHA is always reinvesting in the facility and has also put a lot of money into the zamboni this year. VHV can be ready to mobilize within one week once they get the ok to proceed. The ice will be in by September 23<sup>rd</sup> this year. Kellie Uzell suggested that MAHA pays now and if something fails and they need help, within a certain dollar amount, the town could possibly help. In any event, it needs to be fixed before the season starts. Motion by Chris Yates to allow MAHA to completely fund and install the electric coil to fix the dehumidifier at the arena. The motion was seconded by Sharon Bousquet – **APPROVED.**

- *VT Gas hookup at the arena* – Don said the quotes we had received were excessive. He reached out to Dean Rock who provided a quote of \$1,925.00 to run pipe and complete the conversions on three units. An anonymous donor has come forward to cover the costs of this, there will be zero costs to the town or MAHA. Chris would like Don to get insurance information from Dean Rock. Shelley asked if we had anything in writing from the anonymous donor – no, we do not. Motion by Chris Yates to sign the VT Gas application and agreement for service to a second meter at the arena. The motion was seconded by Sharon Bousquet – **APPROVED.**
- *Simplex Grinnell* – Don asked if they had been scheduled yet. Heidi noted that we have had some trouble with them and that some things that needed to be done previously had not been done. The board approved them to connect the hood to the alarm panel for a cost of \$550.00. This needs to be done by September 29<sup>th</sup> when the snack bar is inspected.

#### **D. Treasurer Updates – Shelley Laroche**

##### **1. Check warrants**

These were in the drop box ahead of time. A check request for Judy and Allen Laroche at the snack bar came in after the warrants were printed. An invoice from Geo Design is in the drop box with some additional information on the FEMA application. Shelley asked Josh if the arena would fall under Parks & Rec. in the CIP for planning of large projects. Josh would like to see that happen for projects like paving and sealing the parking lot and also a joint venture storage building for MAHA, Parks & Rec. and Little League. The PC is working hard on the CIP right now. Sometime soon, the PC will need to interface with the Selectboard to go over the CIP. The framework is similar, but the numbers and priorities have been revamped. An open house is scheduled (tentatively) for November 15<sup>th</sup> to showcase projects like the sidewalks, CIP, fire department floor and ADA study. As a reminder, people can call to request a town report be mailed to them, call Wendi 868-4697 x1 or email wdusablon@highgatevt.org.

#### **E. Public Works Department Updates – Andy King**

##### **1. Darlene Drive & Charles Circle issue – Charlie Christolini**

Mr. Christolini is not present tonight, but Andy filled the board in. The concern is a spot on the corner of Charles Circle that collects water and there is a problem with drainage. We were awarded some grant funding this year that will be helpful in mitigating some various issues we are having in town.

##### **2. Misc. Updates**

- *Fire Department floor* – Joe Depatie is here for this discussion as well. Joe has found a firm that is an underground locating company that can help us determine how large the void is. The quote he received is \$618.00. Another option is Mike Medor from Drummac said he could come over with a camera, but needs a 1' x 1' hole cut in the floor. The center of the affected area is already so crumbled and it is getting worse. Joe is concerned about even having the utility truck parked in that bay. Joe and Sharon agree the best way to spend the town's money is to find out what the compaction is and the depth of the concrete. We need to do core samples, as it is spreading towards other bays. There is a spot on the highway side that is an issue, but we know the cause on that side. Henry Rainville proposed a 10 x 10 hole and to get samples and then fill it in with driveway mix until it can be repaired. Sue Cota agrees if this is a true emergency, the tax payers will understand that. Joe noted the sidewalls of the grate are falling in towards the hole. He is concerned about the trucks getting damaged or stuck. We will have to relocate one truck while any work is being completed. We can put an RFP out for engineering and will need to find a way to fully describe the work.

- *Park & Ride curbing project* – we received three bids and have submitted for a grant, so we are waiting on funding. Two bids came back with granite curbing proposed, one came back with concrete. We will be considering the two bids we received for granite curbing. We have no date certain on when we will hear on the grant, so this will be brought up again at a later date.
- Andy put a list of updates in the drop box regarding repairs to the old mower as well as winter sand and salt, to name a few. There is a hay wagon at the sand shed with running gear in good condition that is taking up space. It may have been used for the arena and recreation for the haunted house event years ago, but Richard Noel would know.

F. Town Clerk Updates – Wendi Dusablon

1. Minutes

Virginia Holiman, library trustee, was present. She had a question on the minutes from Aug. 18<sup>th</sup> and the motion that was made regarding the grant for the library. It was a miss on Chris' part when he made the motion, it should have been up to \$12,000.00. But because \$8,000.00 was the motion, we will leave it as is from the August 18<sup>th</sup> meeting and correct it here tonight. Funding for this grant over \$8,000.00 is a 50/50 match which will come from library funds. For example, to go up to \$15,000.00 their match would be \$3,500.00, or more can be approved, depending on what they need. Motion by Chris Yates for the library trustees to apply for a grant up to \$20,000.00 replacing the \$8,000.00 number from the August 18<sup>th</sup> meeting. The motion was seconded by Randy Connelly – **APPROVED**. Virginia asked to confirm that the full amount of matching funds will come from the library fund – yes.

Motion by Chris Yates to approve the minutes from August 18, 2016, as written. The motion was seconded by Sharon Bousquet – **APPROVED**.

G. Administrator Items – Heidi Britch-Valenta

- *293 Lamkin Street – Health Order / Court Order* – Debbie Rouse asked questions about this under public comment. There will be an asbestos assessment tomorrow morning and it will take up to 10 days for the samples to be evaluated. Heidi has contacted two companies to see if they can help with disposal fees and NWSWD will consider waiving the dumping fees. Ben Lowell, Constable, is here tonight, he is also our representative for the town at the NWSWD and will put in a good word for us. We may not have an answer before October when their board meets again. One bid from Myers was for \$7,000.00 and if the tipping fees are waived it could save us up to \$2,500.00. We have permission to crush the foundation and bury it on site. The power is being disconnected tomorrow morning. We need specialized services for this, so Heidi is asking to not follow the purchasing policy in this instance. Mike Gosselin has done demo work for us before and knows how to handle wells and wastewater. Chris would like anyone that bid on the Riverview Lane demolition projects to be contacted as well. The Elwood's still own it and a lien will be put on the property for the expenses the town has incurred. The hazard on this property is the septic. Any new home would need a new waste water permit. Randy had questions about the Myers quote. Heidi noted that the challenge with enforcement orders is the town bears the costs if the owner does not. Our health officer, Jeff Towle, deserves a great deal of credit for all he has done with this case. He went all the way through the property, inside and out, and documented it with photos. Motion by Chris Yates to authorize spending up to \$7,000.00 for the court order specialty work at the Elwood property. This will not go out to bid, as stated in the town purchasing policy, due to the specialty work and expediency needed. The motion was seconded by Randy Connelly – **APPROVED**. Bruce wanted to clarify, that this is an emergency expense and we are authorizing the town administrator to make the expenditure, up to \$7,000.00 – yes. It was noted that eventually this will be reimbursed to the town, as a lien will be placed on the property. We should have more information tomorrow regarding asbestos and abatement. There will be a list coming from the Department of Health. We do not have an upfront estimate for this. The Selectboard will hold a special meeting for this discussion, when more information is available. Wendi will warn a special Selectboard meeting for Thursday, Sept. 8<sup>th</sup> @ 5:30pm. There is a DRB meeting that same night @ 6pm.

## **H. Frontage Road Solar Project Update – Kirt Mayland**

Kirt Mayland was present with some updates on two Frontage Road projects – Carroll Concrete property and the Stanislaw sand pit property. These look like they will be constructed in the spring, they have their certificates of public good in hand. The school district has already approved the net metering projects and will be using credits from these projects for the schools. These are fully permitted and ready to go. His lawyer will be reviewing a contract based on a Vermont model. The school board attorney has already reviewed theirs and marked it up. He will email copies if the Selectboard is interested in entering into a contract. The next step would be to have our attorney look at it. Kirt has reviewed our bills from Swanton Village and he has an accurate read on what we pay for electricity. He would like 12 months for each meter (town office, arena, street lights and library). The state allows solar development to sell net metering credits and accumulate them to allocate to varied users like school districts and towns, as credits on their bills. In return you kick back a percentage to the solar developer. Kirt isn't selling us anything, and this would amount to a 20% discount. Based on the data he has, we spend roughly \$57,000.00 per year on electricity for those four entities, the arena being the largest user. The decision for us is #1 if we want to do this, and #2 how much we want to take. The life of the net metering project is 20 years. This is all savings and will not restrict our ability to reduce our rates in other ways through efficiency. At 80% our yearly savings would be \$9,600.00, at 85% \$10,200.00 and at 90% \$10,800.00, as examples. He will be leasing four acres from the Stanislaw property and purchasing the Carroll Concrete property in November. The agreement with the town will need to be wrapped up prior to that. Kirt is asking for a vote or a motion to have our lawyer negotiate and start making progress towards a completed document. At the Carroll property, Kirt only needs 4 acres of the approximately 80 acre parcel. If the town has interest in taking the remaining land it is an open offer and would be a donation. He offered it to the school (MVU) but they felt it would be a better fit with the town. There is flat land by the road, approximately 4 acres, that is developable and would be part of the gift. Kirt will take care of the environmental evaluation and survey and carve out the portion the town would want. The town would be able to apply an opinion letter from him to be clear from any liabilities from anything that happened on that property in the past. He would do this as long as the town would acquire the property within one year, and the town would be clear of liability. The property will come off the tax rolls, but the solar project will generate money in taxes as well. Kirt would like to have all the net metering credits allocated by early October. He likes to work with schools and towns, because they aren't going anywhere. There was discussion about any adverse effect to Swanton Village. He is working with VIPSA to minimize any losses they might incur. Henry asked questions about how he pacifies the utility and make it so rates do not go up for everyone else. Kirt is still working on a compromise for the third site on Frontage Road. As far as adverse effects to Swanton's utility, if you combine 1.7 million KW hours with no impacts to their transmission or distribution system or substation, we are very close to a break-even point. There was further discussion about potential rate increases, and it was pointed out if we don't buy the credits someone else will. There is a 9 cent per KW hour loss to the utility, but combined with savings on the net metering side, taxes and land donations the gap is small. In the 11<sup>th</sup> year of the net metering contract, Kirt will begin to lose solar benefits and the rate falls to the retail rate. Savings will go down a little, but so will his revenue. Chris said the Selectboard will have to discuss this more and Kirt will send Heidi a revised version of the document for our attorney to review. We will get the meter usage for Kirt for the last 12 months (by meter) and continue the conversation at the next meeting once everyone has seen the data. The board thanked Kirt for being here and for all the updated information he provided.

## **I. Selectboard Items**

### **1. VT Gas hookup**

This was discussed earlier under section C.

### **2. Request from Joseph Barney**

This issue was tabled on Aug. 18<sup>th</sup>. Chris and Andy looked at the trees in the park, and the tops are questionable at best. The last time we allowed them to be tapped there were complaints and concerns. Chris recommends that we should not allow this again. The rest of the board agreed, it was a mistake to have allowed the trees in the municipal park to be tapped. Wendi will notify Mr. Barney of the board's decision and reasons behind it.

**3. Misc. updates**

- The Selectboard has received two letters from community members, Sue Cota and Mae Beyor. They are both in the drop box for the board to read.
- Rules of Procedure – we are currently not using Rules of Procedure at our meetings. The public comment section was discussed. It was agreed that 15 minutes is appropriate and can be extended as necessary by a majority vote of the board. Our board meets the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays of each month, the wording can be changed to “schedule approved annually”, the rules need to be readopted annually anyway. The sign in sheet will need to be edited to include a box to check for public comment. The sign in sheet can be used to go in order and give structure to the public comment section. It was also noted that another public comment section could be added to the end of the agenda for anyone that arrived late.
- Oct. 5<sup>th</sup> @ 6pm – Library Trustees Mtg. The Selectboard is welcome to attend, or send a representative from the board. Josh will give it a try to be the liason between the Selectboard and Library Trustees.
- Heidi has some legal updates for executive session.

**J. Upcoming Events**

Sept. 5		Labor Day -- Offices closed
Sept. 8	6pm	DRB Mtg.
Sept. 12, 13, 14		Audit
Sept. 15	7pm	Selectboard Mtg.
Sept. 20	6pm	Planning Comm. Mtg.
Oct. 27	by 5pm	Property tax payments are due <i>Postmarks are no longer accepted</i>

**K. Executive Session**

Motion by Chris Yates for the Selectboard, Town Administrator and Fire Chief to enter into executive session @ 10:09pm to discuss personnel and legal issues where premature general public knowledge could place the town or the individuals involved at a substantial disadvantage. The motion was seconded by Randy Connelly – **APPROVED.**

Motion by Chris Yates to exit executive session @ 10:58pm. The motion was seconded by Josh LaRocque – **APPROVED.**

**L. Adjournment**

Motion by Chris Yates to adjourn the meeting @ 11:00pm. The motion was seconded by Josh LaRocque – **APPROVED.**

Respectfully submitted by,

\_\_\_\_\_ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

\_\_\_\_\_ Christopher Yates, Chair – Highgate Selectboard