

# TOWN OF HIGHGATE

## Town Meeting Minutes March 5, 2013

### **A. Call to Order & Roll Call**

The meeting was called to order at 10:02am by Patrick McGovern, Town Moderator.

**Highgate Selectboard Members:** Henry Rainville, Chair; Brian Rowell; Luke Choiniere

**Highgate Staff:** Heidi Britch-Valenta, Town Administrator; Tom Racine, Town Treasurer; Wendi Dusablon, Town Clerk; Patrick McGovern, Town Moderator

### **B. Moment of silence & Pledge of Allegiance**

Pat McGovern asked for a moment of silence, followed by the Pledge of Allegiance.

### **C. Town Meeting Guidelines**

Pat stated the ground rules for the Annual Town Meeting:

- 1) Roberts Rules states two questions, per person, per article.
- 2) All questions or statements should be directed to the Town Moderator.
- 3) When you are recognized, please stand, state your name and wait for the cordless microphone.
- 4) (Pat asked for a show of hands of anyone who is NOT a Highgate registered voter). If you are not a Highgate registered voter, you are not able to speak or vote. If you need to speak, you need permission from the body to do so.

Zeb Maskell has lots of questions. Motion by Zeb Maskell to amend the rule to four questions, per person, per article, seconded by Tim Gingras. Voice vote was too close to call, so Pat asked for a show of hands. John Ferland and Clarence Miller (JPs) counted. Yes=21 / Opposed=21+. It will stay at two questions per person, per article.

### **D. Vermont House of Representatives**

Steve Beyor and Chuck Pearce were present (our Reps). Motion by Zeb Maskell, seconded by Scott Martin for permission for Chuck Pearce to speak – **APPROVED**. Chuck said that his committee assignment is the appropriations committee which deals with the state budget. He gave us an insight into the governors proposed budget. 79 new employee positions are being created, most in mental health for the new state hospital in 2014, some in DCF also. Chuck elaborated on the budget and the 6.5% increase. Highgate resident and Rep. Steve Beyor also spoke. He has been assigned to Fish & Wildlife and water resources. Steve has found that most of what he does has to do with water quality. He touched on the issue of shoreline protection and that the state is looking to tell you what you can do with your property if your property contains a shoreline. Steve has spoken with Pat Branon (Transportation Comm.) regarding the Machia Road bridge (B25). The good news is the project is on the list for research and engineering. The bad news is the bridge is listed as historic. We are looking at a minimum of two years before any construction can begin. We are only in the research and engineering stage. Paulette Unwin asked Steve about money to clean up the lake. Is it NY and VT, or just VT? Steve answered that the way it is set up is they have studied the lake and VT is the biggest polluter of the lake. Richard Noel asked Steve, back when Mr. Tanguay was the Town Administrator, didn't we do work on that bridge? Has that all been wiped away? Steve Beyor answered that he understands the answer to be yes from talking to Pat Branon. Duane Tremblay asked Steve about lake pollution. Northern NY does not have the same regulations on manure spreading. Steve answered yes and no. NY has different rules than we do, and there are also federal standards. Pike River in Canada has poured in pollution. There are no mountains in Canada, so they don't have the massive amounts of run off. Joyce

Lafar asked about manure spreading. Zeb Maskell wants to talk to Chuck and Steve about Renewable Resources. He wants to know if this qualifies as a super fund. Steve responded that the super fund is set up by the federal government for point source pollution. It is localized, so they spend a lot of money cleaning up one area. Zeb asked if that means Renewable Resources doesn't qualify. Zeb is referring to our old dump off Route 78. We can't collect any taxes on it. There should be discussion about cleaning it up, as we are the ones who created it. Steve will try and get the answers for Zeb. Tim Gingras said on the news the other night he saw something about the Missisquoi River and how towns that it runs through would get money to clean it up. Steve knows that it has been asked to be put into the federal wild rivers program, but has nothing to do with any clean up funds. Money that comes into these programs is earmarked for certain things. Chuck Pearce stated that at Richford's town meeting (last night) they voted on this, and they will be getting some federal funds. Zeb asked Chuck and Steve if they see Norm McAllister at all. Yes, they do, almost every day. Zeb wants them to ask Norm if he hit his head because he wants to pass legislation regarding registration of bicycles at \$20.00 each. Henry Rainville asked to clarify something on Renewable Resources. They have met with officials. What it comes down to is it is a liability for the town to take that over. It's unfortunate that the government doesn't make it easier for us to make the situation better. They don't give the owner of the property much leeway on how to bring it to a conclusion, so the owner walks away. There is no way for the town to take it over. They have been working on it and have met three times since Henry has been on the board.

Pat McGovern announced that lunch would be available in the cafeteria for \$6.00 per person – shepherds pie and a roll. Sponsored by the Highgate Volunteer Fire Dept.

#### **E. Review of Articles**

##### **Article #1 – To elect the following town officers:**

These are all on the ballot, but Pat McGovern read them aloud:

- 1) A Moderator for the ensuing year
- 2) One Selectboard member for a term of three years
- 3) One Lister for a term of three years
- 4) One Auditor for a term of three years
- 5) One Tax Collector for a term of one year
- 6) One Trustee of Trust Funds for a term of three years
- 7) One Town Clerk for a term of three years
- 8) One Town Treasurer for a term of three years
- 9) One Library Trustee for a term of five years
- 10) One Town Agent for a term of one year
- 11) One Cemetery Commissioner for a term of five years
- 12) One Constable for a term of two years
- 13) One Second Constable for a term of one year

**Article #2 – Shall the Town of Highgate issue bonds or notes in an amount not to exceed \$1,377,280 (One Million Three Hundred Seventy Seven Thousand Two Hundred Eighty Dollars) for the purposes of funding its share of recreational facility improvements located in the Town of Highgate to be owned, operated, and managed under the terms of an interlocal contract to be approved by the Selectboards of the Towns of Swanton, Highgate and Franklin? The facility improvements include a finished ice skating rink surface measuring 200 feet by 85 feet.**

Pat McGovern read the article aloud for discussion purposes. This is also on the ballot, as a Yes / No question. Zeb Maskell stated, first of all, he feels it is awful that we are turning over 68% of our building. Zeb wants to amend this article. Pat McGovern told him he cannot. On this particular article, we can not amend it, as it is on Australian ballot. If this passes, Zeb wants to make an amendment

that Highgate does not spend any more money. Zeb feels Highgate should not be left eating the bullet. There was no further discussion.

**Article #3 – To receive and act on the reports of the town officers for the past year.**

Motion by Richard Noel, seconded by Zeb Maskell. Pat McGovern asked for questions. There were none. Article #3 by voice vote – **PASSED**.

**Recess Town Meeting and enter Town School District Meeting to transact the following business:**

Motion by Scott Martin, seconded by Zeb Maskell to enter into the Town of Highgate School District Meeting.

**Article #1 – To elect from the legal voters of said Town the following officers:**

Pat McGovern read them aloud.

- 1) One Moderator for the ensuing year
- 2) One School Director for a term of two (2) years
- 3) One School Director for a term of three (3) years

Motion by Zeb Maskell to nominate Patrick McGovern as school moderator, seconded by Connie Beyor. Any other nominations for school moderator? Hearing none, no discussion – Article #1 - **PASSED**. Town Clerk, Wendi Dusablon, recited the oath to Pat McGovern.

Zeb Maskell asked for clarification on whose term was up for school board director. Richard Flint's term is up, and Joyce Ashton is not running for another term. Joanne Campbell asked to hear from any candidates first, before we nominate and vote. Richard Flint stated that he has been on the school board for 8 years now and he enjoys helping the kids and it has been a big learning experience. He has learned to calm down a little bit. There are some projects coming up that he has been on the committee for (boiler & drainage). He would like to see those projects go through. Ronnie Pilbin also stood and spoke. Ronnie has been a citizen of this area for his entire life. He is here for the kids and would like to see projects go through. He does not mind running for the three year term if nobody else is interested, as he would like to see Richard remain on the board too. Ronnie withdrew his nomination for the two year term. Zeb Maskell nominated Richard Flint for the two year term, seconded by Paulette Unwin – voice vote – **PASSED**. Zeb Maskell nominated Ronnie Pilbin for the three year term, seconded by Paulette Unwin. There were no other nominations. Voice vote – **PASSED**.

**Article #2 – To act upon the reports of the School Directors:**

Motion by Zeb Maskell, seconded by Richard Noel. Pat McGovern asked for any questions, there were none. Article #2 by voice vote – **PASSED**.

**Article #3 – Will the voters of the Highgate Town School District authorize the School Directors to borrow money to pay current expenditures in anticipation of taxes and to sign notes for that purpose?**

Motion by Scott Martin, seconded by Carter Bushey. Pat McGovern asked for any questions, there were none. Article #3 by voice vote – **PASSED**.

**Article #4 – Will the voters of the Highgate Town School District approve the School Budget, in the amount of \$4,517,258 necessary for the fiscal year 2014?**

Motion by Zeb Maskell, seconded by Peter St. Germain. Connie Beyor asked for permission to share a power point presentation regarding the proposed budget. There were no objections. Connie Beyor, school board chair, presented and narrated the power point presentation with regard to the 2013-2014 Highgate school budget. Connie introduced the board, principal, asst. principal, superintendent, and assistant business manager. Overall the budget reflects a 4.38% increase. Connie asked for questions. Motion by Zeb Maskell to amend

Roberts Rules to ask four questions per person, per article, seconded by Nancy Flint. Pat McGovern asked for a show of hands, which were counted by JPs John Ferland and Clarence Miller. The NO's have it, the rule will remain at 2 questions per person, per article. Duane Tremblay asked Connie how much is anticipated in savings by converting from oil to gas. Pat McGovern commented that this topic is another article. Mr. Gingras asked if the 10.6 in the presentation is per hundred dollars? How is that reflected to the tax payer? Pat McGovern asked for a blanket approval for FNWSU central office personnel to speak. Voice vote – **APPROVED**. This approval will also include the Highgate principal and asst. principal. Jack McCarthy added that it is 10 cents per hundred dollars. Paulette Tatro asked Connie how comfortable she was with the 14% increase on health insurance. Connie answered that the 11% increase was announced after their budget was submitted, as there was a deadline by law. It is budgeted at 14% but the number still has not been established. Zeb asked about the current negotiations with para-professionals. He also added that even the federal government has put a freeze on pay raises. Richard Noel asked about the health insurance, is there any negotiating or is there only one company? Connie explained that they have a contract with BC/BS. Connie added that in the coming year, the professionals will be contributing 18% towards their health insurance. Zeb feels limited to what he can ask, and commented that he asks good questions. Zeb directed his question toward the principal: not being sarcastic, but at what age or grade should a student know how to count money? Joyce Irvine replied that under the new curriculum that they apply, 2<sup>nd</sup> grade is the timeframe where students are to master the fact of counting money. Raymond Dixon chimed in that the newspaper had had a lot to say about the school and shots fired near Highgate Elementary. Pat McGovern quickly asked him to address only the budget issues right now, that this other topic can be discussed during other business. Pat asked for a show of hands with regard to who would like to move towards a paper ballot to vote on the school budget – we need a minimum of 7 people: More than 7 raised their hands and a paper vote ensued. 80 YES / 39 NO. Article #4 by paper ballot – **PASSED**. David Rouse wanted to point out that 119 people voting on this budget accounts for only 5% of our voters.

**Article #5 – Will the voters of the Highgate Town School District authorize the Board of School Directors to borrow a sum not to exceed \$135,000.00, to be repaid over a term of three (3) years, for the purpose of converting to a natural gas heating system in both the main and white buildings?**

Motion by Scott Martin, seconded by Paulette Tatro. Scott Martin asked how long the existing tank has been in the ground. Richard Flint believes since 1989 and the other since 2001. Terry Brace confirmed 1989. Scott Martin asked for clarification, that one of the tanks had been worked on in 2005 or 2006. Pat McGovern believes the tank is older than 1989. Richard Flint is not sure if the tank will be removed. The board is leaning toward natural gas. Scott Martin supports this, but wanted clarification. Paulette Tatro asked what prompted this article, is it savings? Laura McAllister from FNWSU was present and stated that VT Gas expects a savings of \$32,000.00. This savings is not reflected in the budget that was just passed. David Roddy added that we are going to save on electricity as well. Pete Roach stated he just switched over to natural gas and the savings are huge. Ralph Comiskey asked if this included a retro fit or replacement of the existing boiler? Richard Flint added this would be a replacement in the brick building. Zeb asked if VT Gas provides rebates for switching over to gas? Richard Flint stated that installation is free by VT Gas. Zeb asked if there was a break on the boilers? Laura McAllister added that VT Gas pays everything up to the building itself. They then analyze the possible savings and will issue a rebate based on that, but we don't know yet what that will be. Kathy Boumil inquired if anyone had contacted Efficiency VT to see if there are grant opportunities available. Richard Noel commented that it would be in the board's best interest to keep the back-up going. The concern with keeping the back up going is that the chimney is not set up for both, and it would be costly to replace the chimney. Our best bet is to go all natural. Richard Noel pointed out that we would be locked in to just one fuel type. We would

have to retro fit the chimney or remove it and replace it. Mike Lambert said we need to consider keeping the back up and we are going to have an unknown cost involved also. Zeb understands that we have to budget for fuel costs, but if this passes and this installation is put it, where is the savings going to go? Back to the taxpayer? Connie Beyor feels that would make sense. Karen Gagne-Fortin added that MAHA saved \$15,000.00 per year by switching to gas. Article #5 by show of hands – **PASSED.**

**Article #6 – Will the voters of the Highgate Town School District appropriate an amount not to exceed \$60,000.00, minus any and all available funds in the Capital Reserve Fund, for the purpose of addressing drainage issues on the school property?**

Motion by Zeb Maskell, seconded by Scott Martin. Zeb asked David Roddy if we had already done some of this when they tore off the back section of a wall and did some drainage at the school? Mr. Roddy said two years ago they did some, but not enough. Water damage ruined sheetrock and carpeting in 2011. This drainage will go down and around the foundation. It will run through LaFountain's property and into a ditch on St. Armand Rd., across from Andy King's house. Zeb Maskell and Paulette Tatro asked for the appropriate page in the town report that refers to this. Laura McAllister referred them to the proper page. Diana O'Hara asked, referring to page 8, did we not appropriate money for this last year? Connie Beyor answered that we did and that was an amount of money to establish capital reserve for buildings and grounds. Some of that money was used to get engineers to develop plans for HVAC upgrades and what remains there now is about \$30,000.00. We have an estimated cost for drainage of \$60,000.00, so we will use what is left to offset the drainage. Keith Ploof asked if the water is diverted to St. Armand Road and are they going to maintain the ditch? Richard Flint answered that this is something they have talked about and they will need to get with the land owners. Richard Noel asked if they were aware of another pipe that leaves the school and goes to the river. That pipe is from the old foundry and can't be used. Diana O'Hara asked how much drainage tile is around the building. We had some, but its not working very well. The basement has flooded and we have had mold problems. The whole thing needs to be dug up and done over and done correctly. Zeb asked what the policy is for utilizing local contractors. Do we use them, or does it go out to bid? Who decides that? Connie said the board is committed to using local contractors, but if it exceeds \$50,000.00 it must go out to bid. Scott Martin added to also be careful about knowing what you are discharging from a building and knowing where it is going. David Rouse commented that this sounds like it could easily exceed \$60,000.00. Richard Flint said no. This is \$60,000.00 including what was budgeted last year, it isn't any more than that. Article #6 by show of hands – **PASSED.**

**Article #7 – To transact any other business legally authorized to be transacted, considered appropriate and necessary when met.**

Motion by Ray Dixon, seconded by David Rouse. Mr. Dixon stated that on the Channel 5 WPTZ news he saw a report that gun shots were fired near the Highgate School and he wanted to know what actions were taken. Mr. Dixon has grandchildren there and he asked the Highgate Principal, Joyce Irvine, to answer the question. Ms. Irvine stated the VSP did not recommend a lock down. The learning opportunity that day was to work with the para-professionals out on the playground on how to get kids off the school grounds as quickly as possible. Student know how to lock down and evacuate. An example of us using emergency drills is when the gun shop had their fire. They decided to evacuate that day. Ms. Irvine stated that she takes it all very seriously. Ray Dixon asked if anything was resolved. Ms. Irvine said it was a police matter and she has not heard anything further on the issue. Richard Noel asked if there is a possibility to work with the land owner right over the tracks about future opportunities. Richard Noel had spoken to Mr. Cassidy prior to his death and Mr. Cassidy was fine with a land swap. Connie Beyor said that after talking with the Highgate Town Administrator, that David Roddy and Richard Flint are going to meet and walk the property with the Selectboard. So, yes, they are looking into future opportunities. David Rouse commented that on that land deal, he has looked at

it, and there are lots of power poles that might limit what we can do. Mike Lambert added that part of the land is behind the tracks, and runs parallel to the tracks. Part of that was traded. Mr. Gagne owned a section of property and when he was on the Recreation Board they negotiated with Rosaire Gagne to have a right-of-way to square up Rosaire's property. Richard Noel added that there is no power and it is open land, as of pictures he just saw recently. Connie Beyor noted that the School Board and Selectboard have been working together on joint issues. Connie also asked that we recognize Joyce Ashton for her years of service with the Highgate School Board 2004 - 2013. Joyce Ashton spoke, stating it was an honor to service and that the town has always supported her family and it feels good to give back.

**Town Report Dedication:** The Highgate Town Report for 2012 was dedicated to Elizabeth "Betty" McCuin. The McCuin Family was present. Henry Rainville read the placque aloud, and Joyce Ashton (daughter) spoke on behalf of the McCuin family.

Motion by Zeb Maskell to adjourn the school portion of the meeting, and enter back into Town Meeting @ 12:00pm, seconded by Peter St. Germain – **APPROVED.**

Motion by Zeb Maskell to break for lunch @12:00pm and return @ 12:45pm, seconded by Peter St. Germain – **APPROVED.**

Motion by Zeb Maskell to re-enter Town Meeting following lunch break @ 12:48pm, seconded by Paulette Tatro – **APPROVED.**

**Article #4 – Shall the voters of the Town of Highgate appropriate \$932,282.00 to meet the expenses and liabilities of the General Fund for the fiscal period beginning January 1, 2013 and ending June 30, 2014 with an estimated \$389,681.00 to be raised by taxes, as shown on pages 30-33?**

Motion by Zeb Maskell, seconded by Paulette Tatro. David Rouse asked under delinquent tax collector on page 31, he referred to fiscal year 2012 when we had an article to switch the compensation for the DTC to a salaried position. The article was defeated last year, so the DTC is still paid 8%? David Rouse asked why \$7,500.00 was not the salary. He also asked if the only thing budgeted is the DTC expense? Tom Racine responded that, no, that is a separate line item. Chris Yates understands this is an 18 month budget, but what is the tax rate? Tom answered we are projecting .3151 which is about 1.5 times, due to the 18 month budget cycle. This is on the town side only. Paulette Unwin asked on the DTC, why are we budgeting so much when he gets paid on what he collects? The line item showed the 8% penalty. Our delinquent tax collection used to be done outside, and now it is done in-house. Page 28 of the town report shows delinquent tax receivables. A portion of this is the 8%, we have already booked the receivable. The vote last year was not affirmative to pass to a flat salary, so we retain the structure of 8% compensation. Paulette Unwin asked if that amount should read zero if you don't know what you are going to receive. Tom said this is based on history. Zeb asked on the arena, what we allocate for the arena, is there a line item? Tom stated we dropped the lease amount due to MAHA taking on greater expenses. If the bond vote passes going into 2014 this line item won't be there. Zeb asked if it is a motion to reduce the general fund that if this bond vote passes we reduce our general fund budget by any fees pertaining to the arena? Why should Highgate be liable if we are dividing it up? Peter Roach said there is a motion on the floor, and this would be an amendment. The questions becomes – is this germane to the topic at hand? Zeb's question is – if the bond passes, what are we doing with the reserve account and the funds in there? Do those disappear? Tom Racine asked if Zeb was referring to the donation account. Yes, he is. Is that part of the General Fund? No, they are donations that were collected early in the process. Those funds are designated for the arena project and have nothing to do with the General Fund. Construction would not begin until March 2014 so we will have another ice season prior to construction. The donation account is designated for the arena

project only, if the project moves forward the funds will be used for the arena. Tammy Rowell asked, as a follow up to Zeb's question, are all the expenses that are incurred to this point going to be shared with the other towns if the bond goes through? Tom said no, not until the project is underway. The items in the General Fund are for the general expenses at the arena. Henry Rainville said if the three town vote is affirmative today, this business venture does not start tomorrow. It will start, hopefully, in the next twelve months. We are continuing as we have been for one more year. We have to plan for it that way, because we don't know what will happen. If the affirmative does happen, it is our hope that in the next twelve months we would have a contract and move forward. We have a grant that Highgate was awarded years ago. When we started this seven years ago, Highgate was moving forward alone. We have kept that money there, looking at the big picture. Keith Ploof asked on page 32, what does the \$16,000.00 cover? Tom replied that is for liability and property insurance. David Beyor asked about grant money. If this passes we will be part of a three part system. Will the money left from the grant and donations be put towards Highgate's portion? Henry Rainville responded that the HUD money and the donation money would be basically lowering the 4.5 million that was asked for. It would not be Highgate's portion. It would be a portion of the whole project. Henry clarified that the article states 4.3 million. The three boards have agreed to spend up to 4.5 million total, 4.3 from the tax payers and the rest from the HUD money and donation money that Highgate established. Connie Beyor asked, is it fair to say that for the bond, each town is paying their portion based on their grand list? Yes. Connie stated that the good people of Highgate are handing over our building as well as the grant money, do we have appropriate representation on the governing board? Henry Rainville said as a board, he agrees that Highgate has bent over backwards to try and make this work. Having been on this side for the last seven years, he does not see what other options there are. He thinks this is the best scenario we can come up with and continue a Recreation Department in Highgate. He does not see how Highgate can do this alone. We have had many many meetings on this. Pat McGovern interjected because he does not want to steer too far from the topic at hand. Paulette Tatro added that before MAHA took over running the facility, the staff over there had their salary showing up in the recreation budget. Where does that expenditure show now? Tom said that his understanding of it is that the highway department will be absorbing the summer mowing. Brian Rowell added that the only money coming out of the tax base is for the insurance on the property. After the vote passes (if it does), that amount would be split. Tom wants Connie to understand that we have not received the HUD money. We get reimbursed, and we have until 2015 to draw on it. It was asked why we can't have the donation money offset Highgate's current expenses until the Tri-Town takes over? Tom's perspective is that there is a concern if we use donation money for general operation expenses, it is not being used as it was intended. Debbie Rouse asked why is the Town Administrator getting a \$7,000.00 raise plus an assistant, accounting for a 27% raise. Tom referred to page 31 of the town report. We need to keep in mind, this is an 18 month period. The assistant was requested by the Town Administrator, who is also the Planning & Zoning Administrator. The assistant should not be considered a raise. Henry Rainville added that when Heidi Britch-Valenta was hired, you could call it a probationary period. Once she started working and the value of the work and ability to work with her was clear, that was part of the renegotiation of her contract. Ralph Comiskey asked, as far as the reserve fund, in the instance that there is a maintenance issue related to the ice equipment (for example), would that reserve fund be appropriate for that? Or does it come from the General Fund? Henry responded that, as a board, the fund raising money is looked at as part of a new ice making system. In his opinion, if there was a large expense that came up, the board would have to look at it and think about the community development fund and replenish it back. David Beyor asked if we still have a recreation budget and how much is it. Where is that money going now? Tom responded, no, there is nothing more than the line item on page 32 for recreation, and that is primarily the premium for liability and insurance on the property itself. Diana O'Hara asked if Highgate owns the arena. Yes, we do. She also asked about the money put into the arena and why does Swanton have three people on the board. Ralph

Comiskey asked why Missisquoi Valley Rescue was now a line item and no longer an article. Tom responded that is because we have a contractual agreement, so it was put in the General Fund. Pat McGovern asked for any more questions, there were none. Pat re-read the article aloud and asked for a show of hands. Members of the BCA counted – 57 YES / 36 NO – Article #4 by show of hands – **PASSED**.

**Article #5 – Shall the voters of the Town of Highgate appropriate \$808,920.00 to meet the expenses and liabilities of the Highway Department for the fiscal period beginning January 1, 2013 and ending June 30, 2014, with an estimated \$553,993.00 to be raised by taxes, as shown on pages 45-46?**

Motion by Liza Comiskey, seconded by Richard Noel. David Rouse made a motion to accept the article and move on. Pat McGovern read the article aloud. Article #5 by voice vote – **PASSED**.

**Article #6 – Shall the voters of the Town of Highgate appropriate \$93,815.00 to be raised by taxes to meet the expenses and liabilities of the Highgate Public Library for the fiscal period beginning January 1, 2013 and ending June 30, 2014, as show on page 58?**

Motion by Zeb Maskell, seconded by Karen Fortin. David Rouse asked about the insurance policy for the library and why it was shown under the library and not in the General Fund. Henry Rainville clarified that we are only paying it once. Nancy Flint asked why the budget went up so drastically from last year, by \$36,000.00. Tom stated it was primarily due to the 18 month budget cycle. Nancy also noted a suggestion, to put the school library and public library together here at the school. She feels it is a feasible thing to do. There were no more questions or comments on this. Article #6 by voice vote – **PASSED**.

**Article #7 – Shall voters of the Town of Highgate approve the expenditure of up to \$145,000.00 from the Transfer Station Fund to be used for the purchase of a truck for the Highway Department?**

Motion by Peter St. Germain, seconded by Richard Noel. Zeb asked what are we buying for a truck? We have not bought one, but are looking toward a Western Star. Zeb also inquired, when they make the purchase will it be all new plow, sander, etc? Henry said, yes, it would be all new. Zeb asked are we going to sell the old one with everything on it. Yes. In years past we have sold the truck and kept some of the plowing equipment, but this year we are looking to sell the whole truck with equipment. Tim Reynolds asked, when this new truck is purchased, will parts be interchangeable? Alice (Sue) Cota lives at the end of Monument Road, sometimes she sees a Swanton truck come through, followed by a Highgate truck. Steve Ploof responded that there is a new driver in Swanton, Harold Garrett, and he likes to turn around down at the end of Monument Road by Sue's house. That is why she is seeing Swanton go by. Ralph Comiskey asked on the balance sheet for the transfer station, with the revenues that we are anticipating, will we be in good shape? Yes, Tom replied, we should retain a positive fund balance. Dan Fortin asked how much longer can we anticipate receiving money from this source? Henry answered that our contract is ongoing and is reviewed every 4-5 years. Article #7 by voice vote – **PASSED**.

**Article #8 – Shall the voters of the Town of Highgate approve the transfer of \$30,000.00 from the Transfer Station Reserve Fund to the Fire Truck Reserve Account for the replacement of a Highgate volunteer Fire Department fire truck?**

Motion by Carter Bushey, seconded by Shirley Fecteau. David Rouse is bringing this up as a taxpayer, not as a firefighter. David stated that everything else we are voting on is based on 18 months. Could this \$30,000.00 be turned into \$45,000.00 towards the fire truck (based on an 18-month budget). David was looking for clarification because the article does not state 18 months. Ray Dixon asked how much money was in that fund and how much longer we have to keep putting money in before we get a truck. Tom referred everyone to page 28 of the

town report. Brian Rowell stated that one more year is the time frame we are looking at. Article #8 by voice vote – **PASSED.**

**Article #9 – Shall the voters of the Town of Highgate appropriate \$100,000.00 to be raised by taxes to meet the expenses and liabilities for the repair and reconstruction of the East Highgate Bridge (B-25)?**

Motion by Liza Comiskey, seconded by Richard Flint. Zeb asked if we had already appropriated \$100,000.00 last year for this. The answer is, yes. Zeb then asked why we are asking for more. Henry Rainville responded that this is just a drop in the bucket. It would cost \$1.8 million for a refurbished bridge, with one lane and weight standards that aren't really up to today's necessities. Or, \$3.2 million for a new bridge, two lanes, with appropriate weight limits. We have substantial issues with one abutment and the center pier of B25. The Selectboard has been hesitant to spend much money on it, not knowing what the public wants to move forward with. Richard Noel asked, with the bridge being historical, would we remove it, or build next to it? Henry said in his personal opinion, he would remove that bridge and put in a two-lane bridge. But are we allowed to? We don't know yet. There is no point to remove it if the public wants to keep it. We are trying to minimize costs. Engineering costs a lot of money. Debbie Rouse travels that bridge several times per day. She feels we really only need a one-lane bridge there. Would it be cheaper if we go cement instead of metal? Henry stated that right now we have boiler plate information, basically stating that a bridge of this size and etc. will cost you X amount of dollars. Debbie Rouse thinks its stupid to fix it, it should be a new bridge if possible, and we don't need two lanes there. Henry added that based on traffic study / counts, there are 700+ cars per day that cross the Machia Road bridge, so a two-lane bridge would be more feasible. Debbie disagrees. Mike Lambert agrees we need a new bridge there, but a one-lane bridge is the way to go. He feels this way mostly because once you create a two-lane bridge there, it will create truck traffic. If you put more truck traffic on Machia Road and Morey Road towards St. Albans you are going to incur more expenses with road maintenance and upkeep and also need to widen the roads. Tim Reynolds said as a taxpayer he does not want to spend any more money than need be. He is worried about people coming down that hill and losing their brakes, they need an escape route and a two-lane bridge would help. Paulette Tatro asked if it is the Selectboards intent that this money would be used for matching funds for bridge construction. Henry said there is a large crack in that center pier. A temporary fix was to caulk the crack and we have done that. That was a \$6,000.00 temporary fix, as we are held liable by people above us on what we need to do to keep this bridge open. We are looking to get federal money for the bridge, and it looks good for us right now. We are going to have to do short term fixes to keep the bridge open, because a new bridge is years away. David Rouse commented on the 10,000 pound limit. His truck with an ATV and passengers puts him over weight. He feels if you can't drive an ordinary truck over that bridge we should just close it. Pete Roach commented that a new one-lane bridge would be \$2.8 million and \$3.5 million for a new two-lane bridge. Pete feels it is something to think about and compare. Richard Flint asked how the town has been plowing B25 – the road crew has been using the 1-ton to plow it. Article #9 by voice vote – **PASSED.**

**Article #10 – Shall the voters of the Town of Highgate approve the collection of property taxes in semi-annual installments? Billing would occur in early July with installment dates of September 15<sup>th</sup> and April 15<sup>th</sup>. Postmarks would no longer be accepted.**

Motion by Liza Comiskey, seconded by Paulette Tatro. Zeb Maskell stated that he pays his taxes and he has a Christmas fund from October – October which he uses to pay them when they are due each year. He feels we need to leave it alone. Tom Racine stated that with regard to installments, we are trying to stretch it out over a longer period of time. The article back in October was tabled when we discussed quarterly installments. People seemed uncomfortable with moving to four payments at that meeting. Moving to two payments would ease the burden, but it is a change. Tom has had many conversations with Brian Rowell also, and Brian is not in favor of installments either. Tom would like to see installments

indefinitely, not just for this 18 month cycle. As far as postmarks, Tom has seen less and less people taking advantage of postmarks. More and more people are using escrow. Postmarks are not always clear, and many towns are moving away from postmarks. Paulette Unwin is not liking the April 15<sup>th</sup> date. She feels that is a double whammy. For people who get state pre-bates, how will that work? Tom said a number of years ago they stopped sending money to individuals and towns. The town simply gets a credit amount to apply towards individual taxpayers bills. The school rate is set in the summer. Prebate information is coming in right now. Paulette Unwin is concerned about over paying the town because her prebate has not hit yet. Tom clarified that any over payment would be reimbursed by the town. Paulette Tatro asked if this does not pass and we stay with one payment, would it still be due in October? Tom said yes, that is the case. John Wilda stated that some people borrow money for their taxes and he thinks the April 15<sup>th</sup> date is an awful idea. If a postmark is good enough for the IRS, why isn't it good enough for the Town of Highgate? Tammy Rowell asked, with multiple installments, and if someone can't make a payment, will they get charged penalty and interest? Tom clarified they would be charged interest, but no penalty. The penalty would not be until the final payment is due. Diana O'Hara had concerns about it affecting peoples income taxes if you have one installment due in one year vs. another – meaning you could only claim part of it. Mike Lambert added that with an escrow account, come October they will get hit hard. Duane Tremblay asked with the 18 month deal, we are going to have to pay for 18 months in October 2013? Tom clarified that the additional 6 months is on the *town side only*. Duane asked why we moved in this direction, and Tom answered that we had a special vote that was warned and took place on October 9, 2012. Paulette Unwin asked if we are hiring more help because of this additional work. Or will the people we have be working additional hours? Henry Rainville answered, no. Paulette Unwin asked Henry to remember that. Fred Bloniarz stated that he is on a fixed income. He has wants and needs, and feels the town should only be dealing with what we need, not what we want. He feels it is easy to spend his money, but it is not right. He does not begrudge people having more because they have worked for it. Pat McGovern reminded everyone that we are only talking about installments for tax payments right now on this article. Liza Comiskey made a motion to move the question, seconded by Joanne Campbell. Article #10 by voice vote – **FAILED**.

**Article #11 – Shall the voters of the Town of Highgate vote to add two additional Selectboard members to the town board with each of the new positions to be established with 2 year terms (although in accord with 17 VSA 2650 when first elected, one shall be for a one year term and one for a two year term so that the terms will be staggered)?**

Motion by Chris Yates, seconded by Zeb Maskell. Liza Comiskey inquired whether the new members would be appointed or would there be a special election? It has been the sentiment of the current Selectboard that there would be an election. If there was an election, it would need to be noticed and happen sometime this summer. David Rouse asked if the terms would be staggered and could there be an 18-month term (laughter). Paulette Tatro spoke, as she is the one who lead the petition drive to have this article placed on the warning. She feels we need five people on the board, we are a large area with large issues. She believes we need five members on the board to share the burden. There were no other questions or comments. Article #11 by voice vote – **PASSED**.

**Article #12 – As an advisory, non-binding opinion, shall the Town of Highgate regulate recreational / target shooting (not applicable to hunting or self-defense) of any firearm (handgun, rifle, shotgun) on residential properties accessed from or physically bordering Monument Road, Tanglewood Drive, Jedware Circle, Penny Lane, and within 1000' of Highgate Elementary and MVU school grounds?**

Motion by Liza Comiskey, seconded by Paulette Tatro. Pat McGovern began by asking for a show of hands of who was *not* a Highgate townsperson. Steve Bushey asked for a brief background on why this issue was brought forward. Henry Rainville stated that we were approached by Mr. Vern Brosky III with regard to a situation in his neighborhood. Mr. Brosky III came to the

Selectboard on two separate occasions, and they were two of the most highly attended Selectboard meetings Henry had ever seen. This is a very emotional issue. It is also a safety issue and a noise issue. Henry, as a board member, tried to get the sides to come together and come to a conclusion. A petition was filed, so as a board they decided that they would agree to put the petition on the Town Meeting agenda (warning). This is a *non-binding* issue. There was a site visit on March 2<sup>nd</sup>, this past Saturday. Henry was not able to attend, but Brian Rowell and Luke Choiniere were both there. Liza Comiskey asked about the federal law with regard to shooting within 1000' feet of a school. She understands that an incident happened on Feb. 11<sup>th</sup> in our town, near the school. Henry added that the board is presenting the issue as it has been presented to them. Zeb asked what the findings were from the site visit. Luke Choiniere stated that they found there were some shooting ranges in their own woods on their own property and the woods were quite dense. They did not find any evidence of bullet holes in the areas there had been accusations of. All land owners seemed cooperative to improve their backstops. Fred Bloniarz added that he has a lot to say about this. He was at the site visit. He has come here to town meeting unbiased and he is still unbiased. Fred stated that he was at the site visit on March 2<sup>nd</sup> in place of Henry Rainville. Henry Rainville stopped Fred at that point, clarifying that he did not appoint Fred Bloniarz to represent him on the March 2<sup>nd</sup> site visit. Fred stated that he was going to state the facts. Fred had previously driven around the cul-de-sac in that neighborhood several times and on one occasion Vern Brosky III began to follow him. During conversation, Vern offered to show Fred around some of the sites in question. They went to the bed & breakfast on Route 7, they also went on Penny Lane. Vern showed Fred where the truck was parked when the windshield was blown out. Fred asked Vern for pictures. Fred stated that if he was parked and a windshield was hit, he would be running and calling for help. Vern also commented to Fred regarding the Brown property and the Libbey property. Vern drove Fred further and commented that people from Swanton were also shooting across the river and that a house opposite from Jeff Coon's house had 17 holes in it. Fred asked if these people had been apprehended or if they had attempted to apprehend them. Why didn't anyone call the police? If Mr. Brosky was concerned about safety, Fred wanted to know why the police were not called. Fred added that if people are hunting on three sides of the property, why is Vern concerned about target shooting? David Rouse inquired about the 10 minute time limit. Pat McGovern said it is part of Roberts Rules. Vern Brosky III spoke, stating that he is the one who led the petition. He said there are issues in the neighborhood. Vern pointed out that the damage on the silo on Route 7 was inconclusive as to whether it was bullets or not. Another house had satellite hardware holes in it, not bullet holes. During the summer of 2012 it was almost daily with the shooting going on. Residents on the back part of Tanglewood Drive are the ones who really had to deal with it. John Wilda lives on Monument Road. He is one of the people who filed a complaint about the shooting in the summer of 2012. One instance, it was six hours straight. His concern is safety. We are one of a few towns that has no ordinance on recreational shooting. We can sit here and wait until somebody gets shot or injured, or we can do something. He shoots, but only at a registered range. And we have one right here in Highgate. He does not see why others can't drive 5 or 10 miles and do the same. He is afraid to go back there and walk his own property, because some of them are very high caliber bullets. Some are using steel belted tires as part of their backstops, and those ricochet bullets. Ray Dixon is against any ordinance. He questioned the wording on the original petition as it was signed. Wendi Dusablon, Town Clerk, provided a copy to the Selectboard of the original petition as it was signed. Heidi Britch-Valenta added that the Selectboard is not acting out of need, they are acting out of an earnest effort to have the people heard. The Selectboard is not able to be forced to create an ordinance. The Selectboard has put a large amount of energy into understanding that there are citizens on both sides of this with valuable information to share. Ray Dixon was on the site visit on Saturday. He did not see any evidence of bullet holes. He agrees there is a problem with noise, but feels the noise is coming from the range on Frontage Road. Mark Baltzell is a resident of this neighborhood also. He did not go on the site visit on March 2<sup>nd</sup>. He knows of one resident who fires into a berm and fires toward an intersection

and near a recreational area. He has a military background and has been shot. He is asking for an ordinance to be passed. John Vanslette is in the concrete business and he was on the site visit. He stated that the pucks in the silo are actually air pockets. He pointed to the air holes in the concrete here on the walls of the gymnasium and said those are not bullet holes, they are air pockets. Mr. Vanslette hopes people are smart enough to vote against this. Beth Libbey lives on Monument Road. She does not have a range, but her husband uses Mr. Vanslette's range. She is disturbed that her neighbors could not approach her. She stated that ranges are used to site in rifles during rifle season, and during the summer months they are shooting skeet in preparation for duck hunting. She has lived on Monument Road for 20 years. Her children have played there. Her husband and friends are responsible shooters and respected hunters. Safety is important to them. They do not shoot at trees with targets. Mrs. Libbey is more than willing to let Mr. Wilda know when they plan to shoot on a Saturday morning. This is upsetting to her, and disheartening. Things have been stated publically and have not proven to be true. Based on that, we are here discussing her neighborhood and she did not realize they had an issue with her. David Rouse commented on the shooting outside of 1000' from a school. The town owns the 20 acre parcel next to the school and he was reminding people that the school grounds are actually quite vast. Claudine Deslandes asked what is high density, and why is it only her area of town that is listed here? The density of her neighborhood is equivalent to Lamkin Street, but Lamkin Street is not listed on this article. Heidi responded that for this proposal, it is not based on zoning districts. It is based on the petitioners immediate concern in his area. The Selectboard will take the information back and either choose an ordinance or choose to do nothing. Mrs. Deslandes stated that on the river during duck season there are bullets flying everywhere. She does not feel that any rules should just apply to her neighborhood and around the school. She feels that is discrimination. Henry Rainville stated that an ordinance of this fashion could be created in a certain area. Henry would not want to do it that way, but it could happen. Sue Cota lives on Monument Road. She is not against hunting or fishing, but stated that bullets have bounced off her property from across the river, and it goes on every weekend. She is partly in favor of an ordinance. Joe Commo is against an ordinance. If you pass an ordinance in one place, everyone will also feel threatened by it. He has his own range and his neighbor, Doug, also has a range. Neighbors should be able to work it out. Otherwise, you need to have law enforcement work it out. We do not need laws to punish everyone for what a very few are doing wrong. A neighbor from across the river from Sue Cota spoke. He stated that people may think they are hearing gun shots but might actually be hearing something else. Lisa Wilda Letourneau spoke. She has four children and they used to play at her father's house in the yard on Monument Road. They are no longer allowed to play there, for safety reasons. She referred to what happened in Essex a few years ago. She asked everyone to please consider that. Zeb Maskell has lived here for 45 years, and been a property owner for much of that time. He feels this community is very responsible and police their own. He is a strong believer in the 2<sup>nd</sup> Amendment. It is a certain few people who ruin it for everyone. Fred Bloniarz added that he respects Mr. Wilda's opinion. Fred mentioned that Jeff Coon had been shooting into a low berm, and has stopped. Fred does not want people in Highgate held responsible for something happening in the town of Swanton. Tina Brosky spoke as a resident of Tanglewood Drive. She agrees that a few people do ruin it for everyone, but you can't police your own. There needs to be something in place. It isn't helpful if you are trying to sell your home and people can hear shots all the time. It is a safety issue. Chris Crowe added that from what he is hearing, this is mainly an issue of noise. He believes a noise ordinance would help. David Rouse asked if a resident of Lamkin Street, Ed Lambert, could speak. Mr. Lambert is not a registered voter. By show of hands, Mr. Lambert was granted permission to speak. Mr. Lambert stated he has been to Iraq and Afghanistan. He has lived in this area since the 3<sup>rd</sup> grade, he is now 52 years old. He shoots toward the beaver pond. An ordinance would take away his rights. Where does it all stop? Liza Comiskey stated that we have been on this topic for 55 minutes now. She would like to move the question to a paper vote, seconded by Dan Fortin. Pat McGovern reminded everyone that regardless of how people

vote, the Selectboard does not have to take action on it. Pat re-read the article, which then went to a paper vote. Results of the paper vote 38 YES / 65 NO. Article #12 by paper ballot – **FAILED**.

**Article #13 – To transact any other business legally authorized to be transacted, considered proper and necessary when met.**

Motion by Dan Fortin, seconded by Ralph Comiskey. Barb Chevalier asked with regard to the recreation path and the Missisquoi Bridge, why is the bridge now posted for no pedestrian traffic? Henry Rainville asked her to clarify, is she talking about the Mill Hill bridge? Yes, that is the location she is asking about. The State of Vermont has closed that bridge because a large piece of the abutment is missing. It is a money issue and because it is a state historical bridge, it is not a town issue. Henry said they have not heard any more on this from the state. Dan Fortin asked if we were still working on FarmAid coming to Highgate. Henry stated that issue was dead in the water, the promoters did not find Highgate an appropriate site. Henry also added that we have put ourselves in a pickle by defeating the article to have tax installments. We will check with town counsel and if they approve it, the Selectboard will set the tax date. Also, the election to add two more Selectboard members, would people like this to happen this summer? Henry asked for a show of hands on how many would like to see this happen this summer – there were many. Not many were interested in waiting until next town meeting. We will have a special election this summer. Steve Bushey asked Henry if there was a member of the current Selectboard who was leaving after 18 years? Yes, Brian Rowell is leaving after 18 years of service to the Town of Highgate as a Selectboard member. Henry thanked Brian for this years of service. It has been a pleasure to work with Brian. He is the quiet voice, and often times the stabilizing voice of the Selectboard. We wish Brian Rowell well. THANK YOU BRIAN! Brian spoke briefly and thanked everyone for the support over the years. He found his time on the board to be quite a learning experience and finds Highgate to be a real caring town. Article #13 by voice vote – **PASSED**.

**Adjournment**

Motion by Richard Noel, seconded by Peter St. Germain to adjourn Town Meeting 2013 @ 3:23pm – **APPROVED**.

Respectfully submitted by:

\_\_\_\_\_Wendi Dusablon, Town Clerk

Minutes approved by:

\_\_\_\_\_Henry Rainville, Selectboard Chair

\_\_\_\_\_Patrick McGovern, Town Moderator