

TOWN OF HIGHGATE

Selectboard Mtg.

June 18, 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, Vice-Chair; 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; Vonnie Lamotte – ACO; Don Gilbert; Keith & Louise Machia; Evangeline LaRocque; Corey A. Bluto; Corey N. Bluto; Ryan Stanley; Paul Dwyer; Cody Bombardier

B. Public Comments

Keith Machia was here on behalf of his father, Ephraim Machia. Every three years they need to have the town sign off on a Certificate of Approved Location for a Salvage Yard. They have two sites, one on Route 78 and the other on Cook Road. Wendi printed out their previous paperwork from 2012, which Keith presented to the board along with the new forms for 2015. They are reapplying with the town for approval. The board will discuss this further in executive session and be back in touch with Keith. Keith supplied his contact information to Wendi prior to leaving the meeting.

C. Nuisance Dog Hearing – 28 Mill Hill Road

Corey A. & Corey N. Bluto (husand and wife) were present for this hearing, along with a few people to speak on their behalf. Mrs. Bluto also had a letter from another neighbor. Mrs. Bluto explained that she had received a letter from the town about their dog running loose and she had called and spoke to Wendi about it (she actually spoke to Heidi, but referred to Wendi at this meeting). She also spoke to Heidi regarding an alleged complaint from one of the Selectboard members that they were not picking up after their dog in the town park. The board member stopped and advised her that it needed to be cleaned up, and she allegedly said "no". Mrs. Bluto said that no one ever came to their home until the town constable, Ben Lowell, stopped by. She is not happy about the lies being told. Her dog was in the house because it was raining on the night this allegedly happened, which was Monday, June 8th around 7:30pm. She would like to see photos to prove this happened. They brought character witnesses to speak on behalf of the character of their dog, and also gave a letter from the other neighbor to the board. Their dog is not the only black dog that runs loose in town, and she does not want their dog blamed for things he is not doing. They also only have one dog. They briefly had someone stay with them that also had a dog. That dog was registered in the town of Swanton, and they are now gone. Mr. Bluto then spoke, stating that his dog would not even go into the town park if certain people weren't throwing left over food down the embankment. Mr. Bluto felt the town was trying to take away his dog, to which Jeff replied that the town is not. Jeff clarified, we are here only to make sure that the dog does not continue to roam and that it no longer messes in the town park, cemeteries or around the municipal building, as it has been. We have recently had a report that this same dog has been in the cemetery behind the town office, and nothing has been cleaned up there either. Jeff added that it has never been said that their dog is aggressive or mean. Heidi noted that the dog has barked at her, and the dog was not on their property at the time. The dog then urinated on the side of the municipal building and Heidi followed him into the town park. Cody Bombardier accompanied the Bluto's to the meeting. He stated that he has seen two other black dogs roaming around in the area, both similar in size to the Bluto's dog, and neither are leashed and no owners in sight. Mr.

Bombardier was at the Bluto home on June 8th from 3pm-9pm and the dog was either chained up or in the house the entire time. He also stated that other than the town constable, no one stopped by the home. Paul Dwyer lives at 37 Mill Hill Road. He just moved in and has become friends with the Bluto's. Mr. Dwyer has not witnessed the dog leave the yard other than with the owners. The Bluto's dog, Diesel, is vaccinated and licensed with the Town of Highgate, 2015 tag #680. There were no other comments from the public. Jeff reiterated that they need to keep the dog controlled, which they have been since we have notified them about the issues. Heidi continued the conversation with the Bluto's, because on a related note, she has notified them that their personal property is in the park and on town property. They have removed the volleyball net, but there are still some questions about the horseshoe pits. The Bluto's are renters, the property is owned by Sally & Ronald Young. Chris Yates and another town employee did go measure the front property line and discovered a concrete property marker at the end of the fence. If you look down from the property marker, it follows the trees to the edge of the bank. The horseshoe pits are technically in the town park. Mr. Bluto stated that he put them there because he was told by the Young's that it was their property, not the town's. Mr. Bluto said he would pull them if the board requested him to. Mr. Bluto was clearly aggravated and verbally expressed his displeasure about the situation as he walked out. The dog hearing ended at which time Mrs. Bluto, Mr. Dwyer, Mr. Bombardier and Mr. Stanley also left.

D. Town Treasurer – Tom Racine

1. Pay bills

There were no questions on the warrant, but Tom noted that the first two invoices from DEW related to the arena project are being paid. There was an invoice in a previous warrant for Weimann-Lamphere for \$4,000.00. He will wait for a few more to do another batch. We are getting close to trying to obtain the money for the HUD grant to close that out as well.

2. Arena Funding Update

There is \$113,000.00 in the fundraising account, and there hasn't been any new activity with donations. Paulette asked for a print out of all the detail up to current on the arena accounts.

3. Misc.

- This is Tom's last official Selectboard Meeting with us. He will be resigning as treasurer effective June 22 when Shelley Laroche starts. Tom will be staying on as delinquent tax collector until after the tax sale in late July.
- Chris asked Tom if there is any money left in the culvert line item for this cycle. Tom thinks not, but the overall budget within the highway department has a comfortable spread. So if needed, Tom would suggest going ahead with purchasing the culvert.

E. Town Constable – Ben Lowell & Town ACO – Vonnice Lamotte

1. Dog update

It has been a busy week. Vonnice received a complaint today about dairy cows, potentially malnourished on Hanna Road. A written complaint was received today. There was a feral cat bite last week in Highgate Falls. The bite victim is going through rabies shots now. Vonnice caught the white husky dog that we had a hearing on in May. The dog was back on the Williams' property, and they called Vonnice. She caught the dog at a nearby home. It was brought to the FCHS and was claimed by Chantel Bockus. It is now a civil matter between the Williams' and the Bockus' on repayment of the damages previously done to the chickens. Ben is going to start ticketing on unlicensed dogs soon, as time permits. Vonnice will call one last time on those that have up to date shots, as one last reminder. We need to make an appointment to visit the US Route 7 home and make sure there is an adequate enclosure on the vicious dog issue there. Vonnice would like the board to consider approving the town to pay for her to receive a series of rabies vaccines for her protection. She can get the series from Kinney Drug, three shots @ \$300.00 each. She would be protected for a lifetime, aside from any booster that may be required in time. A doctor would still need to administer the shots. She works at Kinney's part time and they recommend the shots for ACO's and veterinarians. Chris would like Vonnice to present the board with a total anticipated cost for this, including having the shots administered. Vonnice also proposed a new payment structure for the ACO and Assistant ACO. Vonnice is the front runner, and Kristy steps in when and if needed. Kristy is mostly interested in boarding and kenneling dogs, and Vonnice does the majority of the rest. Motion by Chris Yates to pay

the Highgate ACO salary directly to Vonnie Lamotte and she will reimburse her assistant, Kristy Brow, for hours that Kristy is called out. Motion was seconded by Jeff Towle – **APPROVED**. Vonnie would also like to purchase a new kennel for larger dogs. When she recently caught the husky, she brought her to the FCHS at night and dropped her off. She would prefer to keep dogs with her in her heated garage and bring them to the FCHS during the day. She did not like putting the dog in the FCHS lock box. The dog was scared and Vonnie wasn't comfortable with it. She will look at pricing at Tractor Supply, Walmart and the St. Albans Co-op. Ben didn't have much to add, other than they would start ticketing soon and that he will be going with Jeff on some health officer calls on Monday.

F. Town Clerk – Wendi Dusablon

1. Minutes from June 4

Motion by Chris Yates to approve the minutes from *June 4, 2015* with one correction. Motion was seconded by Paulette Tatro – **APPROVED**.

2. Liquor license – Jolley Assoc.

Motion by Chris Yates to exit the regular Selectboard meeting and enter the local liquor control board @ 7:37pm. Motion was seconded by Jeff Towle – **APPROVED**. Motion by Chris Yates to sign the second class liquor license for Highgate Jolley on Gore Road. Motion was seconded by Diana O'Hara – **APPROVED**. Motion by Chris Yates to exit the local liquor control board and enter back into the regular Selectboard meeting @ 7:40pm. Motion was seconded by Jeff Towle – **APPROVED**.

G. Town Administrator – Heidi Britch Valenta

1. Fire Department Floor Repair

Randy Morin came and looked at the floor. His quote came in at \$1,200.00 to lift, fill, clean, sand and polish the floor. It will be a good surface for water to drain off. They have shifted the trucks around so the utility truck will be parked in that bay. Paulette has concerns over what caused this. Water has been ruled out as the cause, although some water may have gotten in there since the problem has surfaced. They drilled a test hole and it was dry sand that came out and 3-4" of air space to be filled. The other option would be to hire an engineer and create an RFP for the repair, which would be more costly but give us a guarantee of what is happening there. Motion by Chris Yates to hire Randy Morin to repair the floor in the fire department at a cost not to exceed \$1,200.00. Motion was seconded by Jeff Towle. By voice vote of 4-1 – **APPROVED**. VOTED YES – Jeff Towle, Chris Yates, Randy Connelly & Diana O'Hara / VOTED NO – Paulette Tatro.

2. NRPC Regional Plan – comment period

A public meeting was held on June 17th and additional comments are being accepted until the end of June.

3. Policy adoption for ADA grant

Motion by Chris Yates to accept the municipal policies and codes for the ADA grant. Motion was seconded by Randy Connelly – **APPROVED**. Motion by Chris Yates to designate Heidi Britch-Valenta as the individual responsible for sub recipient monitoring of the ADA grant. Motion was seconded by Jeff Towle – **APPROVED**.

4. Arena well update

In connection with the cell tower, SBA has giving us their support for the engineering of a new well at the arena site. SBA will take the lead, so there will be no RFP needed for an engineer. Claude Chevalier will be working with SBA to move forward.

5. Misc.

- We had a washout on Morey Road a week ago Monday. Our road crew did a temporary fix. A hydraulic study was done and AOT has recommended a box culvert. Heidi has completed an emergency repair grant application, which has been submitted. It is estimated to be \$175,000.00 to complete the project. We would be responsible for a 10% match, which can be in-kind. We should hear quickly, within the next few weeks, and the repairs will be a forever fix for that area.
- An RFP has been issued for the demolition of the two homes on Riverview Lane. It is posted in the office as well as on the website, FB, newspaper and around town. Bids will be opened at the Selectboard meeting on July 9th.

- We are applying for acceptance to the ELLP program for future ownership of the Jedware property. The application is not complete and letters of support are coming in. Motion by Jeff Towle to sign the statement of use for the Young dump, located at 893 VT Route 78. Motion was seconded by Chris Yates – **APPROVED**.

H. Selectboard Items

1. PWD application period closes on June 24th

Applications for the Public Works Director position are being accepted until close of business on June 24th. We contacted Steve Ploof, who was our highway foreman and longtime employee of the town, to see if he could be here tonight. He had a previous commitment, which we understand. The town has a plaque for him in recognition of 27 years of service to the Town of Highgate, as well as a road sign “Ploof Drive”. Chris will deliver these items to Steve.

2. Darlene Drive speed reduction

There was a motion made a few meetings ago based on a speed study. Heidi needs the board to readopt this at tonight’s meeting so she can post it within 14 days and allow for the 60 day appeal period. Motion by Chris Yates to change the speed limit on Darlene Drive and Charles Circle from 35mph to 25mph. Motion was seconded by Randy Connelly – **APPROVED**. Heidi will send this out tomorrow and there will be a 60 day appeal period. Chris added that the traffic ordinance will need to be amended when this process is complete. Heidi has given a copy of the traffic ordinance to the highway crew to look at.

3. MAHA lease signing

Don Gilbert was present and has reviewed the lease with the last edits. The lease is what was agreed on at the last meeting. Motion by Chris Yates to sign the lease agreement between the Town of Highgate and MAHA (Missisquoi Amateur Hockey Association). Motion was seconded by Diana O’Hara – **APPROVED**. The lease is for a term of one year, July 1, 2015 – June 30, 2016.

4. Misc.

- Chris updated the board that the Girl Scouts will be planting a tree in the town park in Highgate Falls. He has been in contact with Danielle Maxfield.
- The tree at 3123 Carter Hill Road has still not been removed. The quote over the phone from Gabree was \$900.00, and Chris is still waiting on a written quote. No other quotes were received. Motion by Chris Yates to hire Gabree Tree Service to remove the tree at 3123 Carter Hill Road at a price not to exceed \$900.00. Motion was seconded by Randy Connelly – **APPROVED**.

I. Upcoming Events

June 24	4:30pm	Public Works Director applications are due
July 9	7pm	Selectboard Mtg. with Town Plan Update Hearing and Route 78 Safety Study Presentation
July 16	6pm	DRB Mtg.
July 21	6pm	PC Mtg.
July 23	7pm	Selectboard Mtg. with 2 nd Town Plan Update Hearing

J. Executive Session

Motion by Jeff Towle to enter into executive session @ 8:10pm for enforcement action, a legal issue and contracts. Motion was seconded by Paulette Tatro – **APPROVED**. Motion by Jeff Towle to exit executive session @ 9:25pm. Motion was seconded by Randy Connelly – **APPROVED**. Motion by Chris Yates to approve the DEW Construction contract contingent upon successful resolution and clarification on the following topics; number of weeks of the contract, further details on the boards, change order fee clarification, legal fees and preconstruction contract overages. Motion was seconded by Randy Connelly – **APPROVED**. Motion by Jeff Towle to enter back into executive session @ 9:27pm. Motion was seconded by Diana O’Hara – **APPROVED**. Motion by Jeff Towle to exit executive session @ 9:55pm. Motion was seconded by Chris Yates – **APPROVED**.

K. Adjournment

Motion by Paulette Tatro to adjourn the meeting @ 10:03pm. Motion was seconded by Diana O'Hara – **APPROVED.**

Respectfully submitted by,

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

_____ Jeff Towle, Chair – Highgate Selectboard