

# TOWN OF HIGHGATE

## Selectboard Meeting

Thursday, October 1, 2020 @ 6:30pm  
@ Highgate Sports Arena

### Approved Minutes

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

#### **JOIN VIA ZOOM**

<https://us02web.zoom.us/j/85673623881>

#### **FREE CONFERENCE CALL**

Dial in # 425-436-6365 Access code 188557

#### **A. Call to Order & Pledge of Allegiance**

The in-person Selectboard meeting / video conference call / phone conference call meeting was called to order by Sharon Bousquet, Chair @ 6:36pm, followed by the Pledge of Allegiance. Due to the COVID-19 pandemic, changes to open meeting law allowed for this meeting to take place in various ways. The meeting was held at the Highgate Sports Arena for proper physical distancing for those who wanted to attend in-person. Zoom video or conference call was also available.

**Highgate Selectboard Members** – Sharon Bousquet – Chair; Bruce Butler – Vice Chair; Richard Flint (arrived @ 6:57pm); Kyle Lothian; Vern Brosky III; Kyle Lothian (all in-person)

**Highgate Office Staff** – Wendi Dusablon – Town Clerk & Public Meetings Clerk; Heidi Britch-Valenta – Town Administrator; Shelley Laroche – Treasurer & DTC (all in-person)

**Public / Other** – Alice S. Cota (in-person); Ty Choiniere (in-person); Lisa Hango (via Zoom); John Svagzdys & Brian Lane-Karnas – DeWolfe Eng. (via Zoom)

#### **B. Public Comment(s)**

- Sue Cota reported that the Monument Road bank project is complete and the State did a wonderful job.
- Sue Cota asked for permission to leave wood chips out in front of her property for the town crew to use during icy weather. Motion by Bruce to allow Sue Cota to leave the wood chips out there for town use. The motion was seconded by Vern Brosky III – **APPROVED.**
- Sue Cota also brought up concerns brought to her by residents about having to make an appointment to pay property taxes. Currently we are accepting appointments for cash payments only and asking checks to be mailed. There is also an option to pay with a card on our website, fees apply. All this information was clearly stated on the back of the tax envelopes with a neon label. Sue said that residents don't want to have to make an appointment. Shelley answered that we are in the office and are there full time and staying very busy on an appointment basis and it is working out very well for virtually everyone, with the exception of a few complaints. Shelley pointed out that the majority of your tax bill pays for education and her daughter can't even go to school on the two days per week for in-person learning if she has so

much as a runny nose. Sue stops by the office bi-weekly and calls and can get in, just like anyone can. We are not denying access to the building, we are trying to control the number of people in at one time, as it is a small space. It would be unfair and irresponsible of us to do otherwise and possibly spread things and bring home to our families and beyond, and vice-versa. The Governor extended the State of Emergency through October 15<sup>th</sup>, at this point. Bruce Butler added that Wendi and Shelley are elected officials, as is the Selectboard, and he will not tell them how to do their jobs. Access to the building and ways to complete town business are available and have been through all of this, beginning in March. 2020 and COVID-19 have made life inconvenient, period.

**C. Stormwater Mitigation Grant Application – DeWolfe Eng.**

John Svagzdys and Brian Lane-Karnas from DeWolfe Engineering participated via Zoom video. DeWolfe has been working with the town on the Machia Road slope stabilization plan. The previous estimate was based on conceptual plans, which were explained in more detail. The significant cost increase estimate comes from the opinion by a potential contractor that a single soil nail wall will not be sufficient. A double soil nail wall will be necessary. They will be one on top of the other. Sharon asked Brian and John if with the double soil nail wall they would be confident that it would hold. This is the best info they have to base their estimate on ahead of the funding application deadline. Vern asked how many contractors they consulted with. They reached out to three and only one was willing to talk with them and assist with the project at this point. They are assisting without any commitment at this time. Vern also asked about any other simple and cost-effective ways to hold the bank. It was explained that the bank is unstable and the weight of the soil at the top presses down on the lower soils. There are deep soils in this region as well as high ground water. They began looking at this area back in 2018. John added that the slope has been looked at by their sub-consultant geo-technical engineer and their entire staff did an extensive peer review and analysis of it because of the results they were getting. This is a very difficult slope to stabilize. It was also extensively reviewed by the State and their geo-technical engineers. Sharon asked about ground water monitoring in the spring and if that changed any of their thought process of how soon we may or may not see a failure. Ground water monitoring is separate from monitoring of the slope. Sharon asked Heidi if, because this had come up before, if there was info on State or Federal policies and can we use any of the funding to physically relocate the road? There is no easy answer. We would have to go through as much design work as we have with this route to even see a cost analysis. The concern is that this area is almost hourglass shaped with the river on both sides so there isn't much room and that would involve buying properties and relocating people. The new estimate is \$2,647,460.00 which is a LOT of money. The project has essentially doubled in cost from previous estimates. Kyle stated that how much that bank has moved will be huge for the Selectboard to make a decision. There is one home, a mobile home, on the river side of Machia Road that is already very close to the edge. Kyle worries about the safety of our residents, particularly of that mobile home. We have worked with FEMA buyouts in the past, and we should look at this avenue sooner than later with regard to this particular property. There was discussion on who owns the property and who lives there. Brian and John (DeWolfe Eng.) rushed to get us a new estimate for the stormwater grant opportunity with a contingency built in. It is designed to get us enough funding so when it is put out to bid we will have what we need. Sharon asked DeWolfe Eng. if it was their money, what would they do? John and Brian answered

similarly, stating that if it was their money, they would want it to be known that it meets all the safety requirements before the money was spent. They both understand wanting to explore all options. It was noted that the soil nail wall option works and has been used all over the world. The specialty contractors know what they are doing, and this is the best option available. Sharon added that we have a second slide area in town at the transfer station that needs \$3 million in repairs also, which is why the escalating costs are even more concerning. The board thanked DeWolfe for getting us an estimate so quickly and for their due diligence in trying to get us to a safety factor that is acceptable. Kyle would like to invite residents from this area on Machia Road to our next meeting to keep everyone in the loop and well informed of what is happening, particularly with the mobile home. There was discussion on what a FEMA buyout entails. FEMA will pay 75% of the determined value and the homeowner is still responsible for 25%. In the previous cases there were hurricane Irene funds available, so the Department of Public Safety kicked in some and the homeowners walked away debt free. Sharon mentioned that this mobile home, emphasis on mobile, could possibly be moved and we need to look at all options. Richard warned about setting a precedence. There is no good answer, but it begs the question – do we need to move the road? There was discussion on Machia Road becoming a dead-end road. This doesn't make much sense with a brand new bridge at the East Highgate end. We had previously looked at making it a one lane road with a light, which was also very costly for equipment. Heidi will have more information for the next meeting.

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

- Motion by Bruce Butler to approve the contract for \$3,300.00 for a weekly rental with HP Fairfield for a tractor to mow the deeper brush on the roadsides. The motion was seconded by Richard Flint – **APPROVED**. It was noted that there is funding in the PWD budget for this and that money has been set aside in the CIP so this might be the last rental needed.
- Motion by Richard Flint to accept the contract for 550 tons (guaranteed) of de-icer salt with Cargill, The motion was seconded by Bruce Butler – **APPROVED**. No price was listed, but it was noted that Cargill has been the most economical in years past and Cargill is easy to work with.
- Richard asked about the mower at the salt shed. It was sold by the town under a previous Public Works Director to Mr. John Gifford for \$5,000.00. Mr. Gifford paid \$3,000.00 and would make payments over the phone. We have heard nothing from Mr. Gifford since May 2017 and we have no contact info for him. Shelley has searched the state death records and doesn't know what else to do. We have another party interested in the tractor. Shelley will consult with the town attorney on the next steps.
- Motion by Bruce Butler to sign the check warrants. The motion was seconded by Vern Brosky III – **APPROVED**.
- Tax bills went out on Sept. 18<sup>th</sup> and checks are coming in very steadily in the mail. In two weeks \$1,514,471.63 has already been collected and of that, \$25,000.00 was cash. We are asking people to mail their payments or call for an appointment with cash. Cards can be used and the link is on our website, fees apply. The delinquent tax balance is \$52,085.46 which is good for the year we have had. It has been a tough year for a lot of people.

#### **E. Town Clerk Updates – Wendi Dusablon**

- Motion by Vern Brosky III to approve the minutes from September 17, 2020, as written. The motion was seconded by Richard Flint – **APPROVED**.
- The General Election is Tuesday, November 3<sup>rd</sup>. Polls will be open 7-7 at Highgate Arena @ 243 Gore Road. As previously discussed, ALL ACTIVE REGISTERED VOTERS WILL AUTOMATICALLY RECEIVE AN ABSENTEE BALLOT. We were notified today that Highgate's batch was released. Over 2,000 ballots went out based on our checklist data as of 9/2/20. If you registered to vote after 9/2 an absentee ballot will also automatically be sent to you directly from the Highgate town office. You do not need to vote absentee, polls will be open for those who prefer to vote in person. However, Wendi is seeing and hearing a lot of chatter about people throwing out their ballots. **DON'T DO THIS**. Please bring your ballot with you to the polls. We have been sent only 30% of our checklist for ballot use at the polls. And that ballot mailed to you needs to be accounted for at check-in at the polls. An affidavit will need to be signed if you do not have it. **SO PLEASE, BRING YOUR BALLOT WITH YOU ON NOV. 3<sup>rd</sup>**. It is not a mandate to vote absentee, but it is an attempt to keep the congestion down at the polls. Wendi and Shelley will be at the polls and JPs will be coming in to assist. There is no funny business going on, so choose how you want to vote and have confidence that your vote will be counted, because it will. Absentees will begin to be processed ahead of time, as authorized by the VT SOS office. Please call the town office with any questions or concerns, 868-5002 or [wdusablon@highgatevt.org](mailto:wdusablon@highgatevt.org). Our drop box is ordered but because everyone else ordered one also, we have not received ours yet. More info will be circulated when it is an option to drop off ballots and / or tax payments.

#### **F. Administrator Items – Heidi Britch-Valenta**

- As discussed earlier, we have a bigger gap to deal with to repair the Machia Road bank. The stormwater grant application is due on 10/9. We have allocated funding for this project already, which included a \$183,700.00 match, which is set aside in the CIP already. We have a shortfall and this application would be to apply for \$1,383,168.00 with a town match of \$345,792.00. It was noted that these are estimates. Sharon feels we should apply while it is available, regardless of what the town's final decision will be. We need to have back up plans for this project. The more funding we can acquire, the less burden we put on the Highgate taxpayers. Bruce asked if there is more we can apply for or if that is the limit. There is no maximum amount with this opportunity, however there is only \$1.5 million in the fund. Bruce would like Heidi to try to get it all. Motion by Kyle Lothian to apply for this grant. The motion was seconded by Richard Flint – **APPROVED**.
- We have been working with FEMA since 2013 on the transfer station slide project. Phase I was completed, which was the design phase. FEMA has questions for the consultants and the request for info was twelve pages long, anything but simple. Cross Consulting and GeoDesign have requested a cost overrun for Phase I, between them it was \$5,000.00. Heidi has a contract amendment from the Dept. of Public Safety, adding \$4,231.00 to our previous award, so if the board wants to sign it we can get the money and get the questions answered. The previous award was \$47,250.00. Motion by Bruce Butler to sign the amendment agreement with the VT Dept. of Public Safety. The motion was seconded by Vern Brosky III – **APPROVED**.

- Motion by Bruce Butler to sign the Cross Consulting contract for \$1,150.00 to respond to FEMA questions regarding the transfer station slide. The motion was seconded by Vern Brosky III – **APPROVED**. Motion by Bruce Butler to sign the GeoDesign contract for \$2,500.00 (plus \$492.00 overage from the design phase that we did not yet pay for) to respond to FEMA questions regarding the transfer station slide. The motion was seconded by Richard Flint – **APPROVED**.
- Motion by Bruce Butler to authorize Sharon Bousquet to sign the grant agreement with USDA Rural Development for \$15,000.00 to be used for economic planning. The motion was seconded by Vern Brosky III – **APPROVED**. Heidi noted that these are standard federal documents and she listed some of the criteria and conditions. Richard asked for confirmation on what these funds would be used for. As an example, the PC and DRB will be looking at such things as impact fees to plan appropriately for growth.
- Motion by Richard Flint to send a letter of intent by Oct. 30<sup>th</sup> for the NRPC grant-in-aid program. The motion was seconded by Bruce Butler – **APPROVED**. Our town would be offered just shy of \$14,000.00 and it is designated to help implement some best management practices with stormwater issues and water pollution. This would be to plan for a project next year, similar to what we have done already on Hanna Road, Dunton Road, Spooner Road and Rollo Road.
- There has been no further conversation on extending infrastructure to the airport. The engineer did complete the methodology that the State was requesting. It was figured that the State's portion would be \$1,555,555.00 based on the number of buildings that would be using it. Another phone call needs to be scheduled. Sharon added that she was approached by another individual interested in the brick factory location further down Route 78 and sees value in extending the lines even further. Another large industrial development is possible there.

#### **G. Selectboard Items**

- Vern has researched some wording and made some edits / suggestions to the surveillance policy, which is in draft form. This began as a VLCT model policy and we implemented comments and suggestions from law enforcement and the town attorney. We will have it reviewed again before finalizing it.
- This is our last meeting to be held at the arena due to the ice going in soon. A local paper has expressed interest in observing the process when the ice goes in. Ty will be communicating with them. Kyle spoke to Chief Depatie about using the bay(s) at HVFD to accommodate a larger gathering and HVFD is fine with it. Considering we are inviting Machia Road residents to our next meeting, it will be held at HVFD to allow for proper distancing. We can use the community room if large crowds are not expected. Zoom and conference call will continue to be available for residents to participate also. Heidi will be reaching out to Machia Road residents from Morey Road to the new bridge and also communicating with Vicki, owner and resident of the mobile home.
- We had advertised the open lister position and did have one interested resident. Aimee Reynolds reached out to Sharon directly with recommendations from the State level about distancing, site visits and other lister functions during the pandemic. Richard would like to continue this conversation in executive session.

- Sharon noted that Butch Brosseau said all the winter sand has been put up and we have more sand than expected in our Frontage Road supply. He feels we have enough for at least another season. This gives us more time to research what would need to happen (permitting) if we want to excavate more.

**H. Upcoming Events**

Recreation Comm.	Oct. 5	5:30pm	Selectboard	Oct. 15	6:30pm
DRB	Oct. 8	6pm	Planning Comm.	Oct. 20	6pm

Motion by Sharon Bousquet to exit the regular Selectboard meeting @ 8:10pm. The motion was seconded by Richard Flint – **APPROVED.**

**I. Executive Session**

Motion by Sharon Bousquet to enter into Executive Session @ 8:10pm with Heidi Britch-Valenta to discuss personnel, contracts and legal, where premature general public knowledge would place the town and/or individuals involved at a substantial disadvantage. The motion was seconded by Richard Flint – **APPROVED.**

Motion by Richard Flint to exit executive session @ 8:41pm. The motion was seconded by Bruce Butler – **APPROVED.**

**J. Adjournment**

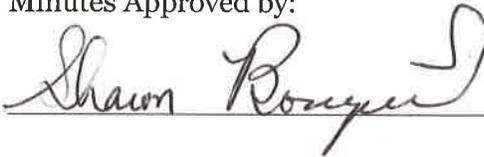
Motion by Richard Flint to adjourn the meeting @ 8:41pm. The motion was seconded by Bruce Butler – **APPROVED.**

Respectfully submitted by:

  
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Wendi Dusablon  
Town Clerk & Public Meetings Clerk

Minutes Approved by:

  
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Sharon Bousquet  
Selectboard Chair