

TOWN OF HIGHGATE
Selectboard Meeting
Thursday, September 3, 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>

OR BY PHONE / 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 Bruce Butler, Vice-Chair @ 6:30pm, 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 – Bruce Butler – Vice Chair; Richard Flint; Kyle Lothian; Vern Brosky III *absent* – Sharon Bousquet, Chair

Highgate Office Staff – Wendi Dusablon – Town Clerk & Public Meetings Clerk; Heidi Britch-Valenta – Town Administrator; *absent* – Shelley Laroche – Treasurer & DTC

Public / Other – Peter Geraw; Ashley Geraw; Bill Merrill; Alice S. Cota; Rick Trombley; Judy Laroche; Meghan Geraw; Ty Choiniere

B. Public Comment(s)

- Sue Cota thanked Kyle Lothian on behalf of herself and Monument Road residents for his help cleaning up the furniture dumped on Monument Road.
- Sue also reported that the State of VT was supposed to be on site working on the bank on Monument Road, but she had not seen them yet. She will keep on eye on the situation and call them again next week. Bruce recommended that she reach out to a board member for additional support if need be. Kyle did see the site and the bank is breaking away and is getting close to the road in one section.

C. Peter Geraw – Pickles Snack Shack Vendor Application

Peter Geraw, Ashley Geraw, Meghan Geraw and their neighbor Bill Merrill were present, as well as interim Zoning Administrator and DRB Chair, Rick Trombley. Mr. Geraw owns Pickles Snack Shack and had contacted the town previously about operating his food truck on his personal property, located on Carter Hill Road. A letter was sent to Mr. Geraw on 8/14 letting him know that he would need to go through a Conditional Use Review with the Development Review Board and that the deadline was 8/24 for his application and fee to be received for the meeting on 9/10. Rick Trombley lives not far from Mr. Geraw and drives by there regularly. He noticed the food truck on the lawn and it appeared to be open with menus displayed. Mr. Trombley followed up with a

certified letter to Mr. Geraw on 8/24, per the bylaws, letting him know he had seven days to respond or risk being fined if he was operating. Mr. Geraw came to the town offices on 8/27 and dropped off his paperwork for the CU review with the fee. He had missed the deadline for the September DRB meeting, which would bump his review to operate on his own property until October. In Mr. Geraw's CU application he requested to be considered to operate on town property if he was going to be denied operating on his own property. That is why is he here at this meeting. He has not been denied to operate on his own property – that process will need to be worked through with the DRB – but because he has missed the September deadline, it will be very late in the season before his hearing. In his application he noted he would like to operate Pickle's Snack Shack at either the arena property or the park and ride property. Mr. Geraw expressed dissatisfaction with working with Mr. Trombley and felt he was being treated unfairly and accused of operating when he was not. Mr. Trombley responded that the certified letter was sent because the first letter was not responded to and the deadline for the DRB meeting was the same day he sent the certified letter. Mr. Trombley also stated that everyone is treated the same, and anyone would have to undergo the same review, and many have in the past as well. The Conditional Use Review will give the neighbors a chance to comment and be involved, as well as look at things such as parking, per the bylaws. Mr. Geraw has submitted photos and a drawing and feels he has room for up to twelve vehicles at his home. He has all his state paperwork in order, as well as insurance, which was shared with the Selectboard members. For tonight's purposes, he is asking to be able to operate on a town owned property through the end of October. Ashley and Meghan Geraw commented that they have spoken to their neighbors already and that they have a solid following on their FaceBook page. They have recently had an event at the hospital which went very well. MAHA has recently held similar events at the arena location as part of their fundraising efforts, and they also came to the Selectboard for permission to hold these events. The park and ride location is not an option due to the bus stop and the dry hydrant at that location that needs to be accessible at all times. The board discussed other town locations with Mr. Geraw that could be considered. The town has a vending ordinance which is very outdated, from the 1990's when the Grateful Dead were here back to back years. Ty Choiniere recommended the Municipal Parking lot which borders the Municipal Park. There is already a port-o-let at that location as well as several socially distanced picnic tables on site. This would also give them great visibility. Ty recommended working with the public works crew about Fridays. Vern had questions about rest rooms and if they are required. All agreed this was a good thing and much needed in our town in a time when so much has been taken away due to COVID-19. An agreement will be written up between the town and Mr. Geraw and the target date to open will be Friday, 9/11. He would like to operate on Friday / Saturday / Sunday from 11am – 8pm. The rest of the details will be laid out in the waiver of liability agreement that Heidi will work on and get back to Mr. Geraw next week. Motion by Richard Flint to allow Peter Geraw to operate his concession trailer, Pickles Snack Shack, on town property at the Municipal Building at the end of the town park from Friday through Sunday for the remainder of the season (end of October), pending the waiver of liability agreement with the details and performance standards the town would like to see (example: trash disposal). The motion was seconded by Vern Brosky III – **APPROVED**. There was discussion on updating our vending ordinance and also letting SAPD know that they will be operating there. Richard Flint will talk to Butch and the public works crew about this also.

D. Treasurer Updates – Shelley Laroche

- Shelley was not present for this meeting but had prepared the check warrants ahead of time. Motion by Kyle Lothian to approve the check warrants. The motion was seconded by Richard Flint – **APPROVED**.

E. Town Clerk Updates – Wendi Dusablon

- Motion by Richard Flint to approve the minutes from *August 20, 2020*, as written. The motion was seconded by Vern Brosky III – **APPROVED**.
- Richard asked about minutes from the special meeting between the Selectboard and Recreation Commission on August 24th. Wendi was not at that meeting so she will check in with Sharon and Karen to see who took those notes.
- The General Election will be Tuesday, November 3rd. Polls will be open in the lobby at Highgate Sports Arena from 7am – 7pm. However, all ACTIVE REGISTERED VOTERS who were in the state checklist as of 10am on 9/1/20 will automatically be sent an absentee ballot through the VT Secretary of State's Office. Anyone who registers after that time will be sent a ballot directly from our office. It will be a very busy time, for sure! Polls will be open for those who would rather vote in person, but the ballot you were sent must be accounted for or an affidavit will need to be filled out before you can vote at the polls. All absentee ballots will have postage paid on them to mail them back. Absentee ballots can be expected between 9/21 – 10/1 timeframe. Give us a call if your ballot was not received. We are still operating by appointment, so call 868-5002 or email Wendi at wdusablon@highgatevt.org.
- Wendi and Shelley are working on a drop box option for the office. The VT SOS office is reimbursing towns up to \$1,000.00 so we hope to have something in place as another option for our residents.
- Motion by Kyle Lothian to exit the regular meeting @ 7:12pm and enter into the liquor control board. The motion was seconded by Richard Flint – **APPROVED**. Motion by Richard Flint to approve the 3rd class renewal license for the Tyler Place Inc. The motion was seconded by Vern Brosky III – **APPROVED**. Wendi noted that this was received via email today from Jamie at the VT Department of Liquor and Lottery. The email noted that this was a half year 3rd class renewal for the licensee to get them to the 4/30/21 expiration. TP is usually closed to guests after Labor Day, but with COVID-19 they did not have a normal season by any means and have extended guests accommodations this year through September and October. Motion by Kyle Lothian to exit the liquor control board @ 7:14pm. The motion was seconded by Richard Flint – **APPROVED**. Motion by Vern Brosky III to re-enter the regular meeting @ 7:14pm. The motion was seconded by Richard Flint – **APPROVED**.

F. Town Administrator – Heidi Britch-Valenta

- There is an updated grant spreadsheet in the packet with a few added grants.
- There is a separate sheet with information on the stormwater mitigation grant for the Machia Road stabilization project. We currently have \$734,800.00 that was secured in 2019, with a local match of \$183,700.00 that is already set aside in the capital budget. The numbers came in much higher, at \$1.3 million, when the engineers created the construction estimates. We are able to apply for additional funds this round, which has now opened up. We have a project shortfall of \$400,598.00. This round we can request \$320,479.00, which with the 20% local match of \$80,119.00,

would cover the gap. Bruce asked for confirmation on the total estimated project cost – which is \$1,319,098.00. We applied based on a rough estimate based on the fix from 20 years ago, which is where the original estimate of \$918,500.00 came from. When the contractor hired a geologist, we found that the same fix won't work in this spot, so the price is now higher than anticipated. Bruce asked about a construction date. We do not have one, as the design is still in the NEPA review stage and then will go to preliminary design. This is a 3-5 year project, so we won't have to come up with the extra funds immediately, we have a few years to stash it away. Heidi gave Vern some more info on the history of this project and the site. Heidi is looking for approval to apply for additional funds to lessen the burden on the taxpayers. Motion by Kyle Lothian to apply for the additional funding in the amount of \$320,479.00. The motion was seconded by Richard Flint – **APPROVED.**

- Motion by Richard Flint to sign the agreement with Goodhue Excavation as our contract going into the project on Rollo Road which consists of culvert replacements, installing plunge pools, ditching as per the plans, seeding, mulching and repairs to the road as needed, as listed in the RFP, at a contract price of \$32,970.00. The motion was seconded by Kyle Lothian – **APPROVED.** Bruce Butler, Vice-Chair, signed the documents. Kyle asked for clarification if traffic control is also included – yes it is. No startup date is noted.
- The Village Core Master Plan Committee is working on the wastewater study. The next step is preliminary testing and digging to see if the soils are as good as the maps indicate. Our engineer is coming to town on 9/9 @ 3:30pm to walk the two sites of interest: 1) town owned “Pine Forest” property and 2) Wright’s sand pit. Butch will be joining them, as well as Steve LaFar from the VCMP Committee.

G. Selectboard Items

- Changes to the HVFD bylaws were approved at the last meeting. Joe Depatie, HVFD Chief, has already signed the document. Bruce Butler, Vice-Chair, signed on behalf of the Selectboard.
- Motion by Kyle Lothian to accept the awarded funds from RiseVT (\$2,200.00) on behalf of the Recreation Department to be used for a bike repair station and a kiosk message board. The motion was seconded by Richard Flint – **APPROVED.** Ty will have more information for the board at a future meeting regarding these two projects.
- Motion by Richard Flint to appoint Randy Connelly as Highgate’s representative to the Communication Union District (CUD) Board. The motion was seconded by Vern Brosky III – **APPROVED.** We can also have an alternate representative which we could advertise for.
- Bruce will be the point person on the Selectboard with regard to the Airport Infrastructure Expansion Project. There will be a phone / Zoom meeting next week, September 10th @ 8am. Both local and state agencies and individuals will be participating, including our FC Senators and FRA-5 Reps. This will be a brainstorming session to come up with a plan. We should have our agreements soon from A&E and EPR (motion made at the last meeting). We will be working with them, basically on retainer, as we need them. Motion by Kyle Lothian for Sharon Bousquet to sign further contracts/agreements with A&E and EPR if they become

available and are time sensitive prior to a regularly scheduled meeting. The motion was seconded by Vern Brosky III – **APPROVED.**

- There is an update in the packet on the Cherry Hill property. The state has approved the deed and property transfer. They are waiting to see a copy of the survey.
- We have an official award from NBRC on the airport project, which came in less than predicted at \$482,053.24. There are two separate pools of funding and they are hopeful that additional funding will get us back up to the \$507,107.00 amount we were originally told. NBRC is asking that we review and return the grant agreement ASAP. Motion by Kyle Lothian for Sharon Bousquet to sign the NBRC grant award, in whatever amount is decided, if it becomes available and is time sensitive prior to a regularly scheduled meeting. The motion was seconded by Richard Flint – **APPROVED.**
- Rick Trombley updated the board that, hopefully, interviews for the Zoning Administrator position will be happening on 9/15.

H. Upcoming Events

DRB	6pm	Sept. 10
Rec. Comm.	6:30pm	Sept. 8
Planning Comm.	6pm	Sept. 15
Tax Bills Mailed		Sept. 18
Tax Bills Due		Oct. 30 by 4:30pm
Absentee Ballots Mailed		Between Sept. 21 – Oct. 1
General Election	7am-7pm	Nov. 3

I. Executive Session

None

J. Adjournment

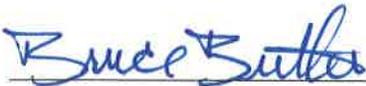
Motion by Kyle Lothian to adjourn the meeting @ 7:52pm. The motion was seconded by Richard Flint – **APPROVED.**

Respectfully submitted by:



Wendi Dusablon
Town Clerk & Public Meetings Clerk

Minutes Approved by:



Bruce Butler
Selectboard Vice-Chair

