

# TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, December 7, 2017 @ 7pm

## Approved Minutes

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

**6:00pm** - The Selectboard met with the Arena Facilities Board for a budgeting session beginning @ 6pm. Present were: Heidi Britch-Valenta, Wendi Dusablon, Shelley Laroche, Ryan Maskell, Kathy Boumil, Ty Choiniere, Karen Gagne Fortin, Sharon Bousquet, Josh LaRocque, Randy Connelly, Steve LaFar (arrive @ 6:05pm), *absent – Bruce Butler*. The budgeting session was adjourned @ 6:52pm.

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

The meeting was called to order by Sharon Bousquet, Chair @ 7:00pm followed by the Pledge of Allegiance.

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

**Highgate Office Staff** – Wendi Dusablon, Town Clerk/Public Meetings Clerk; Heidi Britch-Valenta, Town Administrator/Zoning Administrator; Shelley Laroche, Treasurer/Delinquent Tax Collector

**Public / Other** – George Greenwood; Alice (Sue) Cota; Woody Rouse, DRB; Rick Trombley, DRB; Tom Conley, PC; Mike Burnet; Tpr. Ben Patnode, VSP; Sgt. Joseph Paquette, VSP; Ben Lowell, Constable; Jeff Towle; Rich Wilkens, PC; Thomas Oliver, FCSO; Ken Brown, VAST; Dan Ertel, VTRANS; Elaine Ezerins, St. Albans Messenger; Luc Dupuis, PC; Danny Hale, VASA; Alex Airoidi, SAPP

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

- George Greenwood commented on the dumping sites in town, specifically Hempyard Road and the upper end of Lamkin Street. He feels we need cameras so fines can be assessed. George feels that haulers are being blamed and it makes him angry.
- Steve and Ray Many were present to discuss the speed limit on Humphrey Road. The town only owns a short portion of that road. Ray gave some history on the road. Josh will take a ride down there tomorrow and then get with the public works director on the issue.

### **C. ATV Discussion**

We have several people here from various agencies to discuss this topic. Sharon gave some background on this issue. The Selectboard has reviewed several templates of different ATV ordinances. They feel it is time to put something in place. Our Constable, Ben Lowell, has also provided input on what he would like to see. There was discussion on allowing ATV traffic on some secondary roads and giving riders access to obtain fuel. The town would like to work with VASA to come up with a plan to patrol these roads and pick roads that make sense. Those that can't follow the rules set in place will need to be fined. The board has reached out to law enforcement also to help support us if we put an ordinance in place. We have constant complaints here in town and there is fear for safety as well. There were comments and discussion on the no chase policy. If we know where they live they can be ticketed, but often times they see a fully marked cruiser and they flee and it turns into a game. Trooper Ben Patnode (VSP) stated it will take community support, not just law enforcement to make an ordinance successful. Sharon feels our residents are getting angry enough that they will be part of the solution. Steve would like to see law enforcement towing ATVs whenever possible. Josh asked about unmarked cruisers. Trooper Patnode again stressed community support and a willingness to follow up in court, if necessary. The town wants to work with law enforcement and be an effective partner with them and also with VASA. Danny Hale, Executive Director for VASA, was at a previous meeting and is also here tonight. He agrees that passing an ordinance will send a clear message to the community that we are serious about dealing with this problem. Our problems are local ones, the people riding illegally on our roads are not coming from out of town, they are local people, riding illegally on town and state roads. Danny knows for certain that there will be legislation introduced this session to address the issues of

enforcement through clarification of statutes and increasing fines. These are changes coming up that will help. Educating our community will be a key factor as well. VASA is actively moving forward with setting up a club structure in our area. There needs to be balance. There are lots of ATVs in our area. This long standing issue will take some time to control. Steve commented on the lack of supervision with the youngsters riding ATVs. They are being used as babysitters. Parents need to be parents. Thomas Oliver from FCSO agrees this is an ongoing problem and until the community stands up against it, we can't end it. Chasing is ill advised and against policy. It isn't a secret where the issues are coming from. Paying visits to the homes that we know of is a place to start. With an ordinance in place, we can ticket these individuals. An ordinance will tell the community, we have had enough and we are changing it. Woody Rouse asked about farmers putting an agricultural triangle on the ATV and if that makes them immune from the ordinance and any consequences. Danny said that statute with regard to farming is clearly defined. Rich Wilkens asked about statements from the public and what those would entail. It was clarified that photos can be taken. VASA provides funding for spot patrols. We are all creatures of habit. Danny believes that a large percentage of people doing the wrong thing wouldn't be doing it if they knew they shouldn't. The mindset here is that the roads are open to ATVs and they aren't! He gave examples of clubs that have started small and grown considerably, as well as communities issuing lots of fines and curbing behaviors. There was further discussion on the no chase policy. Dan Ertel works for VTrans, who owns the Lamoille Valley Rail Trail that runs from Swanton to Sheldon. Ken Brown was also present from VAST. They are here to see what they can do and how they can help. Mr. Ertel referred to state statute Title 23 VSA 3506. Signage is posted on either end of the trail. They cannot legally block anything. There is great concern about ATVs destroying LVRT and some damage has been done already. This is a tough time of year to get people involved in ATV clubs, as we are now into snowmobile season. Being part of a club also brings many resources. Presently, the ATV trails in our area are in the Bakersfield and Montgomery areas. You can follow the local club out of St. Albans on FaceBook or call the office any time for more information. There will be a meeting in Franklin County in February, more than likely, and clubs will be regaining some momentum in March. Danny would very much like to see the ordinance we come up with, prior to it being put in place. He will not be able to make our next meeting, as he is also a Selectboard member in Hardwick. Our board needs to consider locations to include with the ordinance. All our Selectboard members are on board with pursuing an ordinance and looking at different roads in town to see what, if anything, makes sense. It was noted that roads can always be added afterwards. Ben Lowell, Constable, added some comments. He definitely feels the ATV situation in Highgate is out of control. The rough draft Ben has already worked on is based on no ATVs being allowed. It sounds as though the board is open to limited use and he is available to assist with editing. Ben will need to know specific locations in town the board is considering. Putting this in place forces the community to get behind it. Sharon, Randy and Ben offered to be part of the committee putting this together. Jeff Towle asked for clarification on how this went from a "no roads policy" to a "some roads policy". Sharon referred back to work that had been done back when Andy King was on the board. Steve pointed out that youths won't be part of the ATV club, but adults will. Danny again stressed the importance of passing an ordinance, regardless of what it says. Without an ordinance, nothing is enforceable. You can add or change things at any time. Woody Rouse would like to see parking available at whatever locations are selected. People will need parking for vehicles that are trailered to that specific location. This is all part of the trail network. This will be revisited on December 21<sup>st</sup> at the next Selectboard meeting to nail down a motionable ordinance. Ben will coordinate with VASA and with Sharon and Randy. There will be public hearings before any ordinance is approved or not approved. Danny also pointed out that ages 12-18 must have taken the course and obtain a safety certificate. The vast majority do not have this certificate.

#### **D. Town Plan Amendment**

We have three Planning Commission members here tonight; Rich Wilkens, Luc Dupuis and Tom Conley. The PC has been working with NRPC to update our energy policy within our town plan. This will add some teeth to our plan on renewable energy projects within our town. This will also add flexibility. Sharon pointed out that these changes give the town leverage in a public service

board hearing. The information all came from NRPC who did an awesome job for us with lots of great detail. The board has already made a motion to move forward on this and this hearing is part of the requirement for adoption. There will be one more hearing at the next Selectboard meeting on Dec. 21<sup>st</sup>. The PC is also looking at adding Highgate Falls and Highgate Springs as official village designations. Jeff asked if renewable energy projects in the "pipeline" are affected by the changes to our energy plan, or just new ones going forward. Rich Wilkens believes if they have not received their permits, we still will have more of a say. All the information on the town plan amendment(s) is public and available. Please contact Heidi or Wendi for more information or read up on the Planning Commission minutes on the town's website [www.highgatevt.org](http://www.highgatevt.org).

**E. Town Treasurer Updates – Shelley Laroche**

**1. Check warrants**

Late filers who received homestead credits were issued refund checks by the town. Randy had questions about McCuins bills that are marked as "highway". Shelley explained that they are billed to the highway department at the store, but are not necessarily for them, so she has to separate them out.

**2. Miscellaneous**

- Budgets are in progress or complete for all departments. Sharon has asked everyone to decrease or level fund their budgets. She would like to go to town meeting and say that taxes were not raised, that is the goal, and she is very happy with the progress so far. There is a budgeting meeting on Dec. 13<sup>th</sup> @ 6pm to firm everything up.
- The town attorneys will be coming in tomorrow to do title searches for two tax sale properties. We also have some mobile home only properties that will be going through small claims court. This is because they do not own the land it sits on, just the mobile home, so we can't sell the land. We will go through small claims court to recoup our funds on these parcels.

**F. Town Clerk Updates – Wendi Dusablon**

**1. Minutes**

Motion by Steve LaFar to approve the minutes from November 16, 2017, as written. The motion was seconded by Randy Connelly – **APPROVED**.

**2. Set dog licensing fees for 2018**

Motion by Josh LaRocque to approve the dog licensing fees for 2018 as listed on the flyer below. The motion was seconded by Randy Connelly – **APPROVED**. These fees represent an increase of \$1.00 across the board to cover our expenses related to changes on how we operate since the changes with FCAR last year.

Dog licensing will begin on Tuesday, January 2, 2018

**It's Time To License Your Dog(s) Again  
With The Town of Highgate**

**REMINDER**

**2018 Dog Licenses are due by Friday, March 30th**

On or before Friday, March 30, 2018

Neutered/Spay \$13.00 per dog

Non-Neutered/Spay \$17.00 per dog

Fees starting Monday, April 2, 2018

Neutered/Spay \$22.00 per dog

Non-Neutered/Spay \$26.00 per dog

\*\*NOTE\*\* Dogs that remain unlicensed as of May 1, 2018 will result in a municipal ticket (fine) being issued per dog. This will be in addition to licensing fees. Please license your dog(s) by March 30th! Thank you.

**PROOF OF RABIES VACCINATION REQUIRED**  
*Please also let us know if you no longer have your dog(s).*

**DOG & CAT SHOT CLINIC**

Saturday, March 24, 2018  
10:00am - Noon  
Highgate Fire Station  
Attending Vet: Paws For Thought 868-4300

Prices: Rabies \$10, Distemper \$15, Rabies & Distemper \$20  
DOG LICENSES WILL BE AVAILABLE AT CLINIC--can be check only at the clinic  
DOGS MUST BE ON A LEASH & CATS MUST BE IN CARRIERS  
Questions? Please contact Wendi Dusablon, Town Clerk  
868-0002 or [wdusablon@highgatevt.org](mailto:wdusablon@highgatevt.org)

**3. 2018 meeting schedule for approval**

Motion by Josh LaRocque to approve the 2018 Selectboard meeting schedule as presented, leaving it as only one meeting in the month of July. The motion was seconded by Steve LaFar – **APPROVED**.

TOWN OF HIGHGATE VT  
APPROVED MONTHLY MEETING SCHEDULE  
2018

*Approved by Selectboard 12-7-17*

**DRAFT** **DRAFT**

- Selectboard – meetings start @ 7am
- Development Review Board – meetings start @ 6am
- Planning Commission – meetings start @ 5am

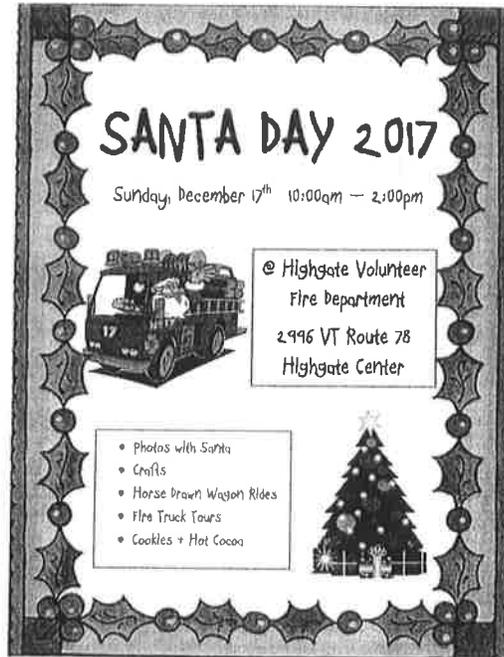
MONTH	APPLY BY DATE	SELECTBOARD	DRB	PLANNING
JAN. 2018	SB – Dec 28 & Jan 19 DRB – Dec 27 PC – Dec 29	Jan. 4 & 18	Jan. 11	Jan. 16
FEB. 2018	SB – Jan 26 & Feb 9 DRB – Jan 22 PC – Feb 7	Feb. 1 & 15	Feb. 8	Feb. 20
MAR. 2018	SB – Feb 23 & Mar 9 DRB – Feb 20 PC – Mar 7	Mar. 1 & 15	Mar. 8	Mar. 20
APR. 2018	SB – Mar 30 & Apr 13 DRB – Mar 26 PC – Mar 31	Apr. 5 & 19	Apr. 12	Apr. 17
MAY 2018	SB – Apr 27 & May 11 DRB – Apr 24 PC – Apr 23	May 3 & 17	May 10	May 15
JUNE 2018	SB – May 18 & June 15 DRB – May 15 PC – May 23	June 7 & 21	June 14	June 19
JULY 2018	SB – June 18 DRB – June 15 PC – June 25	July 19	July 12	July 17
AUG. 2018	SB – July 27 & Aug 10 DRB – July 24 PC – Aug 8	Aug. 2 & 16	Aug. 9	Aug. 21
SEPT. 2018	SB – Aug 31 & Sept 14 DRB – Aug 27 PC – Aug 31	Sept. 6 & 20	Sept. 13	Sept. 18
OCT. 2018	SB – Sept 28 & Oct 12 DRB – Sept 24 PC – Sept 28	Oct. 4 & 18	Oct. 11	Oct. 16
NOV. 2018	SB – Oct 30 & Nov 9 DRB – Oct 22 PC – Nov 7	Nov. 1 & 15	Nov. 8	Nov. 20
DEC. 2018	SB – Nov 20 & Dec 14 DRB – Nov 16 PC – Nov 20	Dec. 6 & 20	Dec. 13	Dec. 18
JAN. 2019	SB – Dec 26 & Jan 13 DRB – Dec 21 PC – Jan 28	Jan. 3 & 17	Jan. 10	Jan. 15

Phone: 802-868-4697 Fax: 802-868-3064 www.highgatevt.org  
Town of Highgate Municipal Offices – located @ 2996 VT Route 78, Highgate Center, VT

**DRAFT**

**4. HVFD ~ Santa Day and election results**

Sharon put on her elf hat to promote Santa Day @ Highgate Volunteer Fire Department on Sunday, Dec. 17<sup>th</sup> from 10am – 2pm. There will be photos with Santa, hot cocoa and cookies, crafts, fire truck tours and horse drawn wagon rides – all free for our community!



The fire department also held elections in the month of November. Elections were originally held on Monday, November 13<sup>th</sup> to elect a lieutenant and assistant chief. The vote for lieutenant went to John Gale for a two-year term, effective January 1, 2018. The vote for assistant chief ended in a 9-9 tie between two members of the department. Sharon explained that the bylaws state they follow Roberts Rules and because of the tie she was not sure how to handle it. While trying to figure it out, there was some squabbling and the Chief ended up removing his vote and resigning at that meeting. With his vote removed it tipped the scales in favor of one candidate over the other. Wendi followed up with the town attorney on if this process was correct and it was not. In the event of a tie on a vote by ballot, you keep voting until the tie is broken. The town attorney advised that the vote needed to be redone, which it was, on November 20, 2017. Wendi notified each member of the department individually and on November 20<sup>th</sup> the revote was 13 – 6 in favor of Gary Greenough for assistant chief for a three-year term, effective January 1, 2018. Sharon commended the entire department on the way it was handled, particularly one person who was directly affected by the outcome of the revote. She was very proud of them all. Woody Rouse spoke up that he felt the Chief acted very unprofessionally and should not have been allowed to return. On November 13<sup>th</sup> after this all happened, the entire department voted to have him return, if he would. They all wanted him as their Chief and hoped the situation would turn around. Sharon added that all the officers are currently on a probationary status with HVFD. Steve LaFar was at the revote meeting and confirmed that it all went well and was accepted.

**HVFD ELECTIONS RESULTS – terms effective Jan. 1, 2018**

11/13/17 Business Meeting & Elections

Lieutenant – 2 year term **JOHN GALE**

11/20/17 Business Meeting & Re-vote on Asst. Chief Position

Asst. Chief – 3 year term **GARY GREENOUGH**

Approved by the Highgate Selectboard on December 1, 2017



Sharon Kouskouski, Mayor

**5. Town Meeting petitions and deadlines**

There will be 10 elected positions on the ballot this year, see list below.

**Highgate VT  
Town Meeting 2018**

Petitions are available for the following positions,  
to be voted on by Australian Ballot on March 6, 2018

**Petitions and consent of candidate forms are due to the  
Town Clerk no later than Monday, January 29, 2018  
@ 3pm in order for your name to appear on the ballot**

Petitions must be stored by 15 of 18 ballot circled voters  
in minimum of 21 residential voter households

TOWN AGENT	1 year term
MODERATOR	for the ensuing year
SELECTBOARD MEMBER	3 year term
SELECTBOARD MEMBER	2 year term
LISTER	3 year term
CEMETERY COMMISSIONER	3 year term
TRUSTEE OF TRUST FUNDS	3 years remaining on a 3 year term
TRUSTEE OF TRUST FUNDS	3 year term
LIBRARY TRUSTEE	5 year term
LIBRARY TRUSTEE	4 years remaining on a 5 year term

Stop by the Town Clerk's Office to pick up your  
paperwork, or contact Wendi by phone or email @  
868-5002 [w.dusablon@highgatevt.org](mailto:w.dusablon@highgatevt.org)

Petitions and consent of candidate forms for elected offices are due to Wendi by 5pm on Monday, January 29, 2018 with a minimum of 1% registered voter signatures (21). Petitions for warned articles are due to Wendi by 5pm on Thursday, January 18, 2018 with a minimum of 5% registered voter signatures (105). Paperwork is available at the Town Clerks Office, on our website or by contacting Wendi at 868-5002 or [wduasablon@highgatevt.org](mailto:wduasablon@highgatevt.org). Elaine from the Messenger asked for clarification on which Selectboard seats are up this year – Josh's two-year term is up and Randy's three-year term is up.

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

##### **1. MPG award for signature**

This is a \$20,000.00 grant with a \$6,000.00 match for planning purposes at the Machia property. This is more of a village master plan to look at key properties in the main block within our village. This study will give us plenty of information to work with. Motion by Randy Connelly to have Heidi sign this paperwork. The motion was seconded by Josh LaRocque – **APPROVED.**

##### **2. Work crew proposal**

Alex Airoldi was present from St. Albans Probation and Parole. He is here to talk about the work he is doing with different crews in other nearby towns and to see if there are projects in Highgate. There are anywhere from 8-10 people on each work crew, typically, and they perform tasks in Franklin and Grand Isle counties. He provided a copy of a contract that is typically filled out. This is very affordable labor to help with projects, such as clean-up sites. The cost is \$19 per offender, per day. The dumping sites in town (discussed under public comment) would be a good example of where they can be utilized, but it doesn't have to be limited to just that. Alex supervises them and transports them. He has a van that can transport up to eleven people at one time. The town would be responsible for the disposal of the trash at these sites. He has communicated with NWSWD and they could arrange for tires to be picked up and split the cost. Alex is new to this position so he is networking. Sue Cota commented that this program has worked in an area near her home and they were very respectful and well supervised. This program has a contract with Fish & Wildlife currently for maintenance at their site and they also do work at the state parks. Bruce asked if they would require any support from the town, such as dump trucks or other town equipment. Alex confirmed he can provide the labor and transportation, but the town would need to provide some way to transport any debris. The board agrees this is a great proposal. This could be a one-time contract, or we could create an annual contract so as projects come up we don't need to do paperwork each time. The program has their own trailers, mowers, hand tools, shovels, etc. This time of year Alex is looking for more projects to keep them all busy.

##### **3. Misc.**

- VLCT will be at the next meeting and ATVs will be back on the agenda, so it will be another busy one!

#### **H. Selectboard Items**

##### **1. Walk to school day – recap**

Friday, December 1<sup>st</sup> was a very fun and successful day. Hundreds of students, parents, faculty, staff and community members met at St. Louis Church and walked the new sidewalks, used the new crosswalks and crossed over to the walking path leading to the school. We had three Selectboard members present – Randy, Josh and Steve. The town worked collaboratively with the Highgate Elementary School, RiseVT and Safe Routes to School to make it happen. Thank you to Marshall and Collette Ploof for organizing the buses and helping to direct them to keep everyone safe. Also, thank you to Craig Aylward, Jen Gagne and Chris Palmer at Highgate Elementary School for helping to organize the event. The board thanked Heidi for all her hard work on the sidewalk project and this event. Liza, Ralph and Chris from HVFD as well as FCSO were present to assist at crosswalks. It was a great event and Beckett (Randy's youngest son) cut the ribbon, wish Josh's help ☺. A huge thank you to EVERYONE involved.

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

- Sharon asked about the net metering project on Frontage Road. Our bill was slightly less than last month. We aren't sure if we have received a full

month's credit yet. The next bill will give us more information. The site visit to this location has been cancelled a few times.

- We are back on track with the Machia Road bridge (B25). We have officially seen the deed for the sale of the property from Ron Machia to the State of VT. Demo of that building will be lumped with construction of the new bridge bid. The tenants of the building have 90 days to evacuate.
- We do not have an RFP yet for the dehumidifier at the arena. Our contact isn't moving at the speed we had hoped. Josh will reach out to her ASAP.
- Randy asked about the paint on the crosswalks. It is all coming up, which isn't good at all. The primary contractor is looking into this. We suspect the timing of the application was not good. Shelley pointed out that they haven't been paid yet.

**I. Upcoming Events**

Dec. 11	3pm	Finance Committee Mtg.
Dec. 12	6pm	Library Study Committee Public Meeting
Dec. 13	6pm	Selectboard Exec. Session – budgeting
Dec. 14	6pm	DRB Mtg.
Dec. 17	10am – 2pm	Santa Day @ HVFD
Dec. 19	6pm	Planning Commission Mtg.
Dec. 21	6pm	Machia Property Committee Mtg.
Dec. 21	7pm	Selectboard Mtg.

**\*\*Town Offices will be CLOSED on December 25, December 26 and January 1\*\***

Motion by Steve LaFar to adjourn the regular meeting @ 8:31pm and enter into executive session. The motion was seconded by Josh LaRocque – **APPROVED.**

**J. Executive Session**

Motion by Josh LaRocque to enter into executive session @ 8:31pm with Rich Wilkens (PC), Luc Dupuis (PC), Tom Conley (PC), Rick Trombley (DRB) and Woody Rouse (DRB) to discuss personnel where premature general public knowledge would place the town or the individuals involved at a substantial disadvantage. The motion was seconded by Steve LaFar – **APPROVED.** Members of the PC and DRB exited executive session @ 8:50pm. Heidi Britch-Valenta (Town Admin.) and Ed Adrian (Town Attorney) joined the executive session @ 8:51pm to discuss legal and contracts.

Motion by Josh LaRocque to exit executive session @ 10:00pm. The motion was seconded by Steve LaFar – **APPROVED.**

Motion by Sharon Bousquet to put the two parcels of land that voters approved to sell at town meeting out to an open bid process. The motion was seconded by Josh LaRocque – **APPROVED.**

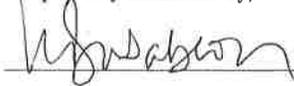
Motion by Sharon Bousquet to accept the MVR settlement contingent upon receiving correct signed documents from MVR and their attorney. The motion was seconded by Josh LaRocque – **APPROVED.**

Motion by Sharon Bousquet to accept the Deso/Leduc stipulation and authorize Ed Adrian to continue to proceed with signatures and submit them to the court. The motion was seconded by Josh LaRocque – **APPROVED.**

**K. Adjournment**

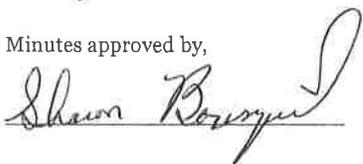
Motion by Josh LaRocque to adjourn the meeting @ 10:10pm. The motion was seconded by Steve LaFar – **APPROVED.**

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk  
& Public Meetings Clerk

Minutes approved by,



Sharon Bousquet - Chair, Highgate Selectboard