

TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, February 15, 2018 @ 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 Josh LaRocque, Vice-Chair @ 7:00pm followed by the Pledge of Allegiance.

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

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

Public / Other – Patrick Loyer; Richard Trombley; Jean Chevalier; Alice S. Cota; Ty Choiniere; Andy King; Richard Wilkens; Kathy Boumil; Henry Rainville; Richard J. Noel; Kyle Lothian; Ryan Maskell

B. Public Comment(s)

None

C. Pre-Town Meeting Informational Session

The Selectboard went through the 2018 Town Meeting warned articles, beginning with Article #3 on the town side, allowing for questions and comments along the way.

Article #3 – Shall the voters of the Town of Highgate vote all public questions by Australian ballot? There was discussion on what this would include. Any yes / no questions currently voted on from the floor would be included, leaving the CIP, General Fund and Highway Fund to be voted on from the floor. Ryan Maskell sees the benefit of this article, but also feels a lot of good comes from the discussions on the floor. It was noted that we have warned this article twice before. Both times it was tabled, not voted down. This will not affect anything on the school side, just town.

Article #4 – Shall the voters of the Town of Highgate set the final date of payment for FY2019 property taxes to be Thursday, November 1, 2018 with payments to be received in the town office by 5:00pm? There was no discussion on this article.

Article #5 – Shall the voters of the Town of Highgate appropriate \$7424 for home health services provided by Franklin County Home Health Agency, Inc.? This is a petitioned article and is the same as last year. There were no questions.

Article #6 – Shall the voters of the Town of Highgate appropriate \$50,000 to be held in escrow to be used for the Highgate Library & Community Center building fund? This is a petitioned article and is the same as last year. There were questions and some concerns about building a nest egg for an undetermined project

that may or may not happen. HLCC is working with a consulting firm on the future of the library. Ty feels there are two different groups going after the same piece of property. Rich Wilkens asked if the funds aren't used if they will come back to the voters. Jean Chevalier asked about the Anderson fund and if that will be utilized before asking the voters for more money. That is a question for the library trustees. Jean would like to see those funds used first. Andy King asked about the time frame for funds coming back to the town because this is not part of the CIP. Andy also pointed out that the Selectboard is trying to level fund the budget, even at the expense of town employees not receiving any raises. He finds it hard to see approving this article when employees are not being given cost of living increases this coming fiscal year.

Article #7 – Shall the voters of the Town of Highgate appropriate \$278,500 to meet the expenses and liabilities of the Capital Improvement Plan, with an estimated \$278,500 to be raised by taxes?

There were questions as to why the \$50,000 for the library is not in the CIP. The library petitioned that article so that is a question for the trustees. It is still considered a capital project for our town. Henry Rainville asked about the municipal roof and the delay in that being repaired. We have put it out to bid a few times and have not gotten any takers. The school is also looking to have roof repairs done, so we should piggy back on their project with the same contractor. Jean asked about the grant for the ADA project. We will know as soon as next week. Rich Wilkens would like to see the board use a dash board type template so projects don't fall off their radar. Josh would like to see an updated project list put in their Selectboard packets on a regular basis.

Article #8 – Shall the voters of the Town of Highgate appropriate \$764,718 to meet the expenses and liabilities of the Highway Fund, with an estimated \$555,651 to be raised by taxes?

Ryan Maskell asked about upcoming projects for the highway department. The Mill Hill project will be happening this year. It was put on hold because of the dam replacement project. Lots of culverts need to be replaced and we have a Better Back Roads grant for work on Tarte Road. The Machia Road bank stabilization project will be going out to bid soon. The RFP for construction work on the Machia Road bridge went out to bid yesterday, which is a BIG step! The PWD will have a lot of tree cutting to do as well. The State of Vermont is requiring all towns to do a municipal roads general permit, and NRPC will be helping us to get started. This will be due in July. We have to inventory everything and bring everything up to standards by 2026, which will fall in line with the fixed asset inventory also. Pat and Josh need to meet to get the paving list together. The bladder for the dam is now in Swanton and Highgate Public Works will be working with Swanton Village on that project, as they will be using Mill Hill for access.

Article #9 – Shall the voters of the Town of Highgate appropriate \$1,022,590 to meet the expenses and liabilities of the General Fund, with an estimated \$467,050 to be raised by taxes?

Rich Wilkens asked about the law suits noted in the Selectboard report. The funds paid to MVR are labeled under bad debt in the amount of \$28,500.00. Shelley explained what different categories are included in the legal fees column and noted that we accrue legal fees on several levels, not just law suits. There were more questions and comments on the \$28,500.00 paid to MVR. \$21,000.00 was owed to them and that was an error on the town's part. We also paid some of their legal fees and some interest on the money we owed them. There were questions on if the town was found at fault for lawsuits. Heidi said a summary could be written up and that any settlement is considered public information. Legal fees also

cover things such as tax sales, grant work, contracts, solar negotiations, etc. - not just law suits. We consult the attorneys for many things to make sure the town is being run properly. Shelley pointed out that we also have to account for tax abatements. Last fiscal year \$11,235.00 was abated and the board met early this year when another \$13,000.00 was abated. We are always in arrears when collecting what was abated in the previous cycle. We are anticipating lower revenue from Swanton Village due to the dam being out. That is out of our control and a huge hit to our town in the amount of (estimated) \$40,000.00 lower than the previous year. All budgets for all departments are down. Rich Wilkens asked about the newly created zoning administrator position for \$14,000.00. Money was taken from other department budgets to fund that position, as it was not budgeted for. Ty Choiniere had questions about the grant administrator position that was also created and about fees to administer grants being incorporated into any of the application. Josh would like to see a spreadsheet on this data. Heidi added that not all grants have this feature, noting that a recent grant she wrote for the fire department truck did not include a percentage for her administrative work. She also clarified that we often can use in-kind labor towards our match on grants. Rich asked about underspent CIP funds and amounts that were under budget and will be going back to the taxpayers for reallocation. We did come in under budget for the sidewalk project and the HVFD floor project and this can be discussed at town meeting. We voted last year to set aside \$80,000.00 for ADA modifications. Heidi should be hearing soon on the \$75,000.00 grant that we applied for. Until the ADA project is complete and we have seen the final bills, we won't be able to close that out and reallocate those funds until next town meeting.

Article #10 – Shall the Town of Highgate contract with Missisquoi Valley Rescue for all ambulance services under a contract identical to the one to be circulated at Town Meeting Day, with such services beginning on July 1, 2019? Both providers (AmCare & MVR) will be invited the March 1st Selectboard meeting for presentations. We will likely have to change the venue of the meeting to the school to accommodate the larger crowd. Kyle Lothian had questions and concerns about the lawsuit that was settled in the amount of \$28,500.00. The town sent a letter to MVR in April 2016 with regard to funding. The letter stated that it was the town's position and understanding that we did not owe MVR any more money, due to the way dispatching fees were handled at that time. The letter was sent certified mail and also regular mail to Chief Stell in April 2016. We also signed a contract with AmCare in April 2016 to take effect July 1, 2016. We were served with the lawsuit in mid-late July, 2016. MVR thought we owed them money, we thought MVR owed us money. Kyle questions why MVR did not approach us when we stopped paying them and received the letter. He feels that the lawsuit was a slap in the face to every Highgate taxpayer and that communication from the letter we sent could have solved the money issue. We had zero reply from MVR regarding the letter. We have also paid them money towards their legal fee and interest on the money we owed them. Kyle has no issues with MVR members, but he does with their leadership. Instead of regrouping and sharpening their pencil they chose to go the route of a suing the Town of Highgate, which he considers a low blow and insulting. He commented on a recent editorial written by Josh Ramsdell from MVR and that there was no mention of money, only that the lawsuit was to give Highgate taxpayers a say. He further stated he feels that a lot of people don't know the true story of what happened, and that they should know. Kyle went on to say that you don't "poop where you eat" and MVR did just that. Jean Chevalier added to the conversation stating that Mr. Yates violated open meeting laws and commented on his "wink-wink / nod-nod" relationship with Mr. Krul from AmCare. Kyle does not see how these issues are even

connected. Jean stated that Mr. Yates did not play fair. Josh LaRocque has been on the board for two years that he never knew that the town owed MVR any money. This is because MVR did not respond to the letter, which they could have easily done, rather than sue. Kyle asked why this question is not on Australian ballot – this is because we vote public questions from the floor. Kyle has more questions and comments, but he will wait until March 1st. Ty asked about the proposed MVR contract. It will not include dispatching fees, we aren't going down that road again. This proposed contract with MVR would be same as we currently have and we will pay our own dispatching fees. Pat Loyer asked if splitting the town 1/2 MVR coverage and 1/2 AmCare coverage was a possibility. Ty asked if we vote down this article, does that mean we can't go with MVR at a later date? He doesn't know why we would vote yes to this article if we could vote it down and have a choice later through the bid process. This is part of the lawsuit settlement and this article cannot be amended from the floor. Bruce Butler pointed out that the amounts on the MVR contract are based on an estimate of what AmCare's contract amount would be 2019-2022 but we don't have AmCare's actual numbers to compare it to for the next three year period. Sharon is working on getting AmCare and MVR to the March 1st meeting. There is hesitation from AmCare to face this situation again by doing a presentation. If the vote is yes on this article there will be no opportunity to compare or negotiate. Andy King asked if MVR will have an explanation as to why they can now perform services at a price they could not give us a few years ago. He will plan to address that question with MVR on March 1st. Henry Rainville asked the board if they all have an opinion on this issue. Yes, they all have their opinion on this article and this topic. They are not bound by the lawsuit to not discuss it. This article can't be tabled or the town would be in contempt of the court's ruling. Ty again stated that a no vote would give us the opportunity to put this out to bid. We have to educate the townspeople on this issue. People look to the board as leaders who know the facts. Bruce Butler commented that for the first time in a very long time, no one from the Messenger is here.

Article #11 – To transact any other business legally authorized to be transacted, considered proper and necessary when met. Jean Chevalier asked if there were any changes regarding the status of the Jedware property. No changes, everything is still in limbo with the courts in Florida. Shelley would like this resolved and off her delinquent tax list. Steve cautioned Shelley about being too quick on wanting to collect the taxes and to consider the implications acquiring this property would have to the town and the taxpayers. Steve asked former board members Henry Rainville and Richard Noel why they did not feel taking over this property was a good idea while they were serving on the Selectboard. Both Henry and Richard spoke to their recollection on the topic during their time in office. Henry feels, then and now, that this would be a huge liability to the town if we took this over. Richard Noel noted that now other avenues may be possible with regard to solar projects, as an example. Henry is concerned that when this information came out that the general consensus in town was that we owned this piece of property. If this is a “gift” we don't want, can we say no? That is a legal question. Ty asked about the Elwood property on Lamkin Street. The town had a court health order that prevented the owners from being there and gave the town the authority to clean it up. The town is in the process of a foreclosure, which is another legal expense. We put a lien on the property for expenses associated with the cleanup. If we acquire the property, we will sell it. The two properties authorized to be sold last year at town meeting (Dalcourt and Cherry Hill) are not attractive to realtors, but could be sold through a bid process. They are worth nothing to us as a town, and we don't expect big money for them.

The board concluded the Pre-Town Meeting Informational Session and went into the regular Selectboard meeting agenda:

D. Public Works Director – Pat Loyer

Lucien Laroche has a plow available identical to what we have. It is a Tenco with the same blade width and is not worn out. The frame could be put on our plow and useable right away. We don't need the plow right now but we do need the frame. He is asking \$1,250.00. We have some insurance money from VLCT. We could use the insurance money to buy a new frame and have the other as a backup. An A-frame is 4-6 weeks out. We could use the A-frame from Lucien to get our plow back on the road and return the loaner to Franklin. Thank you Franklin for helping us out! Chevalier's also brought a plow down for us to use, thank you to them also! Motion by Josh LaRocque to purchase the plow from Lucien Laroche for \$1,200.00 and to also purchase a new A-frame for our truck. The motion was seconded by Bruce Butler – **APPROVED**. Pat is looking to get new grader tires. He has priced the out with Warren Tire and Marshall Tire. Motion by Steve LaFar to purchase six grader tires from Warren Tire for \$1,700.00. The motion was seconded by Bruce Butler – **APPROVED**. A tree was cut on Machia Road today. There is another one Gore Road that is really bad, two in the park and one in the cemetery. A window was broken in the loader the other day and Butch replaced it with plexi glass for \$75.00. We are getting low on sand. The supply on Frontage Road is frozen, but there will be a warm up next week. Two loads have been ordered. Pat thanked the crew for all their hard work while he was on vacation. The library water line is in bad shape but they were able to abandon the old line from the park to the library and snake in a line through the old line. It was frozen initially but then was found to be broken and leaking.

E. Treasurer Updates – Shelley Laroche

1. Check warrants

Josh asked about the invoices from Viking and Tenco. There were no further questions on the warrants.

2. Misc.

We are busy preparing for town meeting. Shelley also noted the delinquent tax list is down to \$146,328.00.

F. Town Clerk Updates – Wendi Dusablon

1. Minutes

Motion by Steve LaFar to approve the minutes from *February 1, 2018*, as written. The motion was seconded by Randy Connelly – **APPROVED**.

2. Town Meeting Updates

Absentee ballots are now available. Please contact Wendi to have your ballots (town & MVU) mailed or stop by to pick yours up. All the info concerning town meeting is posted on our website at www.highgatevt.org and posted at several locations around town, as well as our FaceBook page.

3. 2018 Liquor License Renewals – Tyler Place Inc.

Motion by Josh LaRocque to exit the regular meeting @ 8:42pm. The motion was seconded by Randy Connelly – **APPROVED**. Motion by Randy Connelly to enter into the liquor control board @ 8:42pm. The motion was seconded by Steve LaFar – **APPROVED**. Motion by Josh LaRocque to approve the renewal applications (one 1st class hotel license and two outside consumption) for the Tyler Place, Inc. The

motion was seconded by Randy Connelly – **APPROVED.** Motion by Josh LaRocque to exit the liquor control board and enter back into the regular Selectboard meeting @ 8:44pm. The motion was seconded by Bruce Butler – **APPROVED.**

G. Administrator Items – Heidi Britch-Valenta

1. Municipal Roads General Permit

This was mentioned earlier and there is a summary in the drop box.

2. Machia Road Slide Grant – RFP for Design Consultant

This is a large AOT grant with an estimated total project cost of \$900,000.00. This will be a stabilization project next to a previous fix done in 2006 that has held very well. Motion by Bruce Butler to approve the RFP for the design consultant. The motion was seconded by Steve LaFar – **APPROVED.**

3. Project Updates

Heidi gave an update on various projects in town.

4. Lamkin Street Sidewalk – Close Out Documents

This project finished under budget. There was a contract amendment with Ruggiano Engineering due to there being four change orders during the entire project. Ruggiano had to be covered for an additional \$1,400.00. Motion by Randy Connelly to approve the amendment. The motion was seconded by Steve LaFar – **APPROVED.**

5. Flooding Update

There are three Monument Road residents with damage. As a requirement to participate in the flood insurance program, we have to work with each applicant to do building permits for their repairs. At a certain threshold, ANR doesn't want them to reinvest unless the properties are flood compliant. Only one property is approaching that threshold. Laura Barney and Rebecca Pfeiffer visited with that homeowner and he would be interested in a FEMA buyout. It will fall to the town work with the applicant and become the ultimate owner of the property. It is unclear where any matching funds would come from, but perhaps from the flood insurance, we will have to wait and see. Sue Cota thanked the board for the additional lighting at the intersection of Tanglewood Drive and Monument Road. It makes a very big difference. Motion by Steve LaFar to go through the buyout process for the one property on Monument Road. The motion was seconded by Randy Connelly – **APPROVED.** There was more discussion on the process and the board would like to walk the property.

6. Misc.

Bruce asked about NWSWD and tipping fees at Casella. Casella is interested in working with the town if we get the grant to work on the slide at the site.

H. Selectboard Items

1. Health Officer Resignation

Jeff Towle has submitted a written resignation from his position as Health Officer for the Town of Highgate. This is due to personal health reasons. We wish Jeff the best and he has our support with the battle ahead of him. We will be looking for a replacement, even if on a temporary basis. The stipend for a full year is \$1,000.00. Contact the town offices if you are interested.

2. Misc.

- Randy asked if MVR had been contacted about doing a presentation on March 1st. Henry Rainville would like to see the budget numbers ahead of time and noted that the board should also so no one looks foolish or unprepared. Everyone

should have an opportunity to absorb the info and prepare their questions. Jean Chevalier asked what the numbers will be. They are listed in the town report, as the numbers are basically based to what AmCare offers us now.

- Ty asked about central dispatch being added to our cell tower. Heidi heard from Chief Taylor and we should have an agreed upon contract for the March 1st meeting.
- Henry asked about the full time arena position that is incorporated in the general fund. He would like the board to consider a contracted position instead of a town employee. He feels it will give us an out if performance is not what it should be. Shelley said our personnel policy is very clear as far as termination.

I. Upcoming Events

Feb. 20	5-7pm	PC Town Office Open House
Mar. 1	7pm	Selectboard Mtg. – Ambulance Provider Presentations
Mar. 6	10am	Town Meeting @ Highgate School polls open 7-7
Mar. 8	6pm	DRB Mtg.
Mar. 12	4pm	Finance Comm. Mtg.
Mar. 15	7pm	Selectboard Mtg. – ATV Public Hearing

Also, Highgate Elem. budget info session is Feb. 22 @ 7:30pm and MVU has their informational meeting on Mar. 1st @ 7pm.

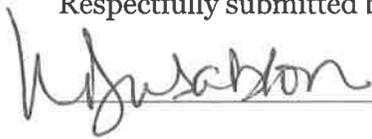
J. Executive Session

None

K. Adjournment

Motion by Steve LaFar to adjourn the meeting @ 9:22pm. The motion was seconded by Randy Connelly – **APPROVED.**

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk &
Public Meetings Clerk

Minutes approved by,



Joshua LaRocque –Vice Chair, Highgate Selectboard

