

TOWN OF HIGHGATE

Selectboard Mtg.

July 9, 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; Shelley Laroche – Town Treasurer

Public / Other – Rick Trombley; Dennis Feeley; Kermit & Susan Drown; Woody Rouse; Keith & Louise Machia; Michael Gosselin; Jerod Adams – FCSO; Will Ruprecht – FCSO; Doug Rollo; Jenny Austin – VHB; Michael Servetas – VHB; Liza Comiskey; Andy King; Shirley Fecteau; Amanda Holland – NRPC; Michelle Monroe – St. Albans Messenger; Connie Janes Beyor; Richard Noel; Barbara Chevalier; David Desorcie; Evangeline LaRocque; James Marshall – VTrans; Kellie Uzell

B. Public Comments

Liza Comiskey and Ty Choiniere were present on behalf of the Parks & Recreation Committee. They have heard concerns regarding the Summer Sounds Concerts in Highgate using the Veterans Memorial as the stage for performances. Some view it as disrespectful. They have approached the Summer Sounds representative, Dick Harper, and Mr. Harper advised that if the Selectboard tells them to relocate the summer shows they will do so, until then they will continue as is. There are other locations within the municipal park that could be used, and also other parks, such as Highgate Falls that could be used. Kermit Drown disagrees with this. He feels that kids in town could do more damage (and have) to municipal property than any Summer Sounds concert would. Jeff Towle has also never heard any complaints, but the board will work with Mr. Harper. Jeff would like the P&R Committee to invite Mr. Harper to their next meeting. Paulette Tatro has attended many concerts in the park. They are well attended events. There is power at the memorial site, needed for the musicians as well as for lighting. There is also access to bathroom facilities close by the municipal park.

C. Route 78 Pedestrian Safety Study – alternatives presentation

Jenny Austin and Michael Servetas from VHB were in attendance to give this presentation. Heidi began by saying that the town has acquired a grant for \$23,000.00 to hire a consultant to study the village area. VHB was hired to study pedestrian safety, speed of traffic and make our village area more compatible with the large amount of traffic that we have every day. A meeting was held last fall where residents chimed in on their concerns. VHB has spent time working with AOT and has some suggested alternatives for us. Heidi noted that we had other people present this evening regarding this project; James Marshall from AOT, Richard Noel is our town representative on the transportation advisory board, Amanda Holland from NRPC, and several members of the Highgate Sidewalk Committee. The project area spans from the intersection of Route 207 & 78 on the western end, to O.C. McCuins on the eastern end. Jenny Austin summarized some of the issues that came up at the local concerns meeting last fall. The following alternatives were presented;

- Alternative #1 – No Build
- Alternative #2 – Curbed Sidewalk
- Alternative #3 – Sidewalk with green strip
- Alternative #4 – Traffic Calming (several options)
 - Raised median at western end
 - Flush median by Gore Road
 - Raised median at the eastern end
 - Medians

Dennis Feeley voiced concern over which side of Route 78 would have a sidewalk. This has not been decided yet, and Mr. Feeley wanted to know why not. Mr. Feeley stated that the Town of Highgate does not own any property to put in any sidewalks. The costs associated with each alternative are estimated as follows;

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| Alternative #1 – No Build | \$0.00 leave project as is |
| Alternative #2 – Curbed Sidewalk | \$520,000 2351 feet north, \$430,000 1945 feet south, \$950.00 total |
| Alternative #3 – Sidewalk with green strip | \$150,000 868 feet north, \$330,000 1956 feet south, \$480,000 total |
| Alternative #4 – Median | \$80,000 each per median, each 250 feet |

Heidi asked about points for crosswalks and potential good spots for those. Route 78 & Gore Road and also at the Municipal Office Complex would be good locations. Kermit Drown stated that instead of spending all this money on sidewalks, why don't we spend more money on the FCSO coverage in town so his wife can walk safely to and from her job. Sidewalks are all well and good, but until we control the traffic, they aren't worth anything. They are here 8 hours per day, but it should be more. Keith Machia agrees with the crosswalk idea near Gore Road, there is good visibility in that area. James Marshall from VTrans stated that from a maintenance standpoint, a curbed sidewalk will require drainage, and the maintenance would fall to them. Speaking for himself only, he would not be interested in maintaining any closed drainage systems. The district would prefer the alternative #3, the green strip with sidewalk. Mr. Feeley also asked about the grand list and how this will affect property taxes. Route 78 is a state road and we will leave it up to the state to tell us what the width is. Heidi added she knows little about the impact of sidewalks on property values. Shirley Pecteau, who is a member of the sidewalk committee and is also a town lister, said that sidewalks do not have an effect on the assessed value of the property. Heidi did add that there is documentation to show that homes with sidewalks nearby sell for more. Kermit asked for verification on the village designation limits, which spans from one railroad track to the other, beyond Route 207 & McCuins. This project is not being proposed for the entire village designation, just from 207 to McCuins. Keith Machia asked about liability to property owners if a sidewalk runs in front of their home. Mr. Feeley thinks the town would be liable. Mr. Marshall from AOT said he is not the correct person to answer that question. Richard Noel believes that if you are within the right of way, and not on personal property, property owners would not be liable. Richard Noel also stated he believes Route 78 is a three rod road. This would need to be validated as part of this project. David Desorcie stated that he knows there is some congestion next to his store, but he does not think that curbing the area along the Route 78 side of his store is a good idea. If the town disagrees, he has a good lawyer they could discuss it with. He would like to see sidewalks go in on the south side of Route 78. Ty Choiniere would like to make sure there is a solid maintenance plan in place to keep sidewalks clear and safe all winter long. The park and ride is another area that needs to be reconfigured. In August of this year, we will have a dedicated pick up spot for Highgate with GMTA at the park & ride (Frog Pond). Liza Comiskey noted that the area for the dry hydrant at the park & ride needs to remain clear at all times. The proposal for the park & ride includes 21 parking spots with one way circulation. There will also be room for a weigh station for large trucks if needed. There would be no parking on one end of the park & ride to accommodate the need for the dry hydrant and access to it. Jeff asked about the process from here, what is next? Once the town provides VHB with a direction on a preferred alternative the plans will be developed and sent to VTrans for review and (hopefully) approval. Comment can continue to be given to Heidi to be included in the full report. Keith Machia asked if traffic lights have ever been considered to slow people down. Richard Noel thinks that traffic islands will start the process of slowing people down. Any signage would come into play in the final design phase. Mr. Marshall added one last comment that he believes the use of vertical granite curbs within traffic islands are dangerous.

D. Franklin County Sheriff's Office Update

Will Ruprecht and Jerod Adams were present for an update for the period April 1, 2015 – July 8, 2015. In this time frame they responded to 314 calls in the Town of Highgate. We have a shared contract with Sheldon, and in this time frame they also responded to 213 events in Sheldon. Highgate is historically busier than Sheldon. The 314 calls in Highgate are broken down as follows; 911 hangup -7, accident property damage 5, alarm 8, animal problem 2, arrest on warrant 1, assault 1, assist agency 6, assist public 2, ATV 4, burglary 1, citizen dispute 9, custodial dispute 1, disorderly conduct 1, DLS 9, domestic disturbance/assault 5, drugs 1, DUI 3, eluding police 1, juvenile problem 1, motor vehicle complaint 14,

noise disturbance 2, property watch 31, search warrant 2, sexual assault 1, suspicious event 16, theft 1, threats/harassment 3, traffic control 3, traffic hazard 1, traffic stop 132, trespass 1, VIN verification 10, welfare check 2, and writ of possession 1. Their focus this summer is on occupant protection in vehicles. There have been 21 deaths so far this year on VT roads, most involve distracted driving, no seatbelts and speeding. Crimes in a rural area like Highgate often involve a motor vehicle, so the focus is on vehicle and criminal interdiction. They have a new speed cart, and are looking for a good location in Highgate to place it. Over by McCuins where the speed goes from 35 to 50 would be a good choice. Jerod Adams has been the school resource officer (SRO) at Richford High School and also Enosburgh High School. He noted a decrease in crime due to a good relationship with the students and the community. Connie Beyor asked who should be called if we encounter more vandalism at the Highgate Elementary School? In any event, you should call 911. The call will be given to whomever is covering at the time, either VSP or FCSO. Chris Yates asked if the change in coverage time affected the statistics in Highgate. FCSO altered some coverage times due to some theft activity happening during the day time. According to the stats, it has been successful. Some arrests were made in Fairfax involving a group that was busy all over Franklin County. Will also mentioned the property watch program and how it works. If you will be out of town, you can contact the FCSO and fill out the paperwork to join the program. Will and Jerod will be in touch with us regarding the speed cart. The board thanked them for coming and for the information presented tonight.

E. Town Treasurer – Shelley Laroche

Jeff noted this is Shelley's first meeting with us, and welcomed her.

1. Pay bills

Paulette had a few questions or needed clarification on a several items: *the payment to NRPC; *what MPG-CIP stands for (Municipal Planning Grant – Capital Improvement Plan); *invoice from WB Mason for \$128.60 was for envelopes, tape, pens, and general office supplies; *the State of VT payment of \$500.00 for the ELLP program is regarding the ANR protection for ownership of the Jedware parcel; *a few Drummac invoices for jetting out culverts; *Gorman Group invoice for chloride; *and DEW invoices.

2. Arena funding update

Tom is not here tonight, so there is no update on this. Shelley will be working on this so we have a complete picture. Jolley Associates hand delivered a check today for \$5,000.00 for the arena upgrade project. The Kraft Hockeyville check still has not arrived.

3. Auditors contract

Motion by Chris Yates to sign the contract with Sullivan & Powers for auditing services for fiscal year ending June 30, 2015. Motion seconded by Jeff Towle – **APPROVED**. Richard Noel asked how much the contract amount was - \$18,000.00. Richard commented that is more expensive than paying elected town auditors. This change was voted on in March at Town Meeting.

4. Misc.

- The tax sale is scheduled for Friday, July 31st @ 10am here at the municipal building.
- Paulette would like to see the warrant a few days prior to each Selectboard meeting. This will give the board more time to review the payables.

F. Town Plan Update Hearing – Rick Trombley, PC & DRB Chair

Rick Trombley and Woody Rouse from the Highgate Planning Commission were present. This is the first of two town plan update hearings presented at Selectboard meetings. The next will be on July 23rd. The board has seen the proposed plan already, which expires this month. Heidi thanked Amanda from NRPC for her work with the Planning Commission on this effort. Rick highlighted some of the changes which outline actions for the future and things to address during the next planning cycle. Chris has not read it cover to cover, but did have a few edits based on what he has reviewed. Further changes and edits can be directed to Heidi or Amanda. Ty asked if there had been any further discussion regarding a bandstand in the municipal park or Highgate Falls park. Where ever the bandstand ends up and Summer Sounds performs, it will be supported. The board thanked Rick and Woody for being here and also thanked Michelle Monroe from the St. Albans Messenger.

G. Town Clerk – Wendi Dusablon

1. Minutes from June 18th

Motion by Chris Yates to approve the minutes from June 18, 2015 with two edits. Motion was seconded by Paulette Tatro – **APPROVED**.

2. Painting bids

Motion by Chris Yates to hire John Martin to paint the interior of the offices for \$1,505.00. Motion was seconded by Paulette Tatro – **APPROVED**. Jeff noted that John is willing to do some work on weekends, which will minimize any interruptions to our daily business.

H. Town Administrator – Heidi Britch-Valenta

1. Morey Road update – choose an option

In early June, the Morey Road washed out near the intersection of the Brosseau Road. We have a temporary fix in place and have an opportunity to apply for emergency funds to permanently repair it. We have two options:

~ Cement box culvert with 10% match – **est. cost \$150,000.00**

~ Steel culvert with wing walls and no bottom with 10% match – **est. cost \$80,000.00**

The flow rates for each option are almost the same, slightly longer life span for the concrete box culvert option. The town could participate more in the installation of the metal culvert. Richard Noel agrees that the metal culvert (arched) with wing walls is a better option for us. There will be plenty of room to put the stone over the metal culvert also. Richard noted that the town could meet our match with in-kind services from the highway crew. Motion by Diana O’Hara to proceed with the metal pipe arch with wing walls. Motion was seconded by Randy Connelly – **APPROVED**. Paulette asked for confirmation on the price again, estimated cost is \$80,000.00 for this option, and we have a 10% match.

2. Demo bids – Riverview Lane Homes

We have received three submissions. This will be further discussed and decided in executive session later in tonight’s meeting.

- Gosselin Construction & Excavation
38 Riverview Lane \$13,950.00
70 Riverview Lane \$14,450.00 Total \$28,400.00

- Doug Rollo Excavating & Trucking
38 Riverview Lane \$17,614.50
70 Riverview Lane \$18,079.50 Total \$35,694.00

- G.W. Tatro
38 Riverview Lane \$18,700.00
70 Riverview Lane \$18,700.00 Total \$37,400.00

3. Misc.

- VT Gas is moving forward with their expansion in Highgate Center starting in August and completed by December. They are coming to town to meet with property owners and answer any questions at a public information session at Highgate Elementary School on July 28th @ 6pm.
- Heidi has put an updated listing of active grants in the packets for the board members to review.
- Motion by Chris Yates to allow Philip (Butch) Brosseau to use the town grader at Franklin County Field Days, as long as we get confirmation from them that they have personal and equipment liability coverage. Motion was seconded by Jeff Towle – **APPROVED**.
- Heidi has received a letter from the International Committee that they will be trimming trees along the border.
- Heidi will be meeting with Ranger Solar on Monday. They are working with a private land owner to establish a solar farm, and want to communicate with the town. Heidi will suggest they come to a future Selectboard meeting also.

I. Selectboard items

1. Junkyard COAL

Keith Machia has asked the board for a certificate of approval for the locations of his father’s two salvage yards – Cook Road & Route 78. This is a requirement for the State of VT. Heidi noted that over the years, things have fallen off the radar, parcel maps aren’t quite accurate and 911 numbers need to

be verified. Keith stated our town administrator is very thorough, which is a good thing. He has some concerns, including the house on the Cook Road property that is considered "abandoned" is actually a storage facility and there are other references to zoning and land use issues. His father, Ephriam Machia, has been licensed to operate in these locations for many years, which grand-fathers any zoning amendments that have since been made. In the spirit of cooperation, Keith is trying to work together, he knows in the past it has been contentious. He is more than willing to work with Heidi and the listers office to fix all the little things. He agrees, the parcel maps are not accurate, not even on his own property. This is referring to the GIS program, and as issues come up, we work to correct them. Keith knows his brother's property on the Cook Road is a bit messy, and he has worked with his brother to clean it up. This too should be grand-fathered in, because his brother was living there when his father obtained the licensing to operate on that property. Nothing new has been built or done on either property, it is business as usual, as it has been for decades. Chris asked to confirm, the house that his brother Corey lives in was there before the storage building was built and before the salvage yard license was acquired – yes. Corey has an official address which can be verified with the post office, it is all there. Heidi did ask about a previous letter from then town administrator Larry Kempton about mobile homes being moved in. Keith clarified, those mobile homes are on the other end of the property on Cook Road and has nothing to do with the salvage yard at all. The salvage yard is on the 40 acre parcel formerly known as the Dan Oliver farm which was purchased from Maynard Beyor. Regarding the fence on the Route 78 property, that was installed when Keith was a sophomore in high school, he remembers because he dug every one of those holes. Paulette asked if new salvage material was being added to either parcel. Any new salvage vehicles being added are behind fences. Any whole vehicles that are in sight are legitimate, because his father has a used car license with the State of VT. Heidi wanted to note that for every business, when a change is made to the structures they need to come before the DRB for a conditional use review, even if they are grand-fathered, and that is for any business. Keith again clarified, nothing has changed. He noted that his father has been part of these discussions and he can be worked with too. Yes, he can be fiery, but he can be worked with and Keith doesn't mind being the go-between. Chris commended Keith for his thoughts in the email and being here to work this out. The letter before the board tonight is for one year to give the Machia family time to fix what needs to be fixed with the listers office, etc. Motion by Chris Yates to sign the letter to Mr. Donovan supporting a one year approval period for the COAL regarding Cook Road and Route 78. The motion was seconded by Jeff Towle – **APPROVED.** The board thanked Keith and Louise for being here and working together with them on this. Keith will be in tomorrow around 3pm to pay the fee, which is \$25.00 per lot to the town.

2. Finance Committee

We need to put together this committee to help with budgeting among other things, now that we do not have internal auditors. Paulette has offered to help get this off the ground and hopes for a 3-6 person committee that could meet quarterly or monthly with Shelley Laroche. VLCT may have some guidelines to get them started.

3. Misc.

- We have received a letter from Eric Parker regarding concerns in the Shipyard Bay area, issues include trash bins, sand issues and a culvert. Next week Mr. Parker is meeting with Mr. Greenough, Denise from FNLC and the State of VT to come up with a plan. This will be back on the agenda in August. Heidi noted we could also apply for a BBR grant to help with this.

J. Upcoming events

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| July 16 | 6pm | DRB Mtg. |
| July 21 | 6pm | PC Mtg. – ADA Planning Grant |
| July 23 | 7pm | Selectboard Mtg. w/ 2 nd Town Plan Update Hearing |
| July 28 | 6pm | VT Gas Public Info Session @ Highgate Elem. |
| July 30-Aug 2 | | Franklin County Field Days |

K. Executive Session

Motion by Jeff Towle to enter into executive session @ 9:14pm for a personnel issue and a contract. Motion was seconded by Paulette Tatro – **APPROVED.**

Motion by Jeff Towle to exit executive session @ 10:15pm. Motion was seconded by Chris Yates – **APPROVED.**

Motion by Jeff Towle to hire Andy King as the Public Works Director at an annual salary of \$62,400.00 and a possible cash in lieu of insurance payment of \$4,800.00, with a review in six months. Motion was seconded by Randy Connelly – **APPROVED.**

Motion by Chris Yates to hire Gosselin Construction & Excavation to remove the homes from Riverview Lane for the specified price in the bid, with any changes to the plan to be reviewed by the board. Motion was seconded by Randy Connelly – **APPROVED.**

L. Adjournment

Motion by Jeff Towle to adjourn the meeting @ 10:25pm. Motion was seconded by Paulette Tatro – **APPROVED.**

Respectfully submitted by,

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

_____ Jeff Towle, Chair – Highgate Selectboard