

TOWN OF HIGHLGATE Selectboard

September 4, 2014 @ 7pm

Approved Minutes

NOTE: All actions taken are unanimous unless otherwise stated.

A. Call to Order & Roll Call

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

Highgate Selectboard Members- Andy King, Vice- Chair; Diana O'Hara, Luke Choiniere (arrived @ 7:02pm) and Chris Yates. Jeff Towle was absent.

Highgate Office Staff – Wendi Dusablon, Town Clerk; Heidi Britch-Valenta – Town Admin; Tom Racine was absent.

Public / Other – Ben Lowell (Constable), Ty Choiniere, Kris Smith, Darlene Foster, David Tremblay, Cotey Tremblay, Ashley Tremblay, Karen Gagne-Fortin, Danielle Pothier, William Roberts, Dick Harper, Matt Larocche.

B. Public Comment

None

C. Highway Department – (Steve Ploof was absent)

1. Speed reduction petition for Charles Circle & Darlene Drive

The board members on their own time had each taken a ride up to this development. Chris and Andy both feel that 35mph is way too fast for those roads and would be in favor of reducing it to 25mph. Chris would like to work something into the traffic ordinance for the future with regard to developments and keeping the speed at 25mph. Motion by Chris Yates to reduce the speed limit on Charles Circle and Darlene Drive to 25mph.

Motion was seconded by Luke Choiniere – **APPROVED**. Darlene Foster and Kris Smith arrived after this discussion and the board brought them up to speed on the conversation and motion made. Chris noted that this won't be an overnight process, but they will get it started.

2. Rainville drainage project – site visit follow up

Heidi included the estimates for this project in their packets. Chris thinks the estimate for 8 hours of labor is high for this project and he wonders what would be used for a sleeve. Luke noted that Jacques Rainville has already cleaned out the ditch and pulled out some stumps. Chris does not see a big benefit to the town to complete this project. The road is not flooding, so what are the taxpayers going to gain? Andy's only concern from the site visit is that the culvert is not doing what it was designed to do, whether or not that is a big problem right now, he is not sure. It was put there for a reason, to evacuate water across the road. At some point in the future we will need to approach it from that standpoint. Luke would like to proceed with cleaning out the culvert and if Mr. Rainville wants to proceed with his project on his own, he can do that. We will have taken care of what is already in place. Luke feels the proposed improvements would only benefit the property owner, not the taxpayers in general. Luke also noted that if the culvert is cleaned out, Mr. Rainville may find that he doesn't need to do everything he planned to do. Motion by Chris Yates to table this discussion until the next meeting when all of the Selectboard members are present. Motion seconded by Luke Choiniere – **APPROVED**.

3. Bouchard Road discussion

Matt Laroche and David Tremblay were present for this discussion, as well as Cotey and Ashley Tremblay. Jeff Towle and Steve Ploof had taken a ride up to Bouchard Road recently, both are not here this evening. Jeff had noted to Heidi that some repairs were taking place already. Matt stated he has brought in two loads of stone and attempted more but has had truck problems. David has put 4.5 loads down this spring. Andy asked that both keep track of what they have been contributing. Andy read aloud from the letter that was sent to Matt and David regarding restoring the road and also maintaining it. Andy noted that all comments, questions and concerns should be directed to the board, not to each other. David stated that if Matt is going to continue to have the right of way, he should be responsible to bring it back up to the standard it was ten years ago. Back then it was a beautiful road. David has put in at least 20 loads of stone, only to watch it be abused. He feels it is Matt's turn to maintain it if he wants the convenience of using it. David stated that we all love conveniences in life, but does Matt ever think about the Tremblay's who were living there 16 years prior? It has been inconvenient for the Tremblay's to have Matt drive through there, 28' from his house. He also noted that Matt uses the road even when it's wet, he does not let it dry out. Andy added that at the end of the day, this is a trail. David doesn't understand why it's so important to the town to keep that right of way open. Andy stated that we have already had this discussion and it's been voted on. As a general rule, based on the information we have, it's not a good idea for towns to give up right of ways. In years to come and as situations change, once you give that up, the process to have it established again is difficult. David feels the town wants the right of way but not the responsibility. Andy responded that the town is in a position to maintain the right of way and pretty much dictate whatever we want it to be; foot traffic, horses, horse & buggy, etc. There is a broad spectrum that the town can dictate given that this is a legal trail. The town wants to work with both sides to have it restored and maintained, and that it does not fall to just one person. Cotey Tremblay (son) stated that if things had been equal from the start that would be one thing, but Matt has some catching up to do. Cotey also asked how long Matt has to fix it, there is a lot of feed left to get and the trail is in bad shape. Matt added that he thinks firstly, the culverts need to be dealt with. Would the town be willing to put them in? It would be at David's discretion where to put them. Matt feels if we don't deal with the culverts first that it's not worth putting money into fixing it. There was some discussion regarding trucks and if they should be allowed on the trail. Andy agrees that usage of the trail is a part of this puzzle. We need to lay the foundation as to how we get the road restored and where do we go from here. If culverts need to be replaced, that needs to be identified now. Matt noted that he has put some stone in the roughest parts, not necessarily the deepest parts. In the deeper sections, there will need to be a gravel base and then crushed stone. Matt thinks 25 loads of gravel at 15 yards per load, and then a cover coat on top. Matt asked Cotey if he thought that 30 yards would cover from the gate to where the tractor used to be by the tree line. Cotey thinks that 30 loads of gravel would cover it, but that does not count stone, just as an estimate. David stated that the town will be working to help bring the trail back to a decent shape for him (Matt) so that he can continue to use it. David has put into it for 26 years. Luke added that if Matt decided not to be part of the solution that the town could declare the trail as only a walking trail, if that is what the town decided to do. David also asked about speed limit signs. Signs are nice, but not everyone abides by them. David asked if he could get a sign that lets people know how fast they are going. Chris added that if David wants to purchase that he can, but they are expensive. Chris also stated that we are here to develop a plan. He asked David and Matt how much they have put into the road in the last five years; David 12.5 loads, Matt 4 or 5 loads. To confirm, Andy asked them both if 30 loads of gravel topped with crushed stone would bring that road up to a good standard. They agreed that is a good ballpark figure. Matt is willing to truck all the gravel and split thereafter on the gravel, not crushed stone. Andy wants to

know what 30 loads of gravel will cost if Matt trucks it. Matt has a gravel pit, so it will just cost him for the excavator and trucks. Luke asked Matt why he has not done any of this before. It was approximated that 12 loads of stone would be needed to cover it up. Diana O'Hara asked Matt if he is willing to fix that side of the road up, how much would it cost him to fix his own right of way up and use it? Matt answered that using his own right of way is out of the way. Diana added, not by much. Matt replied that it is another two miles and stated "do you know how far two miles is?" Diana and Luke both noted that the road used to be very nice, and how it doesn't look anything like it used to, there is no comparison. Luke asked for clarification if what Matt is providing is gravel or shale – Matt answered it is gravel. Once this is brought up to standard, we need an average of what it is going to take every year to keep this thing going. David noted that when he came to the board, he wasn't asking for a penny. Andy feels there is a way to address this that will work for everybody – Matt, David and the town. Cotey commented that the speeds used on this road are ridiculous and that will play a big part in keeping it maintained once its repaired, especially when its soft. Chris asked if ditching would help. Cotey answered that parts of it were already ditched. David added that if a grader went down that road, it would be guaranteed that somebody would be asking why the town is involved in fixing up a trail. Chris has looked back through minutes of when it was downgraded from a Class 4 to a trail. The boards intent at that time was not to kick off agricultural use. Chris is trying to base his decisions on what they were thinking back then. Neither party came tonight with a plan, but Chris now has some numbers to work with and will find out what Matt is offering to do is worth. David and Chris had some conversation with regard to snowmobiles and David noted that snowmobiles made their own bed with regard to his land, to which Chris replied that the road is not David's land. David stated that he could put blocks up if he wanted to, Chris said no. David answered that Richard Noel put some blocks up on the other end (in Franklin). Andy noted that what happens on the Franklin end is not something we can control. Diana said that last time she was up there, the blocks on the Franklin end has been moved so an ATV would fit through. David wanted to know how Richard can put up blocks and he can't if both ends are a trail, to which Chris replied we can only regulate what is in Highgate, not Franklin. Andy will ask Jeff and Steve about their site visit and after speaking with both parties tonight, Andy has some ideas. Cotey asked if in the future would it be completely out of the question for the town to turn it over to the Tremblays? Andy said its never out of the question, but for now the plan is to restore and maintain. David still doesn't understand why Matt won't use own right of way and not have to bother David and his family. Cotey recommended that the town wash their hands of the whole thing, because it's a lot of drama. The board has some homework to do and will be in touch with David and Matt. Its important to Andy that everyone comes to an agreement. We all live next to each other and its important to remember that. David again asked about speed, which is 25mph to the end of his gate and that is the lowest it can be, by statute. Andy thanked them all for being here tonight.

4. Miscellaneous

- Heidi has a form for the board to sign with regard to the pole on Lamkin Street that was approved at the last meeting.
- The truss bridge in Highgate Falls has been repaired and is now open to foot traffic. We are ok to remove the barriers. Chris asked Heidi to let Barb Chevalier know this, as she asked about it back at Town Meeting.
- Chris has some information on sand bids, which he will let Heidi pass on to Jeff for next year.

D. Parks & Recreation Committee

Karen Gagne-Fortin, Dick Harper, Ty Choiniere and Danielle Pothier were present for this discussion. Chris Yates began by stating that the committee has been meeting regularly and doing good things, but they would like some direction on where to go. Danielle stated that they have been looking at

programs and thinking about a website that would be “one stop shopping” for residents instead of having to look to the schools, library, municipal, etc. for information on parks & recreation. Dick noted that the real importance of the website is for everyone to have access to information. The website may be the central piece to what they can accomplish as well as figuring out what is available for facilities and land. Chris will be looking at the town parcels and see what is open for recreational use and what the current conditions are. There are lots of volunteers and it will be key to keep them engaged and building on what we have already. Dick noted that as far as scheduling at the arena, it would be easier to know what is already happening to plan what will happen next. Karen added that they are starting with a soccer program for pre-K through grade 4, because there is a need for that. This will be run through the library. Heidi was impressed with what has been done so far and so fast. Tom did raise some red flags about structure and liability. Forms were forwarded to Tom to have them checked out. Chris agreed, the major red flags did come from Tom and were with regard to money and liability. There is a line item in the budget for parks & recreation, but that is for mowing of the parks. Chris did not want there to be any confusion about that. Heidi clarified there is no money in the budget for the capital campaign for the arena in the recreation budget. That was contingent on the arena vote in March, which was defeated. Dick noted that for at least the first year the arts council would float the cost of the recreation website. There is no charge for the soccer program to get it started and get the interest back. Karen stated that MAHA does not have the time to take care of programming for things that happen outside of the arena. Heidi added that this is a shift and a growing pain. We used to have a recreation department which was virtually eliminated and MAHA and the library have stepped up. Tom is looking for structure on how this will work in the chart of accounts. Andy noted that as long as the committee structures activities through a town department, for example soccer sponsored through the library, that should cover the liability portion. Until parks & recreation becomes its own department, it will remain a committee. Ty feels that once other departments step up and establish these programs, it will be harder for them to give them up. And long term, Ty doesn't feel that a committee is in the best interest of the town. Andy agrees, but until we build a timeline into the budget for a recreation department, we will be limited to operate in this way as a committee. Ty has also been seeking donations of material to have soccer nets built. The hard part is, who do you say you are donating to? If they want to donate money, who are they donating to? Betsy Fournier came to their last meeting and gave them some ideas to work towards. They received some good encouragement from her. Karen noted that Highgate is unique to them because of the arena piece. If MAHA takes care of the inside activities, any outside activities could be run through recreation and the arena can be scheduled for use and utilized by both groups by working together. Andy stated that the long term goal is for this committee to become a department. Karen referred to their mission statement, which Chris read aloud:

The Highgate Parks and Recreation Committee exists to promote parks, recreation and program opportunities for people of all ages to gather, celebrate and engage in activities that encourage health, well-being, community and the environment. We believe community is created through people, parks and programs.

Heidi threw in a plug for the Highgate Cliffs State Park. This committee could help speed up the process with the State of VT to develop a walking trail through this area. It is a local treasure that not many people are aware of and it's a beautiful property. Heidi feels that having some ideas of where this will go to present at town meeting would be helpful in creating a timeline. Chris noted that on the forms, they have changed the name to Highgate Public Library for programming to get things going. The library trustees approved using the library name. The soccer program pre-K through grade 4 starts this weekend. Ty has more questions about the money piece, and this is a discussion they need to have with Tom so we are all on the same page. Karen noted that this is why they started with the soccer program being free. In the future, Betsy suggested

keeping the fees minimal. They will invite Tom to their next recreation meeting on Sept. 10th. Heidi noted that the audit is also coming up in mid- September. Chris added that the Cross Country program is also going, with 25 slots. The soccer program is looking for volunteer coaches for the pre-K and K teams. Ty received donations of PVC piping from FW Webb to build two sets of goals. MVU donated some of their used soccer nets. Ty is waiting to hear on a donation for soccer balls. Heidi noted that the consultant for the cell tower would like to come next week so they will know the appropriate spot for the tower at the arena. It would be helpful if someone from the Selectboard, Parks & Recreation Committee and MAHA could be present. Wednesday 9/10 during the day works for Karen and Chris.

F. Town Clerk – Wendi Dusablon

1. Delinquent dog list

We have licensed 775 dogs as of today. There are approximately 8 more dog owners who are yet to come in. Each have been contacted multiple times, through mail and in person. Wendi has also reached out on line to those she can find. Andy feels that municipal tickets are appropriate, given that April 1st was the deadline to register and we are now in September. Chris would like a letter sent to the remaining list giving them 10 days to license their dogs or a municipal ticket will be issued, and possible impoundment of the dog(s). Wendi will send out letters on Friday 9/5 giving them until 9/15 to register. She will include a copy of the dog ordinance also. Motion by Chris Yates to send letters to the remaining unlicensed dog owners regarding municipal tickets if not licensed by September 15th. Motion seconded by Luke Choiniere – **APPROVED**. Ben Lowell was present and is on board.

2. Approval of minutes

Motion by Chris Yates to approve the minutes from August 21, 2014 as written. Motion seconded by Andy King – **APPROVED**.

3. MVU budget vote – Sept. 9

A reminder of the MVU budget vote, set for Tuesday, September 9th from 7am-7pm at the Highgate Elementary School (gymnasium).

4. Misc.

Bill Roberts arrived and introduced himself to the board. He had stopped by all three MVU budget informational sessions and had just left the Highgate meeting at the school. He noted the discussion was rigorous. Mr. Roberts would like some time (5-10 minutes) on our agenda on Oct. 2nd. Mr. Roberts is just looking to introduce himself, as he is a candidate for Senate on the November ballot.

F. Town Administrator – Heidi Britch-Valenta

1. Municipal building modification, ADA grant

The process of moving the listers office, the fire department office and utilizing the space upstairs will require modifications to our space(s). We have an estimate from the architects. There is a grant available to help cover costs of the planning and assist in creating an RFP and advertising etc. The town match would be 25%. The down side is that this will add another level of delay into the process while we apply for the grant and wait. We can move forward now and attempt to put some costs into the grant after we have paid them, or can look at this specifically and have an opportunity to have a larger portion of the planning covered. The administrator of the program, Carl, stated that this will make the process a longer one. None of our situations are urgent. The ADA grant for planning is simply for planning. We would need to know everything we want and a complete plan for what we want to accomplish, and we aren't there yet. Andy asked if we could back fill with the planning grant, or is it a forward motion? Chris feels that the best case scenario is they tell us to go ahead and do the design work and then we get the grant to cover it. Second best is we have to wait. Third is we would have to spend taxpayer dollars for the design work. Andy noted it's not a question of if we do this, it's a question of when.

2. Municipal properties update

Heidi has information from the realtor, which includes suggested pricing. The board is within their rights to wait until executive session to discuss this.

3. Parking ordinance model

Heidi presented a model from Richford and one from VLCT that encompasses all traffic issues into one comprehensive document. It is similar to what we did with the dog ordinance. Chris would like to look at the whole document (traffic ordinance), as it has been amended quite a few times. This is not a rush issue, but can be added to the project list and assigned a priority.

G. Selectboard items

1. Job descriptions

Chris has been going through them and sees lots of things that could be added and / or changed. He has also looked at some from other towns, some of which look like a job posting. We need to identify if duties are rested with the right person and is everything identified. As an example, we currently have the Town Admin. and Zoning Admin. lumped together, is that the best fit? It was agreed to begin looking at job descriptions beginning with the highway department. Heidi will add those current descriptions to their next packet. Andy asked for them ahead of time so they have time to look at them.

2. Setting speed limits

This was discussed under the highway section.

3. Meadow Lane documents

Chris Yates recused himself from this discussion and moved to the audience side of the table. Heidi stated that she believes the board made a motion to accept the road at their last meeting. Chris had a copy of the Highgate Road Acceptance Policy, he could not find a signed copy of it. It is back from when Steve Bushey, Brian Rowell and Richard Noel were on the board. This policy is posted on the town website. In the policy it states "*The Selectboard must inspect the area and hold a hearing. Affected property owners must receive 30 days notice of the hearing, as must one or more of the petitioners and the Town Planning Commission. Notices will be sent by registered mail.*" Chris then presented a petition to the Selectboard signed by 6 Sandy Acres residents who say they are affected land owners who did not receive written notice. Andy asked Heidi, where does this leave us? Heidi stated this is a very uncomfortable situation for the way this is being handled. She believes the board made a decision, and in the absence of the road commissioner (Jeff) it would be advisable to delay this discussion. Andy would also like more time to go through the packet of information presented to the board. Andy also feels that the road commissioner and highway foreman have been an integral part of the decision making process to this point and having them here for the discussion is important. Heidi is having a hard time locating a copy of an agreement when the town took over a road in the past. She is not sure if they don't exist, or if they just were not recorded at the time. Motion by Andy King to table this issue until the next meeting so there is time to look over the documents and also have the highway foreman and road commissioner present for the discussion. Motion seconded by Luke Choniere – **APPROVED.** Heidi will email a copy of the petition to Jeff.

4. Misc.

Chris noted that Tom had brought up the issue of the fire alarm reporting. When we did the switch over with the phones we did not know about the panel, it was not on the radar. There was no dial tone to it, which has been remedied. We need to look into a secondary path. Chris found an IP dialer which is a one-time fee. That can be used as a second source of transmission. The alarm is operational, but needs to have a secondary path prior to our next state inspection. Chris will pass this info along to Tom.

H. Upcoming events

Sept. 8	7pm	Route 78 safety study / local concerns meeting @ Highgate Elem. School library
Sept. 9	7am-7pm	MVU Budget Vote @ Highgate Elem School gymnasium
Sept. 11	6pm	DRB mtg.
Sept. 16	6pm	Planning Commission mtg.
Sept. 18	7pm	Selectboard mtg.

I. Executive session

Motion by Andy King to enter into executive session @ 8:47pm to discuss contracts and personnel. Motion seconded by Chris Yates – **APPROVED.**
Motion by Chris Yates to exit executive session @ 9:40pm. Motion seconded by Luke Choiniere – **APPROVED.**
Motion by Andy King to accept the contract for real estate sales with Sandi Murphy. Motion seconded by Luke Choiniere – **APPROVED.**

J. Adjournment

Motion by Chris Yates to adjourn the meeting @ 9:45pm. Motion seconded by Luke Choiniere – **APPROVED.**

Respectfully submitted by:

Wendi Dusablon, Highgate Town Clerk

Minutes approved by:

Andy King, Vice-Chair Highgate Selectboard