

TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, January 4, 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 Sharon Bousquet, Chair @ 7:00pm followed by the Pledge of Allegiance.

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

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

Public / Other – Alice S. Cota; Sarah Chevalier; Eric Chevalier; Jeff Towle; Jean Chevalier; Walter Krul, AmCare

B. Public Comment(s)

None

C. ATV Ordinance Discussion

Heidi distributed copies of the draft ordinance to those present. An ordinance will allow for enforcement and also for us to have a much better handle on the issues we are having. Sharon went over some of the highlights from the proposed ordinance. For now the proposal is to not allow ATVs on our roads but to expand in the future to possibly allow ATVs on certain properties, roads and trails. We will need the help of VASA to make this happen. Josh would like to allow some leeway to farmers or sugar makers to access their own properties for ag purposes, but we need to avoid favoritism. ATVs will be required to be registered and also have a valid VASA plate attached to the front. VAST trails will be restricted to the use of snowmobiles only. There was discussion on penalties and towing expenses. There will be language incorporated to the ordinance to give people the right to appeal. ATVs will not be allowed on school or town properties. Sharon also read aloud the fine structure as well as waiver information. Towing will be at owner's expense. Once the public hearings are completed the ordinance will become effective in 60 days. Jeff Towle wants to be sure that there are two public hearings held after tonight to give folks the opportunity to be heard and to comment. The intent is to start a coordinated effort with VASA and be able to enforce laws already in place. This will also show what is expected from the community and what will happen if enforcement is required. Eventually the goal is to have a safe and regulated place for people to ride. Jeff thanked the board for doing this. He compared it to the ordinance that was put in place at Frog Pond (park & ride). The situation over there still isn't perfect, but it has improved greatly. We all know the areas in town that are abused by ATVs and we all know the people who are riding them. This is a community problem. Eric Chevalier is in favor of an ordinance and any private land

owners opening up their land for people to ride. He is not in favor of town roads becoming super highways for ATVs. There was discussion on trail heads and where they would be located. Sarah Chevalier asked if the town would incur any fees for fines that are contested. The fine system is handled by the Judicial Bureau and paid directly to them. Those that don't pay their fines, it will catch up with them eventually. Jeff would like to see the gas station in Highgate Springs be considered equally with the gas stations in the village if they are incorporated into the ordinance as a place to fuel up. Copies of the ordinance will be available for anyone interested in seeing it.

D. AmCare Update – Walter Krul

Walt Krul is present for an update. There have been no real changes to their day to day operations. They have six ambulances, one of which is a new addition to the fleet. All are equipped and licensed at the paramedic level. There was discussion about staffing and on-call protocol. They have a fourth crew that is available at night but not utilized very often. They have anywhere from 35-40 employees and all are career service, all are paid. There do not have any volunteers or young adults on staff. Currently there are 22 full time employees but around the holidays there is an influx of more part time help when people are available. They currently have eleven paramedics with three more in the pipeline finishing their programs. They also have some employees currently in nursing programs and / or in college. One former crew member is finishing up medical school which is great to see. Call volume in Highgate is what was anticipated, about 200 calls per year. Training is a huge part of what AmCare does. Their paramedic program was the first in the county. Mr. Krul spoke at length about the different trainings they have been involved in with schools, recreational facilities, other medical providers, local fire departments and volunteer organizations. North West Orthopedics provides certified athletic trainers to be on site at events to respond alongside the ambulance crews. Protocol in the EMS field has changed so there are many trainings to keep up with these things. As an example, neck collars and back boards are not used like they once were. Based on science and facts protocol continues to change. Their jobs are becoming more and more evidence based and science based. AmCare works with local athletic directors also to recognize injuries and prevent further injury. There is a lot to be gained by offering these types of trainings. AmCare is also working with St. Albans PD and FCSO on special response teams and he gave a lot of credit to Chief Taylor. We have a responsibility to be prepared for even the most unthinkable events. They work closely with homeland security as well. Sharon shared some literature regarding all the different trainings and community outreach events AmCare has participated in. She is very impressed with the many programs and trainings that AmCare has made possible. The floor was opened up for questions and / or comments. Mr. Krul responded that there is a lot of effort put in by many people on different levels. Sue Cota has concerns about coverage at the hockey rink. She attends many high school games and wonders why AmCare is not there at every game. Mr. Krul stated that if they are aware of the schedule they will be there unless they are called away to another location. She also questioned AmCare's response times. She recently called 911 and recalls it took AmCare 15 minutes to get to her home. Josh asked Sue to not wait weeks or longer when she has questions such as these. If she has concerns she should let the town know sooner so it can be looked in to. It was pointed out that AmCare will attend contact sporting events and it is not in the contract that they are required to be there. They will be there if they are aware of the event, at no additional charge. Our prior service required an additional charge for this type of coverage. Sue stated that our prior service was present at every high school game. Jeff asked for clarification on how many high school home games

there have been so far this season. Bruce added that we are not talking about a contractual issue here. Jean and Sue are correct in taking Mr. Krul to task. This is and has been a very heated topic in our town, but on the other hand is there any proof that another service could do better. There have been observations of instances, however when we look at the dispatch call reports over time, AmCare has been living up to their contractual obligations, as far as Bruce is aware. If there is evidence otherwise, Bruce would like to see it, hard evidence, not anecdotal evidence. Jeff added that if there are complaints or something people feel strongly about, they should be here immediately to express their concerns, not wait until Mr. Krul is here for an update. Sue did clarify that AmCare was present for both high school games last Saturday. There is probably a reason they aren't showing up – no communication that there is a game, or were called away to another call. But if they just aren't showing up, that's a problem. Jean does not feel that the citizens should have to police the ambulance service. Once AmCare is aware of games, they are posted in three locations. Josh reiterated that overall response times with AmCare are quite good. It was noted that the Selectboard has zero influence over what MVU communicates to anyone about game schedules. We should do our best to provide Mr. Krul with that info. Mr. Krul did say that John Lumsden usually does notify them and the schedules are also available on line, but sometimes there are changes. Jeff asked the board if they are happy with response times. Sharon replied that yes, based on dispatch data, they are extremely favorable times. There have been complaints about time frames where the resident's recollection of the time frame does not match the data from central dispatch. Jean asked about the automatic renewal of the AmCare contract and if there is any plan to bring this to a public vote. Jeff feels AmCare has done a great job and he is impressed with their staff. It has been a tough situation. It makes him feel better to see AmCare visible in our town. If he doesn't see them parked in the center of town, he assumes they are helping someone else and will still be able to respond timely. Sharon addressed Jean's earlier question. Sharon earlier took Mr. Krul aside to speak to him out of respect so he would not feel blindsided during the meeting. She went on to explain that the Town of Highgate has recently settled the lawsuit that was filed by MVR against the town. This was a mediated agreement in order to avoid more legal expenses with continued a legal battle. The biggest piece was a dispute over money. The town believed and had in our records that MVR owed us money. MVR believed we owed them money. We did not pay the remainder of the contract price based on a dispatch fee discrepancy. We found an error by a previous treasurer over a check that was not properly recorded. The town ended up owing MVR \$21,000.00, which we conceded to. It was not intentional, it was human error. The previous way we paid dispatching fees through MVR was very messed up and will never happen that way again. We agreed to pay interest of \$2,500.00 and legal fees of \$5,000.00. The total we paid was \$28,500.00. Another part of the agreement is that on Town Meeting Day 3/6/18 we will hold an advisory vote to be part of the Town Meeting Warning. The results of the advisory vote will be binding. Sharon read aloud from the court documents which were made public very recently. Josh and Sharon had previously stated they would bring this to a vote, so for them this was not a large concession. Sharon wanted Mr. Krul to hear this from her personally, so she did pull him aside privately prior to this meeting. We will be asking MVR and AmCare to both make presentations to the public prior to Town Meeting Day. This was a long and arduous process and also very expensive for the town. If the voters decide they do not want to contract with MVR beginning 7/1/19, it will go out to bid. A letter will be sent to Mr. Krul regarding the automatic renewal of the contract. Eric asked if the public will see budget figures from MVR prior to the vote. Yes, they are included in the court documents. The board has worked hard to ensure that the town's position is covered,

regardless of which service is chosen. This is public information and is being presented that way. Sharon added that she has been very impressed with AmCare. They do an excellent job and are very professional. Josh agreed, noting that their training packets speak for themselves and that AmCare is doing a great deal to ensure our safety. This going to a vote is in no way a judgement towards AmCare, it is part of the settlement agreement with MVR. This was the best way to remove the town from the lawsuit. Bruce added that we are making the best lemonade we could. Jean Chevalier asked what happened to the dispatch money that was recorded incorrectly. MVR had a copy of the check and we did not. It did have our stamp on the back and we did cash it and it was deposited into general fund. It was not recorded properly in our system, which was a human error at that time. It was never our intention to stiff MVR for the money. Jeff Towle asked for some clarification on advisory vs. binding. In technical terms, it is an advisory vote but per the court order we will be bound by it. It is a contract, so it can't be a binding vote, so it has to be called "advisory". The court order states that we accept the advisory vote as binding. MVR's figure for the first year of the contract, should we contract with them, is \$86,281.80. There was some discussion on where these numbers come from, because the last quote we got from them was far more than this, over \$100,000.00. If MVR is not chosen and it goes out to bid, MVR will have the choice to bid. The bidding is not just about price, it's about qualifications, and is not necessarily a sealed bid process. Sharon respectfully asked that people come to the meetings and participate in the process. It's easy to just move forward being upset about the process the last time. She asked that you involve your head, not just your heart. Sharon doesn't want folks to feel that we are throwing Mr. Krul and AmCare to the wind. That is not the case. Jean stated that the people did not feel involved last time, people did not have a say. Jeff pointed out that this board just settled a lawsuit with a previous vendor on a lawsuit they brought against the town. We need to learn from the past. Sharon added that all lawsuits that were pending against the town have now been settled. We will make sure to try and not be involved in any more. Jean would like to see this information put on the town website. The public information sessions with MVR and AmCare will likely be separate from the pre-Town Meeting information meeting to give this topic the time it deserves.

E. Town Treasurer – Shelley Laroche

1. Check warrants

There were no questions on the check warrants.

2. Misc.

- Motion by Josh LaRocque to sign the contract for the GIS mapping program. The motion was seconded by Bruce Butler – **APPROVED.**
- Shelley has been busy with year end payroll, 1099s and W2s. We are now moving into the town report season, which is going well. The next budgeting meeting is Jan. 10th @ 6pm and we will also start putting the warning together for Town Meeting. The Finance Committee is meeting on Jan. 8th to discuss the bids for the fixed asset project.

F. Town Clerk Updates – Wendi Dusablon

1. Minutes

Motion by Bruce to approve the minutes from December 21, 2017, as written. The motion was seconded by Josh LaRocque – **APPROVED.**

2. Town Meeting deadline reminders

- Petitions for warned articles are due to Wendi by Thursday, January 18, 2018 with a minimum of 105 registered voter signatures.
- Petitions and consent of candidate forms for elected offices to be voted on by Australian ballot are due to Wendi by Monday, January 29, 2018 by 5pm with a minimum of 21 registered voter signatures.

3. 2018 liquor license renewal application – RL Vallee / Highgate Village Market (Irving)

Motion by Sharon Bousquet to exit the regular meeting and enter into the liquor control board @ 8:27pm. The motion was seconded by Josh LaRocque – **APPROVED**. Motion by Josh LaRocque to approve the renewal application from RL Vallee / Highgate Village Market (Irving). The motion was seconded by Steve LaFar – **APPROVED**. Motion by Sharon Bousquet to exit the liquor control board @ 8:30pm and enter back into the regular meeting. The motion was seconded by Josh LaRocque – **APPROVED**.

Sharon and the board sent well wishes to Wendi’s significant other, Landis Beyor, who was injured severely in an accident on 12/26 on a farm. He will be going in for his 4th surgery on his leg on Monday and we hope it is successful and he is on the road to recovery.

G. Administrator Items – Heidi Britch-Valenta

1. NMC Credits

We have begun to see credits from the Frontage Road solar projects but haven’t figured out the cycle yet. We also will need a key to the gate. A knox box was supposed to be installed but that hasn’t happened yet.

2. Dehumidifier RFP

We are still circulating this and tweaking it. We hope to finalize this by tomorrow and post it. The site visit will be January 16th @ 9am.

3. Misc.

Heidi congratulated Sharon Bousquet on being recognized in the St. Albans Messenger as a leader in our community. It was a very nice article. Sharon appreciates the recognition but added that she is no better than any former Selectboard member or current member. We all work as a team here.

H. Selectboard Items

Sharon reminded the board of a few special meetings coming up:

January 10th @ 6pm – budgeting and warning

January 17th @ 6pm – meeting with arena facilities board

The deadline for submissions for the 2017 Town Report is January 15th.

*** The weather is extreme! Please check on your neighbors, relatives, and even those you may not like. We have put out alerts to HVFD and PWD to take extra care and look out for each other with the sub-zero temperatures and wind chills. The weather tonight is not favorable, so please travel home safely! ***

I. Upcoming Events

Jan. 8	3pm	Finance Committee Mtg.
Jan. 10	6pm	Special Selectboard Mtg.. – budgeting / warning
Jan. 11		DRB Meeting – CANCELLED
Jan. 15		Town Offices CLOSED – MLK Jr. Day
Jan. 16	6pm	Planning Commission Mtg.

Jan. 17	6pm	Special Selectboard Mtg. w/ arena facilities board
Jan. 18	6pm	Machia Property Dev. Comm. Mtg.
Jan. 18	7pm	Selectboard Mtg.

Motion by Sharon Bousquet to exit the regular meeting @ 8:33pm and enter into executive session. The motion was seconded by Bruce Butler – **APPROVED.**

J. Executive Session

Motion by Sharon Bousquet to enter into executive session @ 8:34pm to discuss legal and contracts where premature general public knowledge would place the town and individuals involved at a substantial disadvantage. The motion was seconded by Josh LaRocque – **APPROVED.**

K. Adjournment

Motion by Josh LaRocque to adjourn the meeting @ 9:10pm. The motion was seconded by Sharon Bousquet – **APPROVED.**

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk &
Public Meetings Clerk

Minutes approved by,



Sharon Bousquet – Chair, Highgate Selectboard