

TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, April 20, 2017 @ 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 @ 7:07pm followed by the Pledge of Allegiance.

Highgate Selectboard Members –Sharon Bousquet, Chair; Josh LaRocque, Vice-Chair; Bruce Butler; *Selectboard Members Randy Connelly and Steve LaFar were in a separate negotiation meeting in the front office*

Highgate Office Staff – Wendi Dusablon, Town Clerk; Shelley Laroche, Town Treasurer *Town Administrator, Heidi Britch-Valenta, was also in the front office in a separate negotiation meeting*

Public / Other – Alice S. Cota; Joseph Depatie – HVFD; Richard Trombley – DRB; Tim Reynolds – DRB; Jean Chevalier; Donald Bessette; Kelly Rainville; Eric Chevalier; Sarah Chevalier; Mark Gilbert; Don Gilbert; John Lumsden

B. Negotiation Session

Present @ 7:20pm (front office) to negotiate matters relating to the appeal of Leduc Construction, Inc. Docket #2017-052 were: Selectboard Members - Randy Connelly & Steve LaFar; Town Attorney - Ed Adrian; Appellants – Andy Leduc & Eric Leduc; Appellants Legal Counsel – Lisa Shelkrot; Town Administrator – Heidi Britch-Valenta. The negotiation ended @ 7:40pm at which time they went into executive session (refer to section C, below).

C. Executive Session (#1)

Motion by Sharon Bousquet to enter into executive session @ 7:45pm. The motion was seconded by Josh LaRocque – **APPROVED**. Present for the executive session were: Sharon Bousquet, Josh LaRocque, Randy Connelly, Bruce Butler, Steve LaFar, Tim Reynolds, Richard Trombley, Ed Adrian, and Heidi Britch-Valenta. Motion by Sharon Bousquet to exit executive session @ 8:40pm and enter back into the regular Selectboard Meeting. The motion was seconded by Josh LaRocque – **APPROVED**. Ed Adrian recapped in open session what was decided in executive session. Motion by Josh LaRocque for the Selectboard to authorize the town attorney to enter into negotiations with Mr. Leduc and his agents so that in exchange for dismissal of the appeal to the Supreme Court, Mr. Leduc will be allowed to remove the stock piled sand and bring it down to grade level without any penalty. The motion was seconded by Randy Connelly – **APPROVED**. Josh added that part of the ongoing negotiations will also be the location of where the sand will be moved to. It was noted that Sharon Bousquet had recused herself from this discussion and vote. The regular Selectboard meeting continued @ 8:43pm. Prior to this executive session they had made it through the town clerk updates, so the meeting was resumed beginning with Selectboard items (see section G).

D. Public Comments

- Kelly Rainville had some comments and a request regarding the AmCare contract. She does not want the Selectboard to miss the window of opportunity that they will have so the contract does not automatically renew. She also would like to make sure it is vetted by an attorney and add ways to bring consequences to the provider, any provider. She would also like to see the decision on who to contract with go to the voters by Australian ballot. Sharon thinks Kelly has valid points and that a better job all around could have been done. Shelley pointed out that our town cannot vote public questions via Australian ballot, and that we have tried, twice now, at town meeting to vote from the floor to change that and the article has been tabled both times immediately. The fact that this keeps happening and more people are not voting on issues via Australian ballot is hurting our town. Kelly agreed this needs to be discussed and not tabled.
- Sue Cota brought up a recent recue call to US Route 7 and the lengthy response time. The call sheets are in the drop box and Josh pulled up the

information. Sharon noted that dispatch will be coming in to talk about their services to us and Mr. Krul from AmCare will be invited back in for an update as well. Jean Chevalier asked about dispatching fees and if we have considered other options.

E. Treasurer Updates – Shelley Laroche

- **Check warrants**

There were no questions on the check warrants.

- **GIS Maintenance Agreement**

There are two contracts, one for us, one to return to them. It is an annual contract that needs a signature.

- **Background on CIP Fund (formerly Transfer Station Fund)**

After John Patnode had voiced some concerns and raised questions about the “Transfer Station Fund” at the April 6th, 2017 Selectboard meeting, Shelley did some research on what actually happened to the “Transfer Station Fund” and what steps were taken to get there. The following is what Shelley found: At the November 20th, 2014 Selectboard meeting, about 52 minutes into the video recording, Tom Racine initiated conversation with the Selectboard (Jeff Towle, Andy King, Diana O’Hara, Chris Yates, Luke Choiniere) about starting to refer to the fund formerly known as “Transfer Station Fund” as the CIP Fund or “Capital Improvement Plan Fund” with the transfer station fund balance to be held in reserve for the close of the landfill (\$31,100.00). At the February 19th, 2015 Selectboard informational meeting, Tom went into further explanation of how he had moved the transfer station fund revenue into the general fund. This was listed under a subcategory of the general fund labeled public works, not to be confused with the public works and /or highway fund which is completely separate. This “Transfer In” can be found towards the bottom of page 27 of the 2014 town report. The reason behind moving the transfer station fund revenue into the general fund was to have the money reflected in the balance sheet as this revenue had not been a part of the balance sheet prior to that. The revenue from the transfer station was mainly used for the purchase of town equipment and vehicles, which are capital expenditures, so it made sense when the external auditors recommended Tom to move the balance out of the general fund and into the CIP Fund for future equipment expenses with the exception of \$31,100.00 to be reserved for the landfill closure. This “Transfer Out” can be found on page 30 of the 2014 town report.

At the March 2015 annual town meeting, about 1 hour 4 minutes into the video recording, Tom explained the transfer station fund being moved into the general fund for the purpose of accounting for the revenue on the balance sheet, and transferring it out of the general fund and moving it into the capital improvement plan fund, as that revenue was used for capital expenditures. Under the proposed 2016 budget on page 30 of the town report the anticipated revenue to be transferred out of the general fund and into the CIP is \$62,500.00 which is a combination of transfer station and cell tower revenue, both found on page 27. It is at this point in time when the transfer station revenue was renamed to “Casella Host Fees.” The Casella host fees revenue line has been moved to the general fund subcategory labeled “Other Revenue” which is where the cell tower revenue is also located within the general fund. This move was to eliminate any confusion between the actual highway fund (or public works department) and the public works subcategory of the general fund (town related public works, NON-highway). This information should answer all questions asked by John Patnode at the last board meeting as well as Brian Rowell’s questions at town meeting last month.

- **PWD Cell Phone Quote**

We only budgeted for the director to have a phone. Josh agrees that only Pat needs a town issued cell phone. The board will look into giving the other employees a stipend towards their own cell phone bill on a monthly basis. We can adjust our budgeting for next year accordingly. Motion by Josh LaRocque to approve \$49.61 plus tax and fees for a cell phone for the public works director. The motion was seconded by Bruce Butler – **APPROVED.**

- **Request from John Lumsden, Athletic Director @ MVU**

John was present with a request for the public works department. They have a significant amount of brush, limbs, concrete, etc. that has built up over time at the MVU athletic fields, near the middle school baseball facility. They would like this cleaned up and hauled away. Pat has looked at the site

and sees this as more than a day project and an excavator would be needed with a thumb, which we don't have. Pat would not want to drive any equipment on their fields when the ground is still so soft. This is more of a summer time project and could be a combination of Swanton and Highgate, using their excavator and manpower from both towns. Mr. Lumsden was hoping to have this done soon in time for baseball season, but he understands the situation.

F. Town Clerk Updates – Wendi Dusablon

- **MEI contracts for signature**
The town contract has been signed but not the library contract. The chair of the library trustees would like the Selectboard to sign it. Sharon Bousquet signed the contract. Wendi will send them in along with the individual codes. Sharon will need a key to the library as well.
- **Minutes from April 6th**
Motion by Sharon Bousquet to approve the minutes from April 6, 2017, as written. The motion was seconded by Josh LaRocque – **APPROVED**.
- **Community Events Board – bids**
We received only one bid for our former community events board. Motion by Sharon Bousquet to accept the bid of \$100.00 from Kyle Lothian. The motion was seconded by Josh LaRocque – **APPROVED**. Wendi will notify Kyle tomorrow and the public works department has already removed it from the building.
- **Dog Registration Update**
We have licensed 730 dogs as of today, the process is going well. Vonnie will be knocking on doors to issue tickets after May 1st.
- **Green Up Day – May 6th**
Green Up Day is Saturday, May 6th. We received Green Up bags today which can be picked up. The Little League players, coaches and parents will be raking the parks this Friday and Saturday as well.
- **6th Grade Car Wash**
The 6th grade class is asking to have a fundraiser / car wash / bake sale here on Saturday, May 6th from 10am – 2pm. Motion by Josh LaRocque to approve this request. The motion was seconded by Bruce Butler – **APPROVED**. Joe Depatie, HVFD Chief, was also present and was fine with this request.
- **Drummac – septic pump due**
Drummac has notified us that we are due to pump the septic here at the municipal building. This has not been done since 2014. Wendi will schedule a date for them to come take care of this.

*@ 7:45pm they went into executive session, **please see section C for details**. The executive session lasted until 8:40pm at which time they entered back into the regular meeting for the remainder of the agenda.*

G. Selectboard Items

- **Kennel proposal**
We have a proposal from Vonnie, which Sharon read aloud. The board discussed the proposal and also sent it to the town attorney for further comment. Bruce would like to review the situation later to see if further tweaking will be necessary and to see if our policy is cost effective. We do not know if FCAR will be reopening or not, or for how long we will have to have our own kennel facility. Motion by Josh LaRocque to amend this policy to add the additional liability clause with regard to the ACO and Asst. ACO, as well as amend the holding period to two weeks prior to adopting the animal out. The motion was seconded by Steve LaFar – **APPROVED**.
- **Emergency Operations Plan**
Motion by Josh LaRocque to accept the 2017 Local Emergency Operations Plan. The motion was seconded by Sharon Bousquet – **APPROVED**. Josh will be taking the NIMS baseline training.
- **Ballard Road Grant**
We will be applying for two grants, one for \$113,000.00 and the other for \$15,000.00. Motion by Josh LaRocque to sign both grants. The motion was seconded by Randy Connelly – **APPROVED**.

- **PACIF Safety Equipment Grant**
 This is due on April 30th and we need to make some choices. Sharon read through a list of potential items we could apply for. There was discussion on budgeting for the pressure washer next budgeting cycle. Also, Josh gave more info on key fobs and the need for them at the arena for liability and security reasons. The grant would only cover 25%, and Josh proposes that MAHA and the fundraising account split the remainder of the cost for the fobs. The total would be \$8,825.00 minus the 25% (\$2,206.00) = \$6,619.00 to be split equally between MAHA and the fundraising account \$3,309.00 each. Motion by Josh LaRocque to apply for the grant to be used towards the following items: monitor wall mount; eye wash station; protective apron & chaps (3 of each); ergonomic mouse; helmet, face shield and hearing protection; and arena key fobs. The motion was seconded by Steve LaFar – **APPROVED.**
- **Committee list updated**
 This has been updated and is in the drop box.
- **Smoking policy amendment**
 The arena will be hosting an event this fall that will require an amendment to our policy. There was discussion on this topic, followed by a motion as follows: Motion by Josh LaRocque to adopt an amendment to our current policy to have a designated outside smoking area which will be coned off, and that all cigarette butts be picked up and the space left as it was found, and that this amendment only be applicable for special events held at the Highgate Sports Arena. The motion was seconded by Steve LaFar – **APPROVED.**
- **TDSRS approval**
 This is to formalize our approval to open up the transfer station at expanded hours and their permit restrictions would not apply in the case of an emergency. Motion by Josh LaRocque to formally amend Casella's permit in case of emergency situations. The motion was seconded by Bruce Butler – **APPROVED.**
- **Geo Design proposal – transfer station stabilization phase I design**
 This is not ready and there was no further discussion.
- **Architectural proposal for municipal office**
 Rural Development was here this morning to look at the ADA modifications and the fire department floor. They were very positive about funding that may be available to us. The fire department floor is definitely going to be done first. We have an RFP drafted already and that needs to go out soon. Laz Scangas, Arnold & Scangas Architects, has given us a proposal to be the construction manager for the projects, minus the fire department floor (that is being overseen by Tim Hardy). Laz was selected for our ADA study by the committee in 2016, so he is familiar with our facility and the issues we are facing. Motion by Josh LaRocque to hire Arnold & Scangas Architects for construction management services in the amount of \$9,400.00 for these projects, minus the fire department floor. The motion was seconded by Bruce Butler – **APPROVED.** Randy wanted to clarify, this is the type of work Laz does already – yes, he has been involved in many similar projects locally.
- **Rural Development visit recap**
 Sharon recapped the visit. Two representatives from Rural Development were here today, as well as Sharon, Bruce, Heidi and Mr. Scangas. Heidi added that we are waiting to hear from them on the final say about the fire department floor and whether or not we can do the work and get funding from them retroactive. We will hear tomorrow for certain, and that is good news if we don't have to wait.
- **Fire Department floor design & RFP**
 We sent an RFP to Tim Hardy and he came back with some comments. The RFP is pretty much complete, we still need to pick a date for the mandatory site visit and then put it out to bid. Mr. Bessette had questions about the cost and if it will be covered with the \$60,000.00 the tax payers approved at town meeting. Motion by Randy Connelly to allow the town administrator to post the RFP as it's marked up. The motion was seconded by Josh LaRocque – **APPROVED.**
- **Miscellaneous**
 ~ Pat Loyer got three quotes for a laser transit and compactor. Milton Rental is the cheapest. We do not have the full amount to pay for it, the

mower was sold, but the buyer is paying in installments. We sold the mower for \$6,000.00 and he is paying a minimum of \$500.00 per month. Motion by Josh LaRocque to allow the public works director to buy both pieces of equipment (laser transit and compactor) from Milton Rental for \$4,825.00 and replenish the equipment fund line item as the monthly payments come in for the mower. The motion was seconded by Bruce Butler –

APPROVED.

~ Nick Scott started work with us on Monday, April 17th, and it is working out very well!

~ Sharon put out a public service announcement to everyone to watch for illegal dumping in town, which has been an issue. If you see this activity, get the license plate number and report it to the town or to law enforcement.

H. Upcoming Events

May 2	6pm	Park & Rec. Mtg. @ arena
May 3	6:30pm	Library Trustees Mtg. @ library
May 4	7pm	Selectboard Mtg.
May 6		Green Up Day – pick up bags at town clerk's office
May 6	8am-2pm	Household Hazardous Waste Day @ salt shed

I. Executive Session (#2)

Motion by Sharon Bousquet for the Selectboard and Town Administrator to enter into executive session @ 9:35pm with Joe Depatie, HVFD Chief, and then with the Arena Committee to discuss personnel, contracts and a legal matter where premature public knowledge would place the town and the individuals involved at a substantial disadvantage. The motion was seconded by Randy Connelly – **APPROVED.** Motion by Randy Connelly to exit executive session @ 10:37pm. The motion was seconded by Josh LaRocque – **APPROVED.** Motion by Sharon Bousquet to send a letter of support to the Canadian Government regarding the construction of the Interstate 35 connection from Montreal. The motion was seconded by Steve LaFar – **APPROVED.**

J. Adjournment

Motion by Sharon Bousquet to adjourn the meeting @ 10:38pm. The motion was seconded by Bruce Butler – **APPROVED.**

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk

Minutes approved by,



Sharon Bousquet - Chair, Highgate Selectboard