TOWN OF HIGHGATE
Selectboard Meeting

Thursday, July 18, 2019 @ 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; Bruce Butler; Richard Flint *absent – Randy Connelly & Josh LaRocque*

Highgate Office Staff –Wendi Dusablon – Town Clerk / Public Meetings Clerk; Shelley Laroche – Treasurer / DTC; Heidi Britch-Valenta – Town Administrator

Public / Other – Merry Souza; Woody Rouse; Jim Cota; Alice S. Cota; Kevin Spears; Yvonne Spears; Steve LaFar; Alan Wright; Richard J. Noel; Yvon Dandurand; Gary Sturgeon; Wuanita Hughes; Debra Craig; Michael Gawne; Ty Choiniere; Butch Brosseau

B. Public Comment(s)

- Sue Cota reported that the State of VT was recently on Monument Road and they did receive their grant funding to repair the bank from the flooding.

C. Public Hearing – Hanna Road Reclassification

Jim Cota from VTrans was present, as well as Yvon Dandurand from the Franklin Selectboard and residents of the Hanna Road. The goal is to have a letter from both towns to the secretary by September 1st and then have it to Montpelier by December 1st. We need to justify going over the recommended 25% of class 2 roads in our towns. Jim does not see this is a big issue. There is already one class 2 road connecting Highgate and Franklin – the Franklin Road. Class 2 roads are eligible for grant funding, whereas class 3 roads are only eligible for emergency grant funds. There was discussion on the Machia Road bridge and the impact on traffic when that is complete. Heidi has prepared a cover letter and Jim would like to see the data on the bridge and traffic studies added to it. Kevin Spears had concerns about speed on Hanna Road and if the change from 3 to 2 would affect the speed limit. That would be up to the town, and the Selectboard doesn't anticipate an increase in the speed limit as a result of this process. Mr. Spears also asked if this process will mean improvements to Hanna Road. Hanna Road will still be a town road maintained by the town. The main benefit is the town gets a set amount of money based on road class. Class 2 receives $4,400.00 per mile and class 3 receives $1,700.00 per mile. The grants available to class 2 roads are kept fair and equitable. Shelley stated that the town receives approximately $150,000.00 annually which offsets the entire public works budget which includes maintenance and upgrades to all town roads. Alan Wright asked about any noticeable differences residents might see as part of this process. Sharon replied that residents of Hanna Road will not notice any difference. Gary Sturgeon also expressed concern about speed on Hanna Road and asked about enforcement, which is a different topic. He thanked the town for work previously done on Hanna Road, but noted the East Highgate end needed to be resurfaced. Mr. Spears asked about roadside maintenance and the weeds growing under the guardrails, making it dangerous. Butch Brosseau, Public Works Director, stated that the department is a month behind on maintenance due to other projects in town and the wet spring weather. They are working hard to get caught up. Spraying the weeds speeds up the process, but the chemicals are taking the galvanization off the rails at the same time. Jim Cota noted that the State gets about $2.2 million dollars for roads and bridges in our district, which is a total of 34 towns. There are lots of towns in the cycle and things need to be kept fair, so it could be a number of years

before Highgate's number was up to receive funding. The State won't approve just one town, so it's an all or nothing for Hanna Road with both towns applying to become a class 2 road. Yvon from Franklin said that they have heard nothing negative on their end and feel that Hanna Road connects to three major state arteries – Route 120, Route 78 and Route 105. People from several towns use this road on a daily basis. Mr. Wright asked if agricultural practices will be impacted, for example the Hanna Farm and McAllister Farm. Will they still be able to cross their animals? Jim Cota doesn't see any of that being affected. Jim also noted title 19 section 1111 with regard to driveway locations. He recommends that any unsafe crossing be addressed to keep residents and the traveling public safe. Mr. Wright also asked about ATV enforcement. We have new police coverage, effective July 1st with SAPD. Mr. Spears had questions about this also and there was further discussion on the ATV topic. Residents of Hanna Road have seen an increase in bicycle traffic as well and people need to slow down! Mr. Sturgeon likes the idea of becoming a class 2 road to possibly generate funds for paving on Hanna Road and possibly Durkee Road also, which was mentioned at town meeting. Butch noted that paving of Hanna Road was put off until at least next year because of the bridge project. Jim Cota wants to be a good technical resource for the towns and added that Bethany from NRPC does outstanding work also. Sharon thanked everyone for their input and being here this evening. Heidi will modify the cover letter for the next meeting. Mr. Spears again noted that he would not want to see the speed limit raised on Hanna Road. He wanted to make sure it was noted in the minutes and hoped it would be included in the cover letter to the State of Vermont.

D. <u>Health Order @ 14 Arthur Drive – Merry Souza, Health Officer</u>

Merry Souza, Health Officer, was present and gave a brief description of the situation at 14 Arthur Drive, which is in the mobile home park off Frontage Road. In April we received an anonymous complaint with concerns about lack of water and septic at the property, as well as other violations. Merry visited the property and has been working with the tenant as well as the Mr. Michael Gawne, Successor Trustee of the Howard Chandler Revocable Trust. Mr. Chandler was the owner of 14 Arthur Drive and 63 Virginia Lane and he passed away in 2017. Merry has been dealing with the State on this issue as well. Mr. Gawne was present, as well as the tenant and the tenant's neighbor. The water is now working at the property, but there are still issues that need to be addressed. Merry recommends not moving forward with the full health order, but instead to move ahead with working together on the expectations. Sharon noted it is not the town's policy to remove people from their homes, and thanked Merry for stepping in to look out for the safety and wellbeing of our resident(s). Sharon agrees with tabling the health order and having Merry monitor the situation and bring information back to the Selectboard. The town wants the tenant to be safe and also wants to respect her as a human being in this process. Mr. Gawne noted that there are other mobile homes in other towns (and one other in Highgate) as part of this situation that are in similar condition. Probate court appointed him in 2018 to be the Successor Guardian. His job is to close up the guardianship. It went from guardianship to an estate. The executors of the estate are the two sons of Mr. Chandlers girlfriend, and they do not want the job. There are very few assets involved, but this mobile home is one of the "assets". The condition of the mobile home at 14 Arthur Drive was not sufficient and would be nothing but trouble if Mr. Gawne charged rent. He has not received rent on any of the properties formerly owned by Mr. Chandler. He told the Highgate tenants they would need to pay the lot rent to the park, and the tenant at 14 Arthur Drive has been paying it. The MH is owned by the trust, even though the bill of sale was recorded in the town of Swanton, not in Highgate. Probate court said they were going to assert jurisdiction over everything in the trust. He has approval, and pursuant to the approval he has transferred the MH at 14 Arthur Drive over to the resident/tenant. A copy has been dropped off to Wendi here at the town offices. There are delinquent taxes due on the property, so the MH bill of sale has not been processed. A request for abatement has been sent to the town to try and resolve the delinquent tax issue. Once the tax issue is resolved, either by abatement or payment, the MH will change hands. The violations raised by Mrs. Souza (HO) were based on the rental code. The physical problems have not all been resolved. He hopes that once the tenant is the owner she will be able to receive assistance to fix the MH that she was not eligible for as a renter. Back in the winter there were issues with the heating system and she was not eligible for help. Mr. Gawne is here to let the board know where things stand and to apologize that the trust

doesn't have the funds to turn the situation around. The trailers in the park are owned separately from the lots. The park itself is owned by the ANDCO Mobile Home Cooperative, which is the residents of the park. It makes Sharon nervous that there are other mobile homes in similar condition. It was noted that one other is in the town of Highgate, located at 63 Virginia Lane. Merry asked about the plan for the other MH and who lives there. Mr. Gawne has reached out to the other tenants and is waiting for communication back from them. Sharon is concerned about our residents safety and wants to make sure they are treated fairly and respectfully. Richard Flint wanted clarification – there is now water at 14 Arthur Drive – yes. Merry is concerned about inadequate trash removal with a number of properties in the MH park. Each unit is only allowed six bags of garbage every two weeks. Merry did not see any recycling bins either. The tenant at 14 Arthur Drive was present with her neighbor. She has contacted weatherization and let them know the paperwork has been done and she is on her way to ownership of the trailer. She has lived in this MH for 23 years. There was a property manager at the park, Mr. Stell, who used to collect the rent money. She was instructed by Mr. Gawne to not pay Mr. Stell. The condition of the trailer is not her fault, she was the renter, not the owner. She has done everything that Merry has asked of her. $100.00 from the trust was used to assist her with getting the water back on. This past winter was brutal and her pipes froze and she had no heat. Her adult son lives with her, as well as a dog and a cat. This is her home and she stated she has no other place to go. Her neighbor was present with her and without the help of her neighbor she feels they would not have made it through the winter. The tenant has one more month to go and she will be completely caught up on her lot rent. She will also work with the town on a payment plan on the delinquent taxes if the abatement does not happen. She will continue to clean up the property and hopefully fix it up with assistance available to her. Mr. Gawne mentioned that there is a penalty for transferring the MH without the taxes being current, but they went ahead and did it anyway. Bruce Butler asked when she became the owner – earlier this month. ANDCO supplies the water to the trailer as part of her lot rent payment. The water pipes froze because there was no heat. In December the blower motor went and she could not run the furnace any more. Mr. Gawne stated it is illegal for him, as an attorney, to lend money to a client, so there was nothing he could do. And there is no money in the trust, so you can't get blood from a stone. There are debts from the estate that probably aren't going to get paid. Mr. Gawne also noted that Aug. 8th is the deadline for tenants to file a claim on the trust. The tenant spoke to having the furnace looked at and also getting a second opinion on it. She stated that the previous plumbing and heating contractor had cut down the wires in the furnace. Merry will continue to follow this issue. Motion by Richard Flint to table this and have the Health Officer report back to the Selectboard on September 5th. The motion was seconded by Bruce Butler – **APPROVED.** An abatement hearing will be scheduled in the near future for the delinquent taxes at both properties. The tenant noted she has paperwork to fax in with regard to the furnace replacement. Sharon urged her to get that in ASAP. The tenant is also looking for help obtaining a dumpster to get the property cleaned up. There is a concern about rodents. Merry and Heidi will get together on this issue. Bruce feels this is a reasonable request if there is a health issue in the MH park. The garbage and clutter is a concern of the State Fire Marshall as well. Merry will bring information back to the board for an update.

E. <u>Town Treasurer Updates – Shelley Laroche</u>

- Motion by Richard Flint to sign the check warrants. The motion was seconded by Bruce Butler – **APPROVED.**
- Shelley would like the board to consider raising the stipend for the Health Officer when we do budgeting.
- We still have bills from the previous budget year coming in and by next meeting she should have firm numbers. Sharon noted that MVR is back in town as our ambulance service as of July 1st and St. Albans Police Department is our new law enforcement contract, also effective July 1st.
- Delinquent taxes are at $54,462.66. A total of 34 parcels are delinquent, with 3 being deceased owners (2 we discussed earlier). 17 of the 34 are on payment plans and 14 are getting ready to go to tax sale, so hopefully they come in soon.

- Butch usually grades at field days but because we are currently renting a grader, it isn't appropriate to do so this year. Butch's son is reaching out to Jack Parent about his grader.
- Ty is present from the Recreation Commission and they have quotes on protective layers for over the advertisement boards that are placed on the dasher boards. They received quotes from Athletica, who made the boards for us back in 2015 as part of the renovation. The quote they would like to go with is $5,353.00 for 36 ad panel protective layers. They are pre-drilled and already have the openings in the boards that we have, pretty much plug and play. There was an option for 46 panels for $6,440.00. Shipping is included in the quotes and they have the funds within their budget. The third quote is from Becker. They would like this project complete prior to the Whitetails banquet in September. Motion by Bruce Butler to approve the recommended quote of $5,353.00. The motion was seconded by Richard Flint – **APPROVED.**
- Scott Martin has resigned from the DRB and would like to purchase the iPad he was issued from the town. We have an iPad policy which he signed. He will be purchasing another iPad for the town as a replacement for the one he wants to keep. Motion by Richard Flint to **TABLE** this until the next meeting. The motion was seconded by Bruce Butler – **APPROVED**.
- A motion was made at a special meeting to order four computers with Matt Bouchard. If this is going out to bid anyway, Matt would prefer not to start the job and not be able to finish it, based on the results of the bid process. Our malware and antivirus is due to be updated very soon. He has provided an invoice for $490.00. Motion by Bruce Butler to accept the invoice for $490.00 for our antivirus protection for a one year subscription town wide. Richard said NO – and he wants this settled and to just move on. We have been talking about this meeting after meeting and the two members that want it to go out to bid aren't even here. The conversation was **TABLED** until executive session.
- Butch is in the preliminary stages of replacing one of the tandems and they may possibly get a deal this fiscal year for the replacement, which is set for 2020.

F. Town Clerk Updates – Wendi Dusablon

- Motion by Bruce Butler to approve the minutes from *June 20, 2019*, as written. The motion was seconded by Richard Flint – **APPROVED.**
- Motion by Sharon Bousquet to approve the minutes from *June 26, 2019*, as written. The motion was seconded by Richard Flint – **APPROVED.**
- Motion by Sharon Bousquet to approve the minutes from *June 28, 2019*, as written. The motion was seconded by Bruce Butler – **APPROVED.**
- As of today, 874 dogs have been licensed in the town for 2019. Vonnie will be visiting 11 dog owners over the weekend prior to the third round of tickets being issued. We have 900 tags and we will likely be using most of them.
- There is an open seat on the Development Review Board. Scott Martin has stepped down and we thank him very much for his time on the board. The commitment is one meeting per month with a small per meeting stipend paid out yearly in December. Scott was about half way through his second term, so this would be through March 2021. Please contact the town office if you are interested, 868-5002 or wdusablon@highgatevt.org.
- Fox Den Road was a 5-lot subdivision back in 2009, off Hanna Road. The property has changed hands a few times and there is nothing in the records showing the road name ever being approved by the Selectboard. Motion by Bruce Butler to approve the private road name "Fox Den Road". The motion was seconded by Richard Flint – **APPROVED.**

G. Administrator Items – Heidi Britch-Valenta

- Crosswalks – Heidi will have more info by next meeting. There is an update in the drop box.
- Transfer Station Slide – photos are in their packets of another slide at the Transfer Station. GW Tatro was supposed to stop in this week because the drainage work done previously is not functioning. Sharon asked about FEMA because our GeoDesign plans involve the structure that has failed. Is there any recourse with GW Tatro, or can Casella help us? GeoDesign has

come to the end of their project, and there is no more funding in the original design money. Meanwhile, the system is not working. This was in 2013 when we worked directly with GW Tatro on a design build. We did not pay a separate design firm to come up with something. Heidi will schedule GeoDesign to come in to present their finalized design.

- VCMP Community Celebration – Saturday, Aug. 17th from 11am – 8pm. There is room for 20 vendors. More info will be coming with regard to a full day of events – BBQ, music and entertainment for kids. Richard Flint would like to see a "For Sale" sign on the property also. Richard Noel has been mowing the site – thank you, Richard! Sue Cota has been contacting former bus drivers for info and photos and has a LL t-shirt to donate that was her brothers. HVFD will serve lunch, with all proceeds going to the memorial expansion project fund in the town park.
- There is a draft request for qualification (RFQ) in their packets for engineering work for the waste water study in the village.
- Motion by Bruce Butler to approve the Department of Corrections labor contract. The motion was seconded by Richard Flint – **APPROVED.** Richard asked if the MVU students were personally thanked for their work at the VCMP site. Woody said yes, they were thanked on site and he purchased slushies for them all. The committee also signed and sent thank you letters.
- Motion by Bruce Butler to adopt and sign the new road and bridge standards. The motion was seconded by Richard Flint – **APPROVED.** These are necessary to access state grant funding from AOT.
- Highgate Airport Infrastructure Study Contracts - $27,500.00 for Aldrich and Elliott Engineering and $24,500.00 for Economics and Policy Resources. Ed Adrian will fine tune them and give us a legal opinion. Heidi is looking for permission to sign them once they are reviewed by our attorney. There was discussion on everything happening in and around the airport, including a 7-lot commercial park being proposed by Airport Sand & Fill, as well as the Handy 4-lot subdivision happening now with the DRB. Richard feels Sharon should be the one to sign them. In his opinion, these shouldn't be passed on to somebody else. Bruce doesn't disagree, but has no problem either way. Motion by Richard Flint for Sharon Bousquet, Chair of the Highgate Selectboard, to sign these documents upon approval from Ed Adrian. The motion was seconded by Bruce Butler. Heidi will contact Sharon when they are ready for signature. Ty Choiniere thanked Richard Flint for asking a lot of questions and getting himself up to speed. Ty would rather see discussion than just saying yes. Richard replied that there will be a lot more of that.
- Governor Scott will be in Highgate, briefly, on Aug. 10th around 11:15am as part of a bicycle tour in our area. This event is organized through RiseVT. Sharon encourages everyone to get out and meet the Governor, because he works for all of us!
- Charen Fegard and Lisa Hango (Franklin-5 State Reps) will be at our Sept. 5th meeting for an update. They also work for us, so get out and meet them!

H. Selectboard Items

- Bollard Bids – we received one bid from Millbrook Building and Remodeling for $33,500.00 ($16,750.00 public works / $16,750.00 fire department) for a total of 32 bollards. We budgeted $10,000.00 for the public works side only. We would need an additional $6,750.00 just to do that side of the building, or we could go to a smaller size bollard. The quote is for 8" bollards inside and outside, with a 2' x 2' base. Heidi noted there is a PACIF grant for $5,000.00 that could be used towards this project. Motion by Richard Flint to approve the bollards on the outside of the public works department only, unless we get the additional grant funds to do the inside of the public works department also. The motion was seconded by Bruce Butler – **APPROVED.**
- Frontage Road Culvert Project Bids – the following bids were received in response to the RFP for construction services to complete a concrete box culvert install on Frontage Road. NOTE: Paving was not required in the RFP but some bids did include paving, as noted below.

DCS	*paving included*	*$331,000.00*
ECI	*paving not included*	*$221,000.00*
J Hutchins	*paving additional $19,775.00*	*$194,000.00*
Blow and Cote	*paving not included*	*$164,000.00*
Goodhue Excavating	*paving included*	*$129,455.00*

It was noted that Ron Desrochers submitted a bid of $315,000.00 (paving included) that did not include the required insurance certificate. It was also noted that Goodhue already had a current certificate on file with us and Desrochers did not. Butch is very satisfied with the work Goodhue has done for the town recently. This project on Frontage Road must be completed by December 2020. Motion by Richard Flint to accept the bid from Goodhue Excavating in the amount of $129,455.00 to be completed by December 2020. The motion was seconded by Bruce Butler – **APPROVED.**

- Grader Repair – We have two estimates to repair our grader: $21,449.00 from Milton CAT and $18,500.00 from Ted Lane Equipment. Both are to fix the transmission and the turbo charger. Sharon noted that gears 1, 4 and reverse are gone and the turbo is leaking which means the bearings are failing. If the bearings fail it has the potential to go back into the pistons and ruin your engine. The Selectboard approved the use of a rental grader for one month to get the work done. Bruce and Sharon have both done some investigating online and given the price range of $250,000.00 - $300,000.00 for a new one, they are in favor of repairing ours. Our grader has 12,000 hours on it, the rental we have has 16,000 hours on it. Richard Noel feels if we repair ours we will get a few more years out of it and its worth nothing if we don't repair it. We have $50,000.00 put away towards a new grader in the CIP. Shelley feels this is an emergency repair and we are not in a position to buy a new one. We can use the public works fund balance to fix the grader and budget for it later. The fund balance is the money that gets us through July 1 until we collect taxes in the fall. Sharon would like to have a serious conversation about whether this town really needs their own grader or if it's more beneficial to rent one for a month each year. Motion by Bruce Butler to go with Ted Lane Equipment for the repair work on the grader as quoted at $18,500.00. The motion was seconded by Richard Flint – **APPROVED.** This will be brought in to begin the work on July 22nd.
- Tractor Offer – Our public works department has used Richard Noel's tractor for a few days and we put our mower on it. We had issues with the mower which were dealt with. There were leaks on the tractor that are currently being addressed at John Deere. Richard Flint had questions about why we need such a big tractor. There was discussion about the use of a boom mower and side mowers. Richard Flint has checked into the pricing of purchasing vs. renting. He also asked about our Massey and if it does the job on the roadside mowing. Butch noted it does fine for the first pass but we need a larger tractor to get into the brush. Richard Flint expressed frustration with not knowing anything about this tractor until people asked him about the town's new tractor. Richard Noel submitted the information below to the board with regard to the tractor: *2010 John Deere 5095M, 95hp, 4.5 liter engine, tier 3, no DEG, 1670 hours on meter, 563 loader, universal quick tach, 3 point hitch, 84 inch quick tach industrial bucket, 4 hydraulic outlets rear, 2 hydraulic outlets front on loader, radial front tires 12.4-24, loaded radial rear tires 18.4-30, weight 12,500 lbs, cab, AC, heat, radio, fully adjustable hydraulic seat, all serviced $550.00 worth of new filters, oil and manual, used price according to dealer $42,500.00, new price $82,000.00, price to town of Highgate $35,500.00 plus Massey or $37,500.00 without, sold in as in condition, no warranty, payable to Maple Wood Group, would like decision by July 18th meeting.* Sharon would like to speak with Butch in executive session before making a public decision. Richard Noel would like an answer by tomorrow so he can put it on the market if the town doesn't want it. Bruce is more in favor of having the road side mowing contracted out separately. This discussion was **TABLED** until executive session.
- Recreation Commission will be on the August 1st agenda.
- Ty asked if SAPD and MVR will be coming in for quarterly updates – yes, they will.

I. Upcoming Events

July 23	6pm	VCMP Mtg.
Aug. 1	7pm	Selectboard Mtg.
Aug. 1-4		Franklin County Field Days
Aug. 8	6pm	DRB Mtg.
Aug. 15	7pm	Selectboard Mtg.
Aug. 17	11am – 8pm	Community Celebration

Summer Sounds Concerts – 7pm July 21st & 28th August 11th & 18th

Motion by Sharon Bousuqet to exit the regular meeting @ 9:45pm. The motion was seconded by Bruce Butler – **APPROVED.**

J. Executive Session

Motion by Sharon Bousquet to enter into executive session @ 9:46pm with Heidi Britch-Valenta, Merry Souza, Shelley Laroche, Wendi Dusablon and Butch Brosseau to discuss contracts, personnel and legal where premature general public knowledge would place the town and/or the individuals involved at a substantial disadvantage. The motion was seconded by Bruce Butler – **APPROVED.**

Merry Souza exited executive session @ 9:50pm.
Butch Brosseau exited executive session @ 10:05pm.
Wendi Dusablon exited executive session @ 10:15pm.
Shelley Laroche exited executive session @ 10:20pm.

Motion by Sharon Bousquet to exit executive session @ 10:15pm. The motion was seconded by Bruce Butler – **APPROVED.**

Motion by Richard Flint to move forward with Bouchard Home & Office Services, LLC for the purchase of new computers and upgrades, as proposed in the original quote dated 5/2/19. The motion was seconded by Sharon Bousquet – **APPROVED.**

Motion by Sharon Bousquet to accept the tractor offer from Richard Noel. The motion was seconded by Richard Flint – **FAILED.**

K. Adjournment

Motion by Bruce Butler to adjourn the meeting @ 10:30pm. The motion was seconded by Richard Flint – **APPROVED.**

Minutes respectfully submitted by:

W Dusablon

Wendi Dusablon – Town Clerk & Public Meetings Clerk

Minutes approved by:

Sharon Bousquet

Sharon Bousquet – Chair, Highgate Selectboard