

# TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, February 1, 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 @ 7:02pm followed by the Pledge of Allegiance.

**Highgate Selectboard Members** – Sharon Bousquet, Chair; Josh LaRocque, Vice-Chair; Bruce Butler; Steve LaFar; 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** – Rick Trombley; Woody Rouse; Alice S. Cota; Kevin Spears; Mark Maskell; Debbie Rouse; James Wetherby; James Messier; Vern Brosky III; Danny Hale; Tim Joyal; Cathy Keller; Paul Greenwood; George Britch; Brandi & Ryan Maskell; Richard Wilkens; Sarah & Eric Chevalier; Winton Goodrich

*Prior to public comment, Sharon noted that the Town of Highgate had not broken any law with regard to the article that was voted on at the last meeting. Prior to it being added to the warning and published we reached out for advice. We were advised by the Secretary of State's Office that the Selectboard could not put a warned article of this nature on the town side of the warning. Will at the SOS Office reached out to someone named Cindy who confirmed his thoughts. We were supposed to receive a written statement from Cindy with regard to this, and as of today, we have not. Sharon read aloud from the St. Albans Messenger article dated 1/24/18 that according to state statues, the supervisory union school board is only required to present their budget to the school boards of the supervisory union member districts. Also, according to 16 VSA 261a (10) the board of the supervisory union is required to submit to the board of each member school district on or before January 15<sup>th</sup> of each year, a summary report of financial operations of the SU for the preceding school year; an estimate of its financial operations for the current school year; and a preliminary budget for the supervisory union for the ensuing school year. The motion made on 1/18/18 to add the article was voted on and approved by the board, but was never added to the warning and the warning was published without it. This was looked into before the warning was published and added to our town report. The Town of Highgate did not break the law. Zeb Maskell was disappointed that this was not happening and read aloud from VT Education Law Book dated 1997 with regard to the powers of School Boards. He feels we, as taxpayers, have the right to ask that question. He further stated that the SU is untouchable and it's wrong. Sharon stated that it was best to not place the article on the warning to protect the town from being liable. This all leads to a much larger conversation – if we can't vote on it, what CAN we do to change this? Zeb would like to ask our State Representatives at Town Meeting.*

### **B. Public Comment(s)**

- Sue Cota asked about additional lighting at the intersection of Monument Road and Tanglewood Drive. She had asked about this a few months back and since the flooding it is needed more than ever. Wendi reached out to Duane from Swanton Village about it and it does not need a transformer, but wire does need to be run to

that pole. The estimate is \$325.00. Josh agrees more lighting is needed in that area. Motion by Josh LaRocque to support the request for additional lighting at this intersection at an estimated cost of \$325.00. The motion was seconded by Steve LaFar – **APPROVED.**

- Debbie Rouse thanked everyone for getting the library back up and running but feels it took far too long. They were closed for three weeks due to frozen pipes. It turned out the water was not frozen, the line was broken and it was dug up a few times in between snow storms and flooding. The line had come apart and there were also two holes. Thank you to Highgate Public Works for their diligence in resolving this issue.
- Debbie Rouse also asked about the Town Administrator's salary in the town report. She noticed the salary was dropped but a new line item was added for a grant writer. Sharon said yes, that is the case, noting that we hired a new part time zoning administrator two days per week and those duties have been taken off Heidi's plate. But, she has taken more duties with grant writing and can more than make up her salary with funds she can secure for the town through grants. Debbie stated that she was already doing grant writing as part of her TA duties, so that has not changed. Bruce disagrees. The positions have been separated now. We have a Town Administrator line item, a Grant Administrator line item and a Zoning Administrator line item, each with their own salary broken out. Debbie feels this position was created specifically for our current TA and disagreed with the way this was done. Rich Wilkens asked for clarification on how the grant writer position makes up for her salary. There are fees worked into some grants that the town can be reimbursed for time spent to administer the grant cycle.

**C. FNWSU – Winton Goodrich**

Winton had not yet arrived, so the board moved on to the ATV ordinance public hearing.

**D. ATV Ordinance Public Hearing**

We have a large crowd here tonight and draft copies of the proposed ordinance are available. We have also received a few emails from residents regarding this topic. Vern Brosky III lives on Tanglewood Drive. He feels most riders are respectful, but things have changed recently in his neighborhood. There was discussion on noise decibels and what is legal and if that is incorporated into the ordinance. Danny Hale from VASA addressed the question about noise. The ATV noise decibel is acceptable at no higher than 82. New legislation was introduced just today with regard to ATVs which he hopes will pass. It will not allow ATVs to be modified, noting that any equipment that comes direct from the factory is compliant with the law. Modifications that are not compliant would be subject to tickets, if the legislation passes. Danny recommends we incorporate state statutes into our ordinance. Kevin Spears rides his ATV a short distance to his sugaring operation. He is concerned that people like himself will be subject to fines, which he strongly disagrees with. He registers his vehicle and should be able to ride it. The board and Danny explained that this ordinance will allow for stronger enforcement with regard to the issues we are having in town. The purpose is not to harm farmers or sugar makers that need their ATVs to get their jobs done. Josh has addressed this issue at a previous meeting and there is a section in the ordinance that addresses this topic. This ordinance is a stop-gap measure to get things under control. We will have the ability to create trails and open roads eventually, that is all still on the table. Creating a local club can help with that. We currently have no trails in Highgate, and Danny understands that. Clubs need community support to be successful. James Wetherby expressed concern and frustration over the issues we have in town. He gave several

examples of the behavior we are experiencing with ATV riders showing no respect or consideration for safety of others or themselves. This process is about fixing it, and we need to start somewhere. There was lengthy discussion on enforcement and what law enforcement will and will not do. Special permits are an option for those that need to ride their ATV on town roads for work purposes. Zeb Maskell asked why snowmobiles can ride on town roads and ATVs can't. He also registers his ATV and wants some answers. Rich Wilkens asked why we are paying FCSO for coverage if they won't do what we are asking them to do with regard to ATV enforcement. We are currently in a contract with FCSO. Randy asked about trailering ATVs to get to your desired location. Danny Hale pointed out that just two weeks ago VASA signed an agreement with VTrans with regard to using state highways where appropriate. It's all about accountability. This proposed ordinance is not taking anything away, it's creating structure! 85% of your registration fees for an ATV go directly to VASA. Ryan Maskell asked how the town will benefit from establishing trails. VASA can help, guide and assist with trail building, at whatever level we decide, they can help. The illegal road riding in this town has to end. A portion of fines collected by law enforcement also go to VASA. A local club would require a trail decal just like VAST and there would be a yearly fee. An ordinance would also give more authority to our Constable, giving him more clarity on what he can and cannot do. There is an appeal process built into the ordinance also. Currently, law enforcement is only enforcing state statute and in our county the no chase policy is what they follow. Once an ordinance is passed, law enforcement has the obligation to enforce it. This is Danny's 4<sup>th</sup> meeting with us, he understands our issues and our frustrations. Mr. Wetherby asked about land owner permits and how that will work with a local business, referring to a local sand pit where kids have been allowed to ride. It should be all can ride, or none can ride. There will be a second public hearing on this topic on Thursday, March 15<sup>th</sup> @ 7pm. Any suggestions, comments or concerns can be forwarded to the town office or any Selectboard member by email. Zeb would like the board to consider the special permit process so legally registered vehicles and licensed riders who are responsible can utilize their ATVs legally. The town wins, the people win and it gets the riff raff off the roads. Danny would like the board to consider that too, but not issue a tag, just a card to be held in their wallet. Sharon thanked everyone for their input.

**E. FNWSU – Winton Goodrich**

Winton Goodrich apologized for being late – he was working on an alert now message to families with regard to flu season. Mr. Goodrich was present with Jim Messier from the MVU Ag Program. They would like to start the discussion regarding a possible memorandum of understanding between the Town and MVU with regard to using the land on Frontage Road (recently acquired through a donation). Mr. Messier asked if the town had use planned for the many concrete blocks on the property. They are approximately 6-8' long and 2' high. The Ag program could use 12-14 of them around the edge of their slab at their manure pile. Motion by Steve LaFar to donate 12-14 of the concrete blocks to Mr. Messier's program. The motion was seconded by Josh LaRocque – **APPROVED**. Mr. Messier thanked the board for this donation. Mr. Messier talked more about their programs at MVU which include composting, raising steers and hogs and growing crops. The land the town owns borders the MVU property. Their programs are growing and that space would be of great value to them. He is only interested in the 12-15 acres that is flat near the buildings and the entrance to Frontage Road. The portion nearest the airport is wet and hilly. MVU is looking to collaborate with NW Tech Center and Cold Hollow Career Center on more programming. The school uses the former Cassidy property (next to Highgate School) to provide hay for the animals. There is an ACT250 permit on the Frontage Road property so any future use would need

approval. Zeb asked about other town properties that were approved last year to be sold. That bid process should start soon (Dalcourt property and Cherry Hill property). Eric Chevalier would like to see the town sell this property and put the funds towards other town projects. He is a huge fan of the Ag program at MVU, but doesn't feel we should hold onto that property. Mr. Goodrich read aloud from the draft agreement he was proposing, which included points such as: allow MVU to use the land at minimal or no charge; MVU would cover accident and liability insurance; MVU will be good stewards and follow environmental standards; some clean-up of small trees and shrubs; ability to till the land and utilize in that manner; plant and harvest crops; pasturing animals; composting; and long range plans to utilize the cement slab on site. He noted that the garage facility on site could be used to house a tractor. The school has great interest in continuing the conversation with the town. Josh asked about taxes and other expenses that go along with this. They have an old tractor they could stage there already and they receive \$168,000.00 per year towards the Ag program already from the Department of Education. Collaboration with other schools will create access to Federal Perkins Funds. They are doing these things already in the program, this would allow for a larger scale. Steve asked why the school didn't accept the land donation first when it was offered to them. The school doesn't manage properties. Heidi added that it was the decision of the solar negotiation committee that the town accept the donation so some kind of tax revenue could come from it. If the school had accepted it, then three towns would have owned land in Highgate and no tax revenue. That is how the land came to the town. Randy agreed with Heidi's recollection. Randy asked if they have a written agreement for use of the former Cassidy field in Highgate next to the school. Winton is not sure if there is a written agreement, but the hay from that location is split between the farmer and the school program. The board will take this request into consideration. Winton is preparing a press release in mid-February to let community members know that the net metering project (also on Frontage Rd.) has been operational since mid-October and we will start seeing credits as the weather gets warmer and sunnier. He would like local Selectboards and School Boards to be part of the press release as well. The board thanked Mr. Goodrich and Mr. Messier for coming and they will be in touch.

#### **F. Town Treasurer Updates – Shelley Laroche**

##### **1. Check Warrants**

There were no questions no the check warrants.

##### **2. Misc.**

- The Climate Systems Inc. annual agreement which auto renews will be coming up soon. We are very happy with their service on the HVAC system. The cost is \$548.00 two times per year and if we call them, we get a discounted rate for labor of \$94.00 per hour during the year.
- 2017 Town Reports are here and they look beautiful. Shelley pointed out on page 62 under the highway fund, the director salary did not account for his raise last fall. It does not change any budget numbers, his wages were put into the crew wages in error. \$2,163.00 will be moved from crew wages up to the directors salary line item, making Pat's salary \$56,243.00 and crew wages \$80,996.00 .
- The Tax Sale on Jan. 31<sup>st</sup> was cancelled. In the town report is indicates \$194,000.00 uncollected, which is already down to \$155,000.00 as of today, so money continues to come in steadily.

## **G. Town Clerk Updates – Wendi Dusablon**

### **1. Minutes**

Motion by Josh LaRocque to approve the minutes from *January 18, 2018*, as written. The motion was seconded by Steve LaFar – **APPROVED**.

### **2. Town Meeting Updates**

The deadline to submit petitions to run for office via Australian Ballot was Monday, Jan. 29<sup>th</sup> by 5pm. We have only one race on the ballot, for Cemetery Commissioner. There is no one running for Town Agent or Lister. Ballots have been ordered and should be here next week. I will need to wait for MVU ballots, but residents can request absentee ballots at any time by calling, emailing or stopping by the town office (Wendi, 868-5002 [wdusablon@highgatevt.org](mailto:wdusablon@highgatevt.org)).

### **3. Dog Licensing Update**

We have licensed 100 dogs so far, only 800 +/- to go! The licensing period is now through March 30<sup>th</sup>. Beginning Monday, April 2<sup>nd</sup> late fees will be accessed. Tickets will be issued after May 1<sup>st</sup>. The annual rabies clinic will be held Saturday, March 24<sup>th</sup> from 10am – noon at the fire station. More info on licensing and the rabies clinic is on the back cover of the town report.

### **4. Town Reports – PICK YOURS UP TODAY!**

Pick up your 2017 Town Report at the Town Offices, Desorcie's Market, Martin's Store, Irving Station, Highgate Public Library, Highgate Arena or McCuins. Contact Wendi if you need one mailed to you. There is also a digital version on our website [www.highgatevt.org](http://www.highgatevt.org).

### **5. Liquor License Renewal – Desorcie's Market**

Motion by Sharon Bousquet to exit the regular meeting and enter into the liquor control board @ 8:37pm. The motion was seconded by Josh LaRocque – **APPROVED**. Motion by Josh LaRocque to approve the renewal application for Desorcie's Market. The motion was seconded by Steve LaFar – **APPROVED**. Motion by Randy to exit the liquor control board and enter back into the regular Selectboard meeting @ 8:39pm. The motion was seconded by Steve LaFar – **APPROVED**.

## **H. Administrator Items – Heidi Britch-Valenta**

### **1. HVFD Grant Application (truck)**

There is already \$234,000.00 set aside for a new truck. This grant would cover the remaining \$100,000.00 they feel they approximately need to get what was already specked out by the truck committee. Motion by Josh LaRocque to sign the grant application. The motion was seconded by Steve LaFar – **APPROVED**. Sharon pointed out this is one of the extra duties that Heidi has picked up. It helps our volunteers and the fire department as a whole. It makes us stronger, makes us a better community and helps us comply with changes in the law. Separating the Town Administrator / Grant Writer positions is the same as separating the Town Clerk / Public Meetings Clerk and the Town Treasurer / Delinquent Tax Collector. Heidi, Wendi and Shelley all wear multiple hats with regard to town positions and duties.

### **2. Dehumidifier Bids**

Bids are due tomorrow, Feb. 2<sup>nd</sup> by 4:30pm. This is being funded through our insurance due to failure of the other unit. Bids are typically opened at a meeting or in the front office with witnesses. Josh would like to be there. Bids will be opened Tuesday morning @ 8:30am and forwarded to the committee. We need to stay

within the time frame, as there is a 12-week waiting period once we order the new unit. We will front the cost and VLCT is very quick about reimbursement. Josh asked about the adjuster coming about the snow plow. They were here last week and we are waiting to hear back. Eric Chevalier asked if the plow he dropped off fits, yes it does, the arm is short but can be modified. The board thanked Eric for dropping it off to us.

**I. Selectboard Items**

**1. Road Mileage Certificate**

Pat has reviewed this and initialed it. Motion by Steve LaFar to sign the road mileage certificate. The motion was seconded by Josh LaRocque – **APPROVED**. Pat also registered the reduced weight roads with the State of VT before he left for vacation.

**2. Library Water System Update**

As discussed under public comment, this has been repaired. It took longer than we hoped or expected but we got it repaired. Shout to the Highgate Public Works for their great work!

**3. Misc.**

- The fire department will be moving their office from the front to their vacant room in the back of the building. The listers will be moving into the office they are vacating. Most everyone is happy with the plan for HVFD's new space. Sharon thanked HVFD for their help and cooperation. The office staff has offered to come in to assist with painting and the overall transition.
- Feb. 15<sup>th</sup> we have scheduled the Pre-Town Meeting Info Session. Sharon will be out of town. The rest of the board was fine with keeping that date.
- Shelley pointed out the great job Kyle Baker is doing with the sidewalk clearing this winter. We have had nothing but positive feedback!

**J. Upcoming Events**

Feb. 8	6pm	DRB Mtg.
Feb. 15	7pm	Selectboard Mtg. – PRE TOWN MEETING INFO SESSION
Feb. 19		Offices are CLOSED – Presidents Day
Feb. 20	5-7pm	Planning Commission OPEN HOUSE EVENT
Mar. 6	10am	Town Meeting @ Highgate Elem. Polls open 7am – 7pm
Mar. 12	4pm	Finance Committee Mtg.

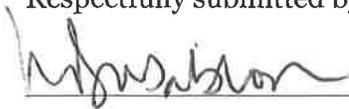
**K. Executive Session**

None

**L. Adjournment**

Motion by Sharon Bousquet to adjourn the meeting @ 8:51pm. The motion was seconded by Randy Connelly – **APPROVED**.

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk & Public Meetings Clerk

Minutes approved by,



Sharon Bousquet – Chair, Highgate Selectboard