

TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, October 5, 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 @ 7:03pm followed by the Pledge of Allegiance.

Highgate Selectboard Members – Sharon Bousquet, Chair; Josh LaRocque, Vice-Chair; Steve LaFar; Bruce Butler; Randy Connelly (arrived 8:35pm)

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

Public / Other – Woody Rouse; Vonnie Lamotte - ACO; Alice (Sue) Cota; Rich Wilkens; Debbie Rouse; Ben Lowell – Constable; Kevin Kelley; Elaine Ezerins – St. Albans Messenger; Ty Choiniere; Ann Dandurand; Don Gilbert; Mark Gilbert

Sharon began by saying that the Selectboard held an emergency meeting on Tuesday evening, October 3rd, regarding the HVFD floor. Three members were present – Sharon, Steve and Josh. Doug Rollo uncovered that the entire church foundation was beneath the floor. It had 2' stone walls at the top and even wider at the bottom. This foundation was not where we expected it to be, and therefore required immediate attention and decisions for the contractor to move forward. Minutes from the October 3rd meeting are available and the board was within their rights to have called an emergency meeting.

B. Public Comment(s)

- Debbie Rouse asked about the dog issue she reported on Tuesday. Vonnie Lamotte, ACO, was present and said she has spoken to the owner about their two boxers. The dogs were able to pad down the fencing and jump over it. The owner was looking for the dogs, and at the same time we had complaints coming in. They were chasing chickens on Route 78 as well as running around the fields by the school and arena. Ms. Rouse has concerns for the safety of everyone, especially children. Vonnie said they are not mean dogs, but they play hard. We have addressed issues with these dogs in the past. Vonnie will be visiting the home again tomorrow to make sure the fencing has been secured and is higher. Josh agrees, the fence needs to be higher and more secure. Sharon said if they can't keep the dogs in their enclosure, the board will have to consider other options. Vonnie pointed out that if the dogs were neutered they would be less likely to run. The owners need to either pay for the fencing to be improved or they will be paying fines to the town. Ms. Rouse asked about the leash law in Highgate. There is no leash law in Highgate, dogs are expected to be under their owners verbal control at all times. Vonnie has an update for the board which is next on the agenda.

C. Animal Control Officer Update – Vonnie Lamotte

Vonnice has been extremely busy. She had photos to share with the board of all the animals she has picked up, housed and/or rehomed since September 1st. Some were drop offs, which is very sad. Only two of the dogs went home with their original families. Kristy Brow is assisting Vonnie, and together they are doing a great service for these animals and the community. She is currently looking for a foster home for a dog named "Lady". Vonnie is working with a trainer for her so hopefully eventually Lady will find her forever home. There were complaints about dogs in East Highgate that two dogs were living in bad conditions. Vonnie went to the property on Route 78 on Sunday, September 17th and brought Kristy Brow with her. The dogs had food and water, but the two dogs, one male and one female were in very unsanitary and unhealthy conditions. The area was covered by a tarp and it was extremely hot in there to the point Vonnie saw steam when she took the tarp off. The female dog is pregnant and due in a few weeks. Vonnie is following our ordinance. VSP Officer Bruzzi has offered his support, he is familiar with the owners and the situation. Vonnie spoke with Mr. Patterson who is a co-owner of the property.

He did not know there were animals there. Vonnie shared photos of the two dogs from the day she picked them up and photos of how they look today. Her goal is to sell the puppies and use the funds to spay and neuter both dogs. She is receiving some kick back from the owners of the dogs. The dogs are licensed for 2017 in the town of Swanton under the name of Arnold Hibberd. It is not clear why the dogs don't live at the address in Swanton where they are licensed – instead they were living here on a parcel of land with no dwelling in unsatisfactory conditions. Vonnie had left a tag at the property letting them know she had the dogs. They called her back in the middle of the night. Sharon noted that the owner of the dogs was told that he has every right, as does any resident, to be here at this meeting to contest this. He is not here. Sharon thanked Vonnie, she does a fantastic job, as does Kristy. Vonnie further elaborated on the “drop off” issue we are experiencing in town. Lady was a drop off up around the horn, and we know who the owner is. She wants there to be recourse for this owner for doing such a thing. The ACO is technically supervised by the town health officer, which is an extension of the department of health. Vonnie will look into this more to see if this person can be charged with cruelty or ticketed. FCAR is considering reopening soon. Vonnie believes that there will be no town contracts offered and that they will only take an animal if there is a surrender form. The board thanked her for doing a thankless job. She does not consider it a thankless job, she loves rehoming animals and seeing some happy endings. The fines we collect will help Vonnie continue to do what she does. She will follow up on another dog issue on Spooner Road, this dog is constantly on the loose, and the owner is not ever home. Motion by Josh LaRocque to have Vonnie Lamotte remain in custody of the two dogs from East Highgate and to rehome them after the puppies are born and both dogs are spay / neutered. The motion was seconded by Bruce Butler – **APPROVED**. Note: the owner of the dogs did eventually show up to the meeting, well after this motion was made. See notes below after the Town Clerk section of the minutes.

D. Town Treasurer Updates – Shelley Laroche

- Check warrants – Sharon asked to see the Tifco invoices. There were no other questions on the check warrants.
- Misc. updates - Tax collection has been steady. The tax sale process has begun for twelve properties, two have come in and paid in full. A few are also setting up payment plans. One property wants to go to tax sale, so it looks like we will definitely have a tax sale this year, but no date has been set. Credit card payments are an option, there is a convenience fee through MuniPay of 2.65% or \$3.00, whichever is greater. There is an updated budget in the drop box. Budgeting will start after tax collection is finished. The finance committee will meet on Oct. 16th @ 3pm.

E. Town Clerk Updates – Wendi Dusablon

- Minutes - Motion by Josh LaRocque to accept the minutes from September 21, 2017, as written. The motion was seconded by Steve LaFar – **APPROVED**.
- Minutes - Motion by Josh LaRocque to accept the minutes from October 3, 2017, as amended. The motion was seconded by Steve LaFar – **APPROVED**.
- Special Vote(s) on November 7th – There will be ballot voting at Highgate Elementary School from 7am – 7pm for the MVU Capital Reserve Fund vote. There will also be a special floor discussion and vote on November 7th @ 7pm at Highgate Elementary School regarding ACT46 and if we wish to maintain our current operational structure. This needs to be voted on from the floor because that is how we vote public questions in Highgate. Absentee ballots are available now for the MVU vote.
- P&R vacancy - There is a vacancy on the parks & recreation committee. Danielle Pothier submitted a letter of resignation effective 10-3-17. Ty Choiniere thanked Danielle for her time and dedication to parks & recreation. Anyone interested in serving on the committee, please contact Ty or Wendi and submit a letter of interest. Josh encourages anyone to help out, even if you can't join a board or committee.
- P&R update - Ty gave a parks & recreation update with regard to soccer season and recent community events. Over 100 children ages Pre-K through grade 4 participated in soccer this year. There is a jamboree next weekend in Swanton to wrap up the season. The community playground event was held on September 23rd and it was very successful. Sharon thanked the

family of Wayne Bushey and all the volunteers that helped out that day. And kudos to Wendi, Shelley and Heidi for making sure everyone was well fed. WCAX and RiseVT were also present on September 23rd.

Sharon interrupted for a moment, noting that the owner of the two dogs from East Highgate had arrived. Arnold Hibberd expressed frustration that he would call the ACO, the police or the town clerk's office and he always felt like he was getting the run around. He stated he has a friend that will possibly take the dogs until they get situated. Sharon told him that, unfortunately, he was about 45 minutes too late and the board had already made a decision and a motion to rehome the dogs. Mr. Hibberd left the meeting immediately. Ann Dandurand had some questions about this dog situation and the time frame involved. Unfortunately, things like this are a duty of the Selectboard and it's not always pleasant.

F. **Town Administrator – Heidi Britch-Valenta**

- *Machia Road slide repair grant notice of award* – We have an opportunity to accept \$734,800.00 in federal funds. The town's match would be \$183,700.00. If we are interested in accepting, we need to sign a commitment form. The first task is to go through the design process and find out what the real numbers will be. If we go through the design process and do not implement the project, we would have to pay back the design portion. We are not obligated to complete the whole project. If we don't repair the slide area, we are likely to lose the Machia Road. Bruce asked if there are any state funds available as well to offset the match amount. These funds are from a pool of federal funds that came to the state. It is possible that more funding would be available, but we just don't know. It is tough to blend funds, some are compatible and some aren't. We submitted our application based on a similar fix done close to this one with similar square footage and height. It will take some time to get a contract and we have to sign it within thirty days. So within two months we will begin to procure the contracted services. We will have a fair amount of time for the design process. This will have to be a budgeted item, we don't have a spare \$183,000.00 hanging around. Rich Wilkens, member of the Planning Commission, was present. He asked to clarify the timeline for funding. Do we need to come up with \$183,000.00 in thirty days – no. But we do need to agree to move forward within two months. Shelley pointed out that our match is paid in smaller pieces, so it won't all happen at once. If the taxpayers say no to spending the \$183,00.00 then what happens? The Selectboard has the authority to borrow money in emergency situations, such as this. If we are about to lose a road, it is an emergency. If the voters approve it, there is no interest involved, if not, and a loan is necessary, that will be more costly in the long run. People were very upset about the bridge being closed for two weeks so they really won't like it if we have to close an entire road. There was discussion on if a special vote would be necessary and if we could piggy back on the votes already happening on November 7th. Because of the timeline involved in warning such votes, a decision would need to be made tonight to be warned properly. Rich asked about engineering costs and tax implications. This project involves about 300' of bank on Machia Road. The board all agreed, it needs to be fixed. Sharon's opinion is that we attempt the route with the grant and if we are on the hook for engineering costs and need to back out, we will. There was further discussion on a special floor vote, but it was agreed that there just isn't enough time to pull off a special vote for November 7th. Motion by Bruce to move forward and apply for this grant. The motion was seconded by Josh LaRocque – **APPROVED**. If a special meeting and vote is required it can take place at any time, not just on November 7th. The numbers we have are preliminary only. We can have a separate article at town meeting on this. Information will be key with this issue.
- *ATV discussion* - We have received more correspondence on this issue. VASA has reached out as well. They have a county wide meeting coming up and are looking for representation from each town. Justin Rocque has offered to come to Highgate and coordinate a meeting here. Ben Lowell has expressed interest in the topic and helping out locally. There was further discussion on the issues we are experiencing with regard to ATVs. Ben feels without any kind of ordinance, the town's hands, as well as law enforcements hands, are tied. We will invite Justin to a meeting. This is a hot topic and

will be well attended. Ben has taken the time to go through all the ordinances and put a binder together with signed copies. FCSO also has a copy of everything that is signed and enforceable.

G. Selectboard Items

- HVFD floor – The concrete is out of the floor and the entire church foundation is under there. The concrete cutting is complete. Doug Rollo is currently bringing sand back in and compacting. The compacting is being tested every so many inches to meet standards. The concrete contractor, Menard's, will be coming in as soon as Doug is finished. The uncovered church foundation is being left in place. Taking it out would inflate costs dramatically. Doug is taking out the other debris located in there. The concrete will have rebar, which will make a huge difference, and there was previously no compaction and only mesh that sank to the bottom. In some places, the concrete was only 3" thick. We are working towards staying within our budget. Doug alerted the town immediately as to what was happening, which is why the emergency meeting on Oct. 3rd was held. The PC is hoping to hold another open house prior to town meeting. Pictures of the entire process of the floor replacement would be great for folks to see.
- Thak Blvd, Darlene Drive and municipal roof – Board members have looked at the road acceptance policy and Thak Blvd. itself. Josh and Sharon have taken a ride over there and agree that the circle at the end is too tight for even the single axle truck. Pat Loyer has looked at it as well. A letter will be sent to Duane Tremblay letting him know the reasoning behind their decision to not take over the road at this time. If the road is repaired or revised, the board can reconsider. There is a culvert on Darlene Drive where water is not flowing in either direction. Pat cleaned it out on both sides to see which way the water is supposed to flow. A hydraulic study has been requested and some ditching will need to be done. The municipal roof needs to be done ASAP before it gets too cold. Bruce would like to accept the bid from the contractor, Patty, who proposed to seal it. Steve agrees with Bruce. Bruce would also like to look into ice melting equipment to prevent ice jams from forming. The original bidder has been contacted with no response. Heidi has concepts from him of what he believed the issue was. We are running out of time. Patty offered to do a labor contract with us and the town can purchase the supplies. She wants to do the entire roof, not just the valleys. Rich will get the fine details from her. There was discussion on the warranty of the work and product that will be used. It was noted that the roof should be painted at some point in the future. The board agreed that we need a more concrete written estimate from Patty. She is fully insured. We need this in writing to hold everyone to the same standards. We have given the bidding process ample opportunity. We will also get a cost on painting the roof in the spring as well.
- Dehumidifier at arena – Josh updated everyone on the continued issues at the arena with the dehumidifier. On Tuesday morning the unit tripped out again, as it has done regularly all along. Sean from VHV was there working on the unit and he hit the reset button. The refrigerant line blew and lithium chloride shot out and leaked down through the controls of the unit and blew up the controls. The unit is completely done – DEAD. There is no fixing it. VHV has been contacted to see what can be done. We need to get rid of this unit and get a fix in ASAP so the season can start. Josh has been on the phone a lot since Tuesday, getting pricing from VHV and Preferred Mechanical. A new piece of equipment, a Munters unit, is 12-14 weeks out. We don't have that kind of time. The ice is in and there is so much humidity in the building it's literally raining. Our building is much tighter than it used to be. Water is dripping from the lights and ceiling and everything is getting wet! Leaving it this way is not an option. Pricing on a new unit is anywhere from \$75,000.00 to \$90,000.00 and a lead time of up to 14 weeks. Even if we came up with the funds, and even if we said yes today, we don't have the time. We have filed an insurance claim and tried to follow up with VLCT on this but they were closed today for a company function. There are rental units available that we can have as soon as next week. Pricing varies, but for a Munters unit, gas fired, the cost would be \$7,000.00 for the first month, which includes transport and installation, and \$4,800.00 per month for each additional month. The electric unit shouldn't be considered, even though it's cheaper, it would kill us on our electric bill each month. The electric unit would cost us \$3,700.00 per month and \$1,900.00 for trucking and set up.

fees. There are other units out there, but Munters is what most rinks in our area use, they are great quality and last for many years. (Randy Connelly arrived @ 8:35pm). It is important to note that VHV is admitting the unit they sold us has been a problem since day one. They are willing to give us \$10,000.00 towards the rental unit. This is a start, but we have a long way to go with VHV. We operate for roughly six months for ice season. Shelley questioned why we would rent for the entire time if a new unit is available in 3-4 months. Josh would like to take the winter to do research and make sure we get the right unit this time and not make a purchase we will regret. Rich pointed out that we should not take any money from VHV if there is going to be any pending litigation. We will wait to hear from VLCT on the insurance claim. Our current (dead) unit was purchased four years ago and there have been issues the entire time. We have two options, Munters or DCI. DCI has solid customer service, and Munters is well known in our area and used by most facilities in our area. Munters offers several models to choose from, we would need to research the most appropriate model for our needs, the A20G would be a good model to consider for Highgate and the conditions in our rink. Josh would like to get 2nd, 3rd and 4th opinions on whatever is decided. There are professional engineering firms that you can hire for the purpose of reviewing the specs to make sure the unit will work for your environment. We are behind on building the ice because of the added humidity in there, it doesn't freeze as well. We just installed a fob system on the doors which the humidity isn't good for either. Rich asked how we can justify the rental fees and then the cost of a new unit. He suggested that we consider closing for the season. This was met with a great deal of disagreement. Closing for the season would kill us, literally, because a lot of people that rent our ice would likely not come back. This is a town asset that is enjoyed by many year round, we need to keep it open and operating. MAHA has continually invested back into the building since they took over. We have a new ice system and new bleachers, among other things, so there have been many positive changes over the last several years. We should not just focus on hockey with regard to the arena, there are many other programs on and off the ice that happen there. There was discussion on how to pay for this rental unit. After the bleachers are fully paid for there is still \$70,000.00 in the fundraising account, which is meant for renovation projects. The fund could be reimbursed with the insurance claim. Don Gilbert added that he agrees the gas fired rental unit is the way to go to get us through this season, and it can be here within the next week! The unit will come off rental tomorrow in Maryland. If we get the paperwork going by tomorrow, the unit can be here as soon as Tuesday or Wednesday of next week. The unit can be running very soon after that. There was discussion on the use of a propane tank to run the unit and how many gallons of propane the unit will use. It will use 2-3 gallons of propane per hour in regenerative mode. It is a much larger capacity than what we have now. Shelley is still not in favor of renting for the whole season. Don pointed out that in the middle of January we could not do the bore for the gas line, which his another good reason to rent all season. This will be a good test to see what happens in our building with the right unit in place. Mark Gilbert commented that Cairns Arena in South Burlington uses Munters units. They have no heat in their buildings and one of their Munters units is 23 years old. We have had great compliments from all over on the quality of our ice, and of course the french fries! MAHA is putting out a great product all the way around. This was the nicest sheet of ice Mark has seen since he has been involved and this happened. There have been mega volunteer hours put in. We reached out to Davis Mechanical as well and they did not reply with pricing. Motion by Steve LaFar to rent a gas fired Munters dehumidification unit through VHV with the cost coming from the arena fundraising account. The motion was seconded by Bruce Butler – **APPROVED**. Josh noted that an electrician will need to make the three connections and that we will continue to work with Liberty Propane. Mark and everyone involved thanked the board for their prompt attention to this matter. The kids are supposed to lace up on Saturday to start the season, this will be determined tomorrow if the season will start on time or need to be slightly delayed until the new unit is in place and fully operational.

H. Upcoming Events

Oct. 9		Municipal Offices are CLOSED – Columbus Day
Oct. 12	10am	Weekly Sidewalk Update meeting
Oct. 12	6pm	DRB Mtg.
Oct. 16	3pm	Finance Comm. Mtg.
Oct. 17	6pm	PC Mtg. & Public Hearing on Town Plan Amendment
Oct. 19	6pm	Machia Property Dev. Comm. Mtg.
Oct. 19	7pm	Selectboard Mtg.
Nov. 1	by 5pm	Property taxes are due – postmarks not accepted!

I. Executive Session

Motion by Randy Connelly to exit the regular Selectboard meeting @ 9:17pm. The motion was seconded by Josh LaRocque – **APPROVED.**

Motion by Sharon Bousquet to enter into executive session @ 9:18pm with the town administrator to discuss personnel, contracts and legal, where premature general public knowledge would place the town or the individuals involved at a substantial disadvantage. The motion was seconded by Steve LaFar – **APPROVED.**

Heidi Britch-Valenta left the executive session @ 10:30pm.

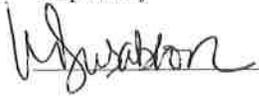
Motion by Sharon Bousquet to exit executive session @ 11:15pm. The motion was seconded by Steve LaFar – **APPROVED.**

Motion by Randy Connelly for Josh LaRocque to sign the MAHA rental agreement for the dehumidification unit. The motion was seconded by Bruce Butler – **APPROVED.**

J. Adjournment

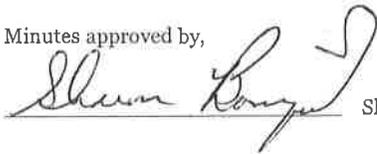
Motion by Josh LaRocque to adjourn the meeting @ 11:17pm. The motion was seconded by Steve LaFar – **APPROVED.**

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk
& Public Meetings Clerk

Minutes approved by,



Sharon Bousquet - Chair, Highgate Selectboard