

TOWN OF HIGHGATE

Selectboard Mtg.

May 21, 2015 @ 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 Jeff Towle, Chair @ 7:01pm, followed by the Pledge of Allegiance.

Highgate Selectboard Members- Jeff Towle, Chair; Chris Yates, Vice-Chair; Diana O'Hara; Paulette Tatro; Randy Connelly

Highgate Office Staff – Wendi Dusablon - Town Clerk; Heidi Britch-Valenta – Town Admin; Tom Racine – Town Treasurer

Public / Other – Ben Lowell – Constable; Vonnie Lamotte – ACO; Chantel Bockus; Angela Williams; Darlene Foster; Kris Smith; Steve Bushey; Steve Ploof, Mike Bockus & Philip Brosseau – Highgate Highway Dept

B. Public Comments

None

C. Nuisance Dog Hearing

Present for this hearing were Angela Williams, Chantel Bockus and Vonnie Lamotte (ACO). The board has seen the written complaint from Angela & Cliff Williams, who reside at 3934 VT Route 78 in Highgate Center. Prior to the incident on May 10th, there was another incident on October 26, 2014. Angela called Ray Dixon about the October incident involving a big furry white dog that appeared to be a husky type breed or malamute. This dog killed 13 of their chickens on October 26, 2014. Ray Dixon called her back a few days later, and again about a week later stating he located the dog on Lamkin Street, but she never heard from him again. About one month ago, Angela saw a black lab type dog come through the woods towards her home, and she did not think anything of it. Then on Mothers Day, May 10th, she and her husband went out to dinner with their granddaughter. When they pulled into their driveway at around 8:10pm they saw that same white fluffy husky type dog in the yard. She brought her granddaughter in the house because there were feathers everywhere and several more of their animals had been killed. The black lab she had previously seen was also with the white dog this time on May 10th. Mrs. Williams said the husky dog is very unique looking. The next morning they drove around town and they had suspicions the dog(s) came from Lamkin Street because they ran through the woods in that direction. While driving up and down Lamkin Street an elderly gentleman let them know that a husky type dog and a black lab live in the area and he pointed to the house @ 1002 Lamkin Street. His wife also told Mr. & Mrs. Williams that their dogs get out often and can be a nuisance. The home at 1002 Lamkin Street is directly across from the sand pit, which leads to the yard of Mr. & Mrs. Williams. Angela came to the town and was notified that Vonnie Lamotte is the new ACO. Angela got an estimate for the chickens from Mark Hazzard:

19 laying hens @ \$20.00 each

2 roosters @ \$10.00 each

1 roll of chicken wire – 25' roll @ \$12.50 each

TOTAL ESTIMATE = \$412.50

Vonnie did not have much more to add. She called Mrs. Bockus and told her what was going on and that this meeting would take place. Mrs. Bockus did say the dogs got out a few times this month, but she would like to see pictures as proof that this was her dog(s). Mrs. Bockus recalls a few months ago when Ray Dixon came to their home to see if they had seen a malamute / husky type dog in the area. Mrs. Bockus let Mr. Dixon know at that time that this description was not their dog. Jeff asked Mrs. Bockus if she owns a husky dog – yes, she does. Mrs. Bockus said the dog was a rescue dog and is very skittish. On Mothers Day, May 10th, until 9:30pm her dogs were both tied up at home. Mrs. Williams confirmed, they arrived home at 8:10pm to find the white and black dogs in her yard and that

several more of her chickens had been killed. There were other dogs that live off of Lamkin Street that we have had meetings on previously, and they are also huskies. The board wondered if it was possible that these other dogs could have been involved in either of these incidents. Vonnie noted that all three of those dogs are no longer living off Lamkin Street. Two have been re-homed and the third is now with her former husband in Highgate Springs. Mrs. Bockus again asked for proof, such as pictures from surveillance cameras. Mrs. Williams will go back on her footage and see if they were able to capture any images of the dogs on either occasion. Mrs. Bockus added that the ACO never came to her home when this alleged incident occurred on October 26th, but he did come by just a few months ago asking about a malamute husky. This is not her dog. Mrs. Bockus added that her husky would have had blood on her fur if this had happened. Her husky, Sasha, is white, tan & black and is a husky / shepherd mix. This dog was abused and would not take off by herself. If anything, her black dog takes off and the husky follows. Vonnie suggested pictures of Mrs. Bockus' dog for Mrs. Williams to see. Mrs. Bockus did not feel it was necessary for Mrs. Williams and Vonnie (ACO) to go to her home. Mrs. Bockus briefly left the meeting to go home and take pictures of her husky, Sasha. *During the brief delay, it was noted that Vonnie, Ben, Heidi and Jeff will be going to the Bouchard home to make sure the dog has a safety plan for people that come to the home @ 2310 US Route 7. It was noted that both incidents happened inside the home, and our ordinance speaks to incidents that are off the owner's property. This is why the dog has not been ordered destroyed after two attacks on small children. The Bouchard's rent the home, and the owner has contacted Heidi and expressed little concern. The site visit to 2310 US Route 7 is set for 10:00am on Friday, May 22nd.* Mrs. Bockus returned with pictures of her husky. Mrs. Williams was able to confirm that based on the pictures that Mrs. Bockus showed her, that it is **NOT** Mrs. Bockus' dog that attacked and killed her chickens. Mrs. Williams asked the board what she should do if the dog that committed these acts returns to their property. She wants to handle this the correct way and hopes her husband is not home if the dog does come back. Vonnie lives very close by to the home of Mr. & Mrs. Williams, and they asked that she contact Vonnie ASAP if they see either of these dogs again in their yard. Jeff thanked everyone for being here to discuss this issue.

D. ACO – Vonnie Lamotte

Vonnie reported that she has picked up a beagle twice in the village and returned it to the owner on Lamkin Street. Heidi has sent a letter to the owner that the dog will be brought to the FCHS if this happens again, which will cost the owner money to get the dog back. There was a horse complaint, also on Lamkin Street. Vonnie investigated, and found all four horses were in good condition with plenty of food and water and the barn was clean. Vonnie will be issuing tickets starting next week on unlicensed dogs where the owner has failed to communicate with us on the status of their situation. We have given plenty of chances, and the deadline for licensing was way back on April 1st.

E. Town Clerk – Wendi Dusablon

1. Minutes

Motion by Paulette Tatro to approve the minutes from *May 7, 2015* as amended. Motion was seconded by Jeff Towle – **APPROVED.**

2. Dogs Dogs Dogs

We have licensed 760 dogs as of today, and as Vonnie mentioned, tickets for failure to license dogs will be issued starting next week.

3. Training update

Wendi attended a three-day training at Jay Peak on May 11th, 12th & 13th. The training was regarding a new online voter checklist, election night reporting and anything regarding elections. The training was mandatory and was hosted by the VT Secretary of State's Office. The system is due to go live on or around September 1st.

F. Town Administrator – Heidi Britch-Valenta

1. Smoke free parks – sample ordinances

Heidi had a few examples from Enosburg, Ludlow and Burlington to share with the board. Heidi will follow up with Enosburg and Ludlow and come back to the board with more info.

2. Workstrong visit on July 9

Heidi Joyce will be here on July 9 to meet with employees that are willing to participate.

3. FEMA closings

The closings on the two River View Lane homes are scheduled for May 28th and June 1st. We can then move on to the next phase, which will be issuing an RFP for demolition. Paulette asked if a controlled burn with HVFD would be appropriate. Heidi noted that we have a 12 month time frame for the match grant and the clock has been ticking, we are probably 4-5 months in at this point.

4. Fire Dept. floor repair

Heidi ran this by the architect for the arena project, who suggested getting a mechanical engineer involved. This would be a much better investment for the town to pay an engineer to figure out what caused the failure and a proper solution to address it.

G. Hwy. Department – Steve Ploof

1. Darlene Drive speed study results

Darlene Foster and Kris Smith were present. Darlene has been very patient waiting for an answer on this issue. The report gives the amount of traffic going through as well as the rate of the traffic. The determination is completely up to the board. The only recommendation is that we do not lower it below 25mph on a public road. The current speed limit on Darlene Drive and Charles Circle is 35mph. Motion by Chris Yates to lower the speed limit on Darlene Drive and Charles Circle to 25mph. Motion was seconded by Jeff Towle – **APPROVED**. Paulette asked if new signs will be put up. Heidi added that the recommendation of 25mph will be forwarded to the VTrans District 8 Office and there may be an appeal period. It is very unlikely that anyone would appeal. We will also want to update our road ordinance with this change.

2. Road sand bids

Bid #1 – Roger Wright - \$6.00 per yard – loaded

Bid #2 – M&T Begnoche / M&T Sand – winter road sand \$5.50 per yard – loaded

Motion by Jeff Towle to purchase 4,000 cubic yards from M&T Begnoche / M&T Sand at a price of \$5.50 per yard. Motion was seconded by Paulette Tatro – **APPROVED**. Randy asked if this quote is guaranteed, Steve Ploof said yes.

3. B25 inspection

A recent inspection by B25 on Machia Road confirms the bridge is in poor condition. The good news is that it has not worsened since the last inspection. Diana asked if there is anything that can be done about the extremely rough surface. Steve will look at it, but they can't do anything that will add extra weight. Replacement is not scheduled until 2018, and the construction phase will be an entire summer. Steve will look and see if it can be patched in any way where the ruts are deep.

4. Misc.

- There has been a casualty with the push mower, the shaft is bent. Motion by Jeff Towle for Steve to purchase a new push mower from McCuins for \$159.00. Motion was seconded by Paulette Tatro – **APPROVED**.
- There are two culverts on Boucher Road that are raised. They will need to be dug up, and are probably rotten. The culverts were delivered yesterday for the Morey Road and Hanna Road. The Boucher Road culverts will need to be in the next budget cycle. By the Bessette farm there is a 2' oval culvert that floods every year. Steve will have to ditch outside of the right of way, so he will communicate with the Bessette family on this.
- Today the highway crew stacked the concrete taken out of the arena. The concrete piers and fencing outside the arena have also been taken down.
- Pike Industries called about paving, but Steve has not measured the roads yet to bring it before the board. Steve has had a few truck dealers call also. Jeff and Chris agree that a truck committee should be formed.
- Diana asked about the beaver dam on the French Village Road (Lamkin). It is not really infringing on the culvert, which is 30". If the dam were to let go, it would go through the culvert and there is quite a bank there. It would drain and go to the river.
- The Highgate Girl Scouts are looking to plant a tree in a town park. Steve thinks down in the falls would be a good choice, and it would be a maple tree. Steve will meet with Mrs. Maxfield on Tuesday and put a stake in the ground in the spot they select.
- Shirley Fecteau asked about two trees in her front yard that are in the right of way. Chris contacted Gabree's and Bruyette's for quotes to lay them down. To the west of her driveway, limbs and branches are coming down frequently, the trees are dead. Chris is waiting for a quote from Bruyette's

to compare. Steve will take a drive by and there are power lines involved. Chris also asked Steve if the stump in the Highgate Falls park needs to be ground up. This stump is in the state right of way on Route 207.

- There are piles of dirt out behind the ball fields on Gore Road. Tim Reynolds has asked if we wanted to get rid of it, he would use it as fill. Steve said the town has a lot of fill, so we don't need it. Motion by Chris Yates for Tim Reynolds to remove the piles of dirt as long as he takes the cinder blocks with him. Motion seconded by Jeff Towle – **APPROVED**.

H. **Arena Construction Update – Steve Bushey**

Steve Bushey was here to report a few things. The concrete has been removed from the floor and it was a monumental effort which was followed through by our highway crew – Steve, Mike & Butch with additional help from Bob Conger. It was a big task and they got it done in three days. This saved the town money and time. We are 3-4 weeks ahead of schedule with removing the concrete and refrigeration system. Another big effort is ahead to remove the Styrofoam, which is way more of a mess than anticipated. It needs to be disposed of, but they are trying to salvage some. Steve Bushey is going to hang around, he has some contractual issues to discuss with the board in executive session. The sub contracts are still going out. Action Concrete did a good job, they were there to do the job when we asked them to be, it was \$20,000.00 well spent. Chris agreed and added that the talent and ability to pick up those huge blocks of concrete and not disturb what was underneath was impressive. The concrete was 6" thick on the main floor and 10"-12" thick around the perimeter. There are no worries with regard to frost. Under the floor they found the warm floor and a bunch of pipes run under the insulation. Nobody can locate where the controls are that would warm it, but the piping is there. We had discussed a warm floor with the new project, so that might have been their thought as well back when that was put in. Chris asked about the insulation and reaching out to Chevalier's. Steve has a call in to Habitat for Humanity. They are trying to keep as much out of the landfill as possible. Some of it can be used for the well project at the arena. There is some room at the sand shed to store it for the summer. Steve saved some to insulate the septic lines here at the town offices. Heidi noted that the Town of Highgate is very lucky to have Steve Bushey serving in this role on this project. Steve was happy to add that we have had lots of great help from folks before and after work as well as weekends. To those people we owe a lot of thanks. Jeff also thanked everyone who was stepping up and volunteering their time and / or skills to the arena project.

I. **Selectboard items**

1. **Accounting symposium**

This is an FYI, if anyone wanted to attend on June 16th.

2. **Contract negotiation**

This will be discussed in executive session.

3. **Personnel**

This will also be discussed in executive session.

J. **Ben Lowell – Constable**

Ben feels a no smoking ban is a good idea, but would be better with a civil ordinance so it can be enforced. Ben also has another issue to discuss with the board in executive session.

K. **Executive Session #1**

Motion by Jeff Towle to enter into executive session with Ben Lowell regarding a public safety matter @ 8:08pm. Motion was seconded by Paulette Tatro – **APPROVED**.

Motion by Jeff Towle to re-enter the regular Selectboard meeting @ 8:25pm. Motion was seconded by Chris Yates – **APPROVED**.

L. **Town Treasurer – Tom Racine**

1. **Pay bills**

Paulette asked for confirmation on where the Sherwood Cemetery is located, which is on the north end of Gore Road. There were no other questions or comments.

2. **Arena funding update**

Donations to date are \$22,200.00 and we have also received a \$25,000.00 grant for a match on electrical work and \$10,450.00 for the Freon that was

sold. Total of all funding sources to date is \$57,650.00. Chris asked if any of the Freon money will go to MAHA. MAHA has been adding to it, we leased it to them full, they needed to keep it full. We have extracted what we could. The lease will be renegotiated soon with MAHA, so there aren't any hard lines. MAHA will be here on June 4th. We have not received our \$20,000.00 from Kraft Hockeyville, but it should be soon. On the expense side, the way it is working for leveraging the note is we have to submit invoices that we have paid to the Merchants Bank and they release the funds back into the operating account. The first batch was \$18,000.00 and in this warrant there is a total of \$28,000.00, so that is where we stand on the expenses to date on the arena project.

3. Misc.

- Simplex Grinnell has done maintenance work to the fire extinguishers. Some need to be replaced or recharged, the estimate is \$730.00. He will check in with them and see if there are any recalls that affect us. Tom clarified that these are building and truck extinguishers for the municipal building facility.
- Tom had a question on the new fire truck, and Gary Greenough was squaring that away. It has been at Yipes Stripes for a while. We hope to have it back in time for the parade on May 25th.
- Tom has information back from VLCT on the short term disability and life insurance.

M. Upcoming events

May 25		Memorial Day in Highgate – BBQ @ 11am & Parade @ 1pm
May 28	6pm	PC Mtg. – Public Hearing on Town Plan
June 4	7pm	Selectboard Mtg.
June 11	6pm	DRB Mtg.
June 16	6pm	PC Mtg. – Town Plan update

N. Executive Session #2

Motion by Jeff Towle to go back into executive session @ 8:40pm for personnel issues, contract and lease discussions. Motion was seconded by Randy Connelly – **APPROVED.**

Motion by Chris Yates to exit executive session @ 11:12pm. Motion was seconded by Paulette Tatro – **APPROVED.**

O. Adjournment

Motion by Paulette Tatro to adjourn the meeting @ 11:15pm. Motion was seconded by Chris Yates – **APPROVED.**

Respectfully submitted by,

_____ Wendi Dusablon, Highgate Town Clerk

Minutes approved by,

_____ Jeff Towle, Chair – Highgate Selectboard