

TOWN OF HIGHGATE SELECTBOARD MEETING

Thursday, March 15, 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 @ 7:06pm 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 & Grant Administrator; Shelley Laroche - Town Treasurer & Delinquent Tax Collector

Public / Other – Alice S. Cota; James Wetherby; Kevin Spears; Steve Machia; Mark Gilbert; Merry Souza; Peter St. Germain; Kevin Kelley; Stephanie McKay; David Rouse; Vern Brosky III; Sarah Chevalier; Eric Chevalier; Ryan Maskell

B. Reorganize the Selectboard

Motion by Josh LaRocque to nominate *Sharon Bousquet as Chair*. The motion was seconded by Bruce Butler. There were no other nominations – **APPROVED**. Motion by Randy Connelly to nominate *Josh LaRocque as Vice-Chair*. The motion was seconded by Steve LaFar. There were no other nominations – **APPROVED**.

C. Public Comment(s)

Sue Cota relayed some concerns about plowing issues on Frontage Road and Carter Hill. Bruce Butler lives on Carter Hill and feels they are doing a great job, as good a job as anywhere he has ever lived. Josh LaRocque said he has received some complaints over the last few days. He reminded everyone that it is not an easy job, and with white out conditions they need to go slower. So if they are late on their route, it is what it is. They put in some very long days, and he asked everyone to be patient. Sharon pointed out that we do not have a bare roads policy in town and it has been a long hard Vermont winter. The frost is coming out of the ground, making dirt roads soft, which also requires caution.

D. ATV Ordinance Public Hearing

Vern Brosky III had submitted a letter prior to tonight's hearing. He was present and the board thanked him for making some good points. Sharon read some of the highlights of the letter including: noise ordinance; no modified exhausts; making sure ATVs have an exhaust, attempting to elude, riding age suggestions and the possibility of adding liability insurance, similar to what is enforced with snowmobiles. Kevin Spears asked if any land owners have been contacted – no. The town is hoping to support VASA in their arrangements to work with landowners. Kevin doesn't feel this will ever happen or work in the Town of Highgate. He feels this ordinance will hurt people that are doing the right thing just trying to get from one place to another. Bruce feels this ordinance can be done in a way that will not penalize law abiding citizens. This is just a

part of a much longer process. Kevin disagrees with opening up the village area to fuel up, he feels if the board is going to close off town roads to ATVs it should be totally closed off. They can fill up a gas can like we have had to do in the past. Eric Chevalier expressed concern over enforcement, noting FCSO will not. Our Constable, Ben Lowell, is the one who brought this ordinance forward. If the town adopts a local ordinance, he can issue tickets at the town level. James Wetherby doesn't see how this ordinance will help without support from law enforcement, who aren't doing anything to help us now. Our Constable will also have the authority to tow and impound ATVs. We are counting on our Constable because we have to do something. We are not talking about chasing. Randy Connelly feels this will give us more leverage when our FCSO contract is up and it goes out to bid. Josh said it only takes one to get caught and their vehicle impounded before we see things begin to possibly change. Vern agrees, cops have a lot on their plates and more important things to deal with. Citizen enforcement can be helpful, using photos of videos to submit with complaints. This may require follow up if it ends up in court. Kevin asked about the Constable's responsibilities and if he is on board with all of this. Yes, Ben does an amazing job for us and is willing to help us enforce the behaviors with ATVs. Ben does a lot to help our ACO with dogs as well and serves papers on behalf of the town. He has the power to enforce town ordinances, and unless we have an ordinance he has no jurisdiction. Stephanie McKay lives on Carter Hill and feels that using cell phones to capture the ATV behavior makes them act more outrageous. Sharon spoke to an incident just this evening before this meeting. An ATV was buried in the snow on Gore Road and when people tried to help the teen made physical threats and was very disrespectful. This is an example of the behavior that we need to curb. This ordinance will not allow ATVs on any of our roads, but at some point opening up class 3 and / or 4 roads is not off the table. Shelley pointed out we only have class 2 and 3 roads in our town, class 4 roads are considered trails. There was discussion on how other towns deal with this problem. Randy proposes we accept the ordinance tonight with a few amendments and we can further amend it as needed. Josh would be in favor of a permit process through the town. Mr. Wetherby would like to see parents ticketed and held responsible for underage behavior on ATVs that are likely purchased by those adults. Ryan Maskell asked where the problem areas are – everywhere; Lamkin Street, village area, Frontage Road, Machia Road, Carter Hill. There is an agricultural clause in the ordinance to cover folks like Kevin Spears who are using their ATV for sugaring. Ryan also wanted to confirm that the Constable was on board to help with enforcement. He gets a stipend of \$1,000.00 per year and this will be added work load. There is a clause in this ordinance that doubles the fines for offenses on school and town properties. Bruce would like to see this amended ordinance in text before approving it. This is a time sensitive issue. With spring coming we are sure to see an increase in ATV activity all over town. *Motion by Randy Connelly to accept the ordinance with the amendment to include the following from state statute § 3505 Equipment: (b) Subject to regulation by rule of the commissioner, any all-terrain vehicles shall be equipped with a muffler system and such other equipment or devices which reduce maximum machine operating noise to a noise level of not more than 82 decibels on the A scale at 50 feet, in a normal operating environment & (d) In addition to all other requirements, an all-terrain vehicle may not be operated: (1) If equipped with an exhaust system with a cut out, bypass, or similar device; or (2) With a spark arrester removed or modified, except for use in closed course competition events. The section in the*

ordinance allowing access to local gas stations will be removed. The ordinance will include use of ATVs for agriculture, hunting and fishing purposes. This ordinance will allow for snowmobiles to come into town to access gas stations because they are regulated by VAST. There will be no requirement for a valid VASA plate, that will be removed. The motion was seconded by Josh LaRocque – by a voice vote of 4 YES (Sharon, Josh, Randy, Steve) to 1 NO (Bruce) – APPROVED. Bruce pointed out he voted the way he did because he would have preferred to see all the amendments in writing prior to voting. There is now a waiting period of 30 days before formally adopting this ordinance and it will be published in the paper.

E. Treasurer Updates – Shelley Laroche

1. Check Warrants

Sharon asked about the street lights bill on St. Armand / Rollo Roads. This was to replace a pole. Sharon also asked about the bill for rock fines and where those are being used. The FCSO contract is in the drop box. The annual costs did not change, but there were some calculation errors that have been fixed. Shelley has asked for one more edit before we sign it. There was some discussion on solar credits. We are at a low generation point, so our savings will be increasing in the coming months. Above Par Cleaning Service has raised their rates, which puts it over \$5,000.00. This will be going out to bid. There is a draft RFP for the board to review. Motion by Randy Connelly to approve the RFP for cleaning services. The motion was seconded by Josh LaRocque – **APPROVED**. Sullivan & Powers will have paperwork for the next meeting and will begin the fixed asset inventory in May. Shelley will see where we are at with the contract for our annual audit.

F. Arena Facilities Board – Dehumidifier Selection

Ryan Maskell and Mark Gilbert were present. This agenda item was warned for later in the meeting but was moved further up the agenda in the interest of time. The meeting with Efficiency VT generated a lot of questions with very minimal vague answers. The two units we were considering were: Munters from VHV and Arid Ice from Preferred Mechanical. Both have good references, locally and industry wide. One costs \$22,000.00 more than the other, and they do the same job. Ryan has a comfort level with Preferred Mechanical. This is the more expensive option, but they were very knowledgeable. With VHV we experienced a learning curve with them on the other unit. Preferred was obviously the most knowledgeable firm in the room. They are based out of Massachusetts, so it is possible that VHV would be called to work on the unit. It would be Preferred's unit and they would install it. The owner of the company for the unit visited our facility personally and did a walk through and answered our questions. The owner of Preferred Mechanical was also present for the walk through. An Arid Ice unit was just installed at Leddy Park in Burlington in December. Arid Ice is doing a lot of business in Massachusetts, as well as recently doing some installs at the University of Maine. Josh has heard that Munter's parts are harder to get and customer service is on the back burner. But, up at Jay, Josh has had quick service from them. Preferred has installed at almost every rink in the state of Vermont. VHV did put in a lot of hours trying to figure things out for us with our previous unit. There was discussion on the insurance coverage. It was noted that Efficiency VT is willing to put in \$8,000.00 - \$10,000.00 towards the project as well. Motion by Josh LaRocque to go with Preferred Contractors to install the dehumidification unit that was specked out with option 2 for a

price of \$144,624.00 and to make this recommendation to the insurance company with our reasons why. The motion was seconded by Randy Connelly – **APPROVED**. It was noted that our insurance coverage is \$129,476.00 and that Efficiency VT will also be contributing as much as \$10,000.00 so we will have to see how this plays out with funding. Shelley pointed out that the credit we will be receiving from insurance for propane could be put towards this if necessary, just a thought.

G. Town Clerk Updates – Wendi Dusablon

1. Minutes from March 1st

Motion by Steve LaFar to accept the minutes from March 1, 2018, as written. The motion was seconded by Randy Connelly – **APPROVED**.

2. Town Meeting Day Recap

It was a super long and busy day with Town Meeting adjourning at 5:12pm. Everything on the MVU ballot passed, with the exception of the football article. The town ballot was as follows – we had 374 people vote at the polls on 3/6/18:

Selectboard	2 year term	Josh LaRocque	321	unopposed
Selectboard	3 year term	Randy Connelly	295	unopposed
Cemetery Comm.	5 year term	Heath Martel	128	
Cemetery Comm.	5 year term	Douglas Nye	222	
Library Trustee	5 year term	Virginia Holiman	336	unopposed
Library Trustee	4 yr left on 5 yr	Amber Machia	336	unopposed
Trustee Trust Funds	3 year term	Evangeline LaRocque	340	unopposed
Trustee Trust Funds	2 yr left on 3 yr	David Roddy	354	unopposed
Town Moderator	ensuing year	Kyle Lothian	351	unopposed
Lister	3 year term	VACANT		
Town Agent	1 year term	VACANT		

From the Floor we elected three new school board directors:

Lisa Wells, 3 year term; Steven Scott, 2 year term; Ryan Young 2 years remaining on a 3 year term

The Highgate School Budget passed \$5,125,240.00 as presented. The town article to move public questions to Australian ballot was defeated. The Article to appropriate \$50,000.00 for the Highgate Library and Community Center building fund was amended down to \$25,000.00. The CIP article passed \$278,500.00 as presented. The Highway Fund and General Fund were both amended to include cost of living increases for town employees. The MVR article passed 77-58 by paper ballot. Town Meeting minutes are posted on our website www.highgatevt.org for full details on all of the above and more! Sharon thanked everyone for their hard work at town meeting – nice job!

3. Positions for appointment by the Selectboard

All actions taken are unanimous unless otherwise stated

Tree Warden	1 year term	Patrick Loyer	motion by Josh & Steve – APPROVED
Animal Control Officer	1 year term	Vonnie Lamotte	motion by Josh & Steve – APPROVED
Asst. Animal Control	1 year term	Kristy Brow	motion by Josh & Randy – APPROVED
Health Officer	3 year term	Merry Souza	motion by Steve & Randy – APPROVED
Deputy Health Officer	1 year term	Ben Lowell	motion by Josh & Sharon – APPROVED
Constable	2 year term	Ben Lowell	motion by Josh & Sharon – APPROVED
Town Agent	1 year term	<u>REMAINS OPEN</u>	
NW Solid Waste Rep.	1 year term	<u>REMAINS OPEN</u>	
NW Reg. Planning Rep.	1 year term	Richard Noel	motion by Randy & Sharon – APPROVED
Trans. Adv. Committee	1 year term	Richard Noel	motion by Josh & Randy – APPROVED
NW Reg. Planning Rep.	1 year term	<u>REMAINS OPEN</u>	

<i>Lister (part time)</i>	<i>1 year term</i>	<i>Peter St. Germain</i>	<i>motion by Steve & Josh – APPROVED</i>
<i>Delinquent Tax Coll.</i>	<i>1 year term</i>	<i>Shelley Laroche</i>	<i>motion by Josh & Steve – APPROVED</i>
<i>Dev. Review Board</i>	<i>3 year term</i>	<i>Scott Martin</i>	<i>motion by Sharon & Randy – APPROVED</i>
<i>Planning Comm.</i>	<i>3 year term</i>	<i>Barbara Chevalier</i>	<i>motion by Josh & Steve – APPROVED</i>
<i>Road Commissioner</i>	<i>1 year term</i>	<i>Josh LaRocque</i>	<i>motion by Randy & Steve – APPROVED</i>
<i>Finance Committee</i>	<i>1 year term</i>	<i>Heidi Britch-Valenta</i>	
		<i>Shelley Laroche</i>	
		<i>Sharon Bousquet</i>	
		<i>Luc Dupuis</i>	
		<i>Ron Nye</i>	<i>motion by Josh & Steve for all – APPROVED</i>
<i>Parks & Rec. Comm.</i>	<i>1 year term</i>	<i>Ty Choiniere</i>	
		<i>Karen Gagne- Fortin</i>	
		<i>Brian Spears</i>	
		<i>Randy Connelly</i>	<i>motion by Sharon & Steve for all – APPROVED</i>
<i>Machia Property Dev.</i>	<i>1 year term</i>	<i>Clarence Miller</i>	
		<i>David Roddy</i>	
		<i>Richard Noel</i>	
		<i>Randy Connelly</i>	
		<i>Woody Rouse Jr.</i>	
		<i>Steve LaFar</i>	<i>motion by Sharon and Josh for all - APPROVED</i>
<i>Solar Comm. (SNAG)</i>	<i>1 year term</i>	<i>Heidi Britch-Valenta</i>	
		<i>Bruce Butler</i>	
		<i>Chris Yates</i>	
		<i>Josh LaRocque</i>	<i>motion by Randy & Sharon for all – APPROVED</i>
<i>ATV Comm.</i>	<i>1 year term</i>	<i>Ben Lowell</i>	
		<i>Sharon Bousquet</i>	
		<i>Randy Connelly</i>	<i>motion by Josh & Steve for all – APPROVED</i>

4. Dog Licensing & Rabies Clinic

Dog & Cat Rabies Clinic – Saturday, March 24th 10am – noon at Highgate Fire Station. \$10 Rabies, \$15 Distemper, \$20 for both. Dogs must be on a leash and cats must be in a carrier. It will be a very busy day with hundreds of animals vaccinated and licensed. Town licenses for 2018 will be available at the clinic for Highgate residents, \$13 spay / neutered or \$17 not spay / not neutered – this is per dog. Prices go up considerably starting Monday, April 2nd to license dogs. We currently have licensed 270+ dogs, with about 600 more to license based on numbers from last year.

H. Administrator Items – Heidi Britch-Valenta

1. AOT Grant Projects

Heidi has two forms for signature. The first is a financial form and the second is a form connected to the general permit process to adopt road and bridge standards. Motion by Josh LaRocque and seconded by Steve LaFar to sign both forms – **APPROVED**. Heidi will be meeting with Jim Smith soon regarding grants that are due on April 14th. Each of these grants is up to \$175,000.00.

2. Flood Update

Things are moving rather slowly. Affected homeowners have to fill out permits with the town. Motion by Josh LaRocque and seconded by Randy Connelly to waive these permit fees for flood victims – **APPROVED**.

3. Land Sale

To sell the town parcels approved by the voters, we need to appoint a Town Agent. The position is currently vacant. Sharon and Randy would like to reach out to Henry Rainville.

4. Misc. Updates

The Machia Property Development Committee will be interviewing consultants on March 19th with regard to the village master plan. They will have a recommendation

for the Selectboard for the next meeting on who they would like to hire. The bids for the Machia Road slide project are due tomorrow, 3/16. Those will need to be reviewed and ranked. Sharon, Josh and Bruce are interested in being part of the process and will use the PC meeting on March 20th as the forum for this. Heidi will reach out to Richard Noel as well. The apartment building on the corner will be coming down as a responsibility of the winning bidder for the bridge project. Those bids are now closed and St. Onge is the apparent lowest bidder. If all the details of the bid process have been met, they will have the job. They have done great work for us in the past and are a very respected local firm. Heidi gave a quick update on grants. We received an email notice today that we will receive a formal letter in April regarding phase one of the transfer station project, which will cover the design. We have our portion in reserve already. We also should hear in May regarding the \$100,000.00 grant for the fire truck.

I. Selectboard Items

1. Donated Land Discussion

This was discussed earlier under section G-3.

2. Dehumidifier Selection

This was discussed earlier under section E.

3. AOT Annual Reports

These have been completed.

4. Misc. Updates

Sharon has been approached about the town taking over Boone Drive. She has talked to Pat already and would like the board to go look at it. It is located at the end of Homestead Lane, off Brosseau Road. We are plowing Homestead already with the ton truck. The road will need to meet all specs prior to the town considering this. Josh will take a drive by and check it out. Sharon will touch base with Laura to make sure it meets zoning requirements. Sharon was also approached by Robert (Schultz) Dufresne about the Dalcourt property that the town owns behind his rentals on Route 78. He would like to do a right of way swap with the town's right of way. Sharon walked the property with him to see the pins. Her concern is what he wants to swap with us already has easements on it. Sharon doesn't feel this is a good deal for the town and Steve agrees. If someone wants to bid on the property and make arrangements with Mr. Dufresne that is fine. Randy asked about the donated land on Frontage Road. This will be on the agenda in April to take a look at the MOU (memorandum of understanding) with MVU. This is something that is being offered to the Selectboard and nothing that Heidi is pushing. Eric Chevalier feels it's being pushed more than offered.

J. Upcoming Events

March 20	6pm	Planning Comm.	April 4	6:30pm	Library Trustee Mtg.
March 24	10-12	Rabies Clinic	April 5	7pm	Selectboard Mtg.
April 3	6pm	P&R/LL/Facilities Mtg.			

K. Executive Session

Motion by Sharon Bousquet to enter into executive session @ 8:58pm to discuss personnel, 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**. Motion by Steve LaFar to exit executive session @ 9:14pm. The motion was seconded by Josh LaRocque – **APPROVED**.

L. Adjournment

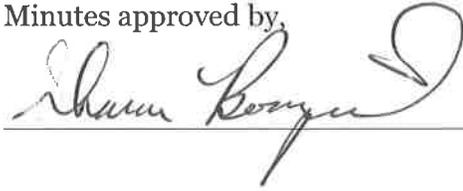
Motion by Sharon Bousquet to adjourn the meeting @ 9:15pm. The motion was seconded by Steve LaFar – **APPROVED**.

Respectfully submitted by,



Wendi Dusablon, Highgate Town Clerk &
Public Meetings Clerk

Minutes approved by,



Sharon Bousquet - Chair, Highgate Selectboard

