

TOWN OF SWANTON
MINUTES
SELECTBOARD MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, July 16, 2013 @ 7:00 p.m.

Present: John Lavoie, Selectboard Chair; Dan Billado, Selectboard Vice Chair; Joel Clark, Kathy Lavoie, Dick Thompson, Selectmen; Harold Garrett, road foreman; Cathy Fournier, Town Clerk; Yaasha Wheeler, Secretary; David Jescavage, Town Administrator; Roland and Carolyn Church; Allan Laroche, Animal Control Officer; Shawn Dashno; Shawn Guilmette.

A. Call to Order

John Lavoie called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

John Lavoie led those present in the pledge of allegiance.

C. Meeting Topics:

1. Minutes

a) July 2, 2013 Regular Meeting

Kathy Lavoie made a motion, seconded by Mr. Thompson, to approve the Selectboard minutes of July 2, 2013. Discussion: Mr. Garrett pointed out that on page 3, the 2001 truck was the one with the bad motor, not the 1997 truck. Miss Wheeler agreed to correct the error. Discussion concluded. Motion carried.

2. Public Comments

Mr. and Mrs. Church came forward to express their concern that the ditch on Brown Avenue had not been dug sufficiently to drain the water from their property; the ditching had only been done up to the Hannaford gate. Mr. Clark stated that he had walked the area to see if the water could be dropped a bit. Mr. Garrett said that he had dug the area as far as he had been told to do, adding that three people wanted it dug all the way to Wheeler Round, because the area was so wet. Mr. Billado explained that the ditch might be cleaned out better, but digging deeper would cause the water to pond, which would only make the water problem worse. Mr. Clark confirmed that the area would be difficult to properly drain without spending hundreds of thousands of dollars redigging culverts and re-ditching properties to the river. Mrs. Church mentioned using draining tile or pipes, and Mr. Clark responded that the only way to properly fix the problem would be to lower the ditch to the river, which would be very expensive. Because of the record wet year, water issues were being seen everywhere in the town. However, to be sure that the situation was fully reviewed, he, Mr. Garrett, and Mr. Thompson would evaluate the area gain. Mr. Lavoie thanked the Churches for bringing the matter to the Selectboard's attention.

The Selectboard agreed to table items 3 and 4, and move to item 5.

5. Animal Control Officer

a) ACO Monthly Report

Mr. Laroche stated that he had reduced the number of unlicensed dogs from 224 to 32; most owners of unlicensed dogs simply forgot, or were in financial difficulty after being laid off of work. A few simply didn't want to do it. About half of those dogs were not updated on rabies. One dog owner paid \$450 in fines to reclaim his dog, which was impounded 3 times. Mr. Laroche added that he was still working on a resolution with an owner whose dog bit someone 2 months ago. A dog had also nipped a woman a few nights ago, although he did not draw blood, but the dog could not be found. He stated that he would be present in August to explain

his July report.

b) ACO Applicants

John Lavoie explained that he did not expect the applicants to be completely prepared for the job of Animal Control Officer, which was very demanding and required judgment and a willingness to go beyond the call of duty. Mr. Laroche said that the job was not “dog-catcher” but “animal control officer,” and that part of that control was protecting the animals as well as the people. He added that he had 691 dog licenses as of today.

Mr. Thompson made a motion, seconded by Mr. Clark, to go into executive session at 7:30 p.m. for the purpose of interviewing the candidates for the position of animal control officer. Motion carried.

Mr. Clark made a motion, seconded by Mr. Billado, to exit executive session at 8:15 p.m. Action taken: Two candidates were interviewed, and the Selectboard was now requesting background checks and references.

4. Expenditures

a) General Orders (6/18/13 – 7/16/13)

Mr. Thompson made a motion, seconded by Mr. Billado, to approve the General Orders. Discussion: It was noted that some items from the last month’s general orders had been mistakenly included by the system. Both the general orders and the highway orders were affected. Mr. Thompson rescinded the motion, seconded by Mr. Billado.

b) Highway Orders – See above.

c) Payroll

Mr. Clark made a motion, seconded by Mr. Billado, to approve the payroll, and to review and approve the general and highway orders by e-mail. A Selectboard member would then come into the officer to sign them. Motion carried. The Selectboard signed the payroll and the last invoice from Millbrook for the Town Garage work.

6. Highway Department

a) Updates

Miss Wheeler was asked to present a list of roads and associated dates of repair/paving at the next Selectboard meeting.

The Selectboard discussed the repairwork needed on Maquam Shore Road after a garbage truck broke some of the new asphalt.

Mr. Clark stated that the Janes Road property was still dry, but that he had not yet met with Mr. Dick Longway about his water issues. He had also not yet visited Woods Hill Road, but would do so soon.

John Lavoie reminded Mr. Garrett that the cost for the manlift rental for tree limbing should be taken out of the tree maintenance fund.

Mr. Clark asked Mr. Jescavage to pin down the next meeting time and get him the copies of the past minutes for the contractor’s meetings on Thursday at the new Town garage site.

The Selectboard discussed concrete testing and the confusion about who had been responsible for that. Mr. Clark mentioned that the \$490 installation charge was not simply for laying pipe, but also for the installation of the tank and all necessary equipment. Mr. Garrett felt that the tank was very large for the Town’s purposes. The Selectboard discussed that the quote for well-drilling had not included the entire package, just the cost to drill the well and put the water in the building. The Selectboard expressed concern that adding the water pipe under the pad could have resulted in some undermining because of the wet sand. There was also some concern about how many drop tubes had been installed and where they had been placed, since they interfered with the light placement. A broke rafter had been repaired and put back up, which Mr. Peter Cross wanted an engineer to sign off on, to ensure that it was still safe to use. There was also a question as to whether the rafters could handle the weight of the large fan.

The Selectboard agreed that, in general, the building looked good and the Town was staying within the budget. Mr. Jescavage was asked to send an e-mail to Mr. Cross about the rafter repair, the fan support on the rafter, confirmation that the waterline was put in and backfilled properly, information about the light placement and down drop placement, all which should be answered at the Thursday meeting. Kathy Lavoie felt that the majority of the board should be present for the meeting.

Mr. Garrett thought that the front pad was going to be 70 feet, but Mr. Clark remembered 40 feet.

Mr. Garrett stated that the work on Woods Hill Road had commenced, and that the road was being widened by 3 feet. He would get a price on the pavement and create a schedule for grinding. He would also work with Miss Wheeler and Mr. Jescavage to make a list of the equipment usage for the project. He had plenty of stone money, and the 26-foot-wide bridge in the area would remain, and would have guard rails added to it.

Mr. Billado and Mr. Lavoie offered 2 harnesses each for the tree-trimming on Lakewood Drive. Mr. Jescavage added that Mr. Reginald Beliveau, Village Manager, requested any extra wood for the 250th celebration bonfire.

Mr. Garrett noted that the pump for the chipper had arrived and would soon be installed. Mr. Billado reminded that any crewmen working in ditches should wear hard hats, as per safety regulations. Mr. Garrett noted that he had not yet paved the Janes Road driveway.

Mr. Jescavage stated that he had put out a request for quotes for the one-ton to 5 dealers, who had until July 21st to submit their quotes. He had received requests for more information regarding the specifications and one dealer had trouble locating tailgate sanders. The Selectboard asked Mr. Jescavage to confirm that the quotes included municipal fleet pricing. Mr. Jescavage stated that he would send an addendum to the dealers which would mention the request for municipal fleet pricing.

Kathy Lavoie asked if there had been a resolution on the salt shed, and the Selectboard discussed ways to measure the bowing of the salt shed wall and to evaluate if it were getting worse. The Selectboard agreed not to request quotes for the salt shed, but to simply evaluate the shed over the course of a year. Both Mr. Billado and Mr. Thompson recalled that the bow had been present when the building was first built.

Mr. Jescavage presented two quotes for new radios, one from Burlington Communications at \$4283 and one from Radio North at \$5010, both of which included 4 truck radios and 4 portable radios. It was noted that, to place an antenna at the new Town garage, the Town would need to get a license and man the base 24/7. However, there was no real advantage to having a base station, since the same work could be done with a portable radio. Mr. Clark had a concern that the metal walls would interfere with the handheld capabilities.

Mr. Garrett pointed out that the Burlington Communications quote was cheaper overall, but that Radio North's quote for the 4 portables was cheaper. He recommended asking Burlington Communications to match Radio North's quote. Mr. Clark asked if the village base station could relay for the town crewmen if they got stuck in a dead zone and Mr. Billado felt that they could.

Mr. Thompson made a motion, seconded by Mr. Billado, to buy 4 truck radios and 4 portable radios from Burlington Communications. Discussion: Mr. Billado amended the motion to state that samples should be received for testing before the purchase, and John Lavoie further added that Burlington Communications should be asked to match Radio North's price for the 4 portables. Mr. Clark asked where the money would come from, and the Selectboard agreed to pay for the radios from unused cold patch and garage maintenance money. No base station was needed. Discussion concluded. Motion carried.

Kathy Lavoie was concerned that a base station might be needed, and that portables might not be powerful enough. Mr. Clark felt that a base station could be purchased at a later time if needed.

Mr. Garrett stated that he would have the prices for the sand and salt at the next meeting.

3. Old Business

a) L'Esperance Letter

Mr. Jescavage informed the board that Mr. Daniel L'Esperance had sent a letter to the town, confirming his withdrawal of all claim to the Town garage property, which was recorded in the land records.

b) Park D

Mr. Jescavage presented information he had received from Peter Cross regarding Park D permits. The spreadsheet showed key dates when the Act 250 permit and related permits would expire; some permits allowed requests for extensions to be made. The ASACOE wetland permit had already expired, and there were three upcoming 2013 deadlines. Kathy Lavoie noted that some permits were related to other permits, and Mr. Clark pointed out that one of the Act 25 permits required construction to be "substantially completed" by November 1, 2013. The Selectboard agreed that they had not been in any position to pursue any development in Park D, and Mr. Clark added that cost estimates were needed because the park already had two potential buyers. Mr. Jescavage noted that Peter Cross had had questions about the estimates, especially about the blasting of bedrock. Kathy Lavoie stated that the Selectboard needed to know the requirements for all the work involved before they could ask for deadline extensions; otherwise, they would not know if the extension included feasible time frames for the required work. Mr. Billado made a motion, seconded by Mr. Thompson, for Mr. Jescavage and Mr. Peter Cross to "get the ball rolling" and determine what needed to be done. Mr. Jescavage should invite Mr. Cross to the next meeting. Discussion: Mr. Clark asked where the money would be taken from and Mr. Garrett replied that there was a line item for Park D Economic Development. Discussion concluded. Motion carried. Mr. Jescavage was told to put the sign to advertise for Park D on the back burner.

Mr. Jescavage asked if the penalty fee for prime agricultural land had been paid. Kathy Lavoie replied that the Town would have to do a remitigation, since the 3-year period from the date of assessment was November 14, 2013. However, the Town wouldn't have to pay mitigation fees without having done construction. The mitigation process had changed so much, it might be very different now, so remitigation would be helpful.

7. Public Comments (reprise)

Mr. Garrett reminded the Selectboard to ensure that the driveway cut on Lafar Street did not expire, and recalled the arduous process by which they had obtained the road cut. Mrs. Fournier asked if the money for beginning the road cut should be taken out of economic development and John Lavoie said it should.

Mr. Billado noted that Village's base station permit included the same frequency for the town clerk, one for vehicles and one for the power plant. The police, fire department, and emergency vehicles had registered frequencies, but the permit was for the Swanton Town Clerk's office, not for the Village Municipal Complex. Mr. Clark felt that, since the town was going with handheld radios, the base station was not an issue currently.

Mr. Garrett asked if he could display some of the Town equipment at the annual Take Back the Night event. The Selectboard agreed that he could.

8. Correspondence

Mr. Jescavage presented a notice for energy assistance for people who could not afford to pay their gas bill, which he would post on the Town website.

9. Any Other Necessary Business

Mr. Thompson asked to review the 5-year plan at the first August meeting. John Lavoie added that Peter Cross should be present at the next meeting. All other meeting topics would be minimized.

The Selectboard agreed to hire Shawn Dashno, dependent on the results of his background and reference check. They agreed to hire him at \$500 a month, at \$0.53 per mile, with a 90-day

evaluation to determine a possible increase in pay.

Mr. Billado added that the Thursday meeting at the Town garage should include discussion of the thickness of the concrete pad.

Regarding the incident in which a Canadian man had backed up into the Swanton Library, causing extensive damage to the brickwork, Mr. Finelli had advised the town to forward the information about the cost of damages to the Canadian man, who should then send the information to his own insurance company.

Mr. Thompson made a motion, seconded by John Lavoie, to quit-claim all interest in the dam and water rights to the village, and to support their project 100%. Discussion: Kathy Lavoie was reticent to state support of the project, since the project was yet unknown. Motion amended to exclude mention of support. John Lavoie added an amendment that the Town would quit-claim all interest to the land on the Town side (east side of the Missisquoi River) near the bridge at no cost to the town for any legal fees. Discussion concluded. Motion carried.

10. Upcoming Events

- a) August 17th – Celebration of Town 250th anniversary, put together by Mr. Ron Kilburn
- b) August 17th – Mr. O Band Jam at Abbey Casino, featuring Donate Life Vermont.
- c) August 27th – Annual car show in the Swanton Town Park

The Selectboard agreed to meet next at 6 p.m. on Monday, July 22nd. Also, the Thursday meeting at the Town garage needed to be warned, because a quorum would be present.

11. Executive Session – None necessary.

12. Adjournment

Mr. Clark made a motion, seconded by Mr. Billado, to adjourn at 10:27 p.m. Motion carried.

Typed on July 17, 2013
Minutes by Yaasha Wheeler
Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date