

**TOWN OF SWANTON  
MINUTES  
SELECTBOARD MEETING  
Swanton Town Office Building  
1 Academy Street, Swanton, VT 05488  
*Tuesday, September 17, 2013 @ 7:00 p.m.***

Present: John Lavoie, Selectboard Chair; Dan Billado, Selectboard Vice Chair; Kathy Lavoie, Dick Thompson, and Joel Clark, Selectmen; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Shawn Dashno, Animal Control Officer; Seth Fletcher, Handy Chevrolet; Heather Buczkowski, Channel 15.

1. Call to Order

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

2. Pledge of Allegiance

Mr. Lavoie led those present in the pledge of allegiance.

3. Minutes

Mr. Thompson made a motion, seconded by Mr. Clark, to approve the Selectboard meeting minutes of 09/03/13. Motion carried.

4. Public Comment – No public comment.

5. Old Business

a) One-Ton Truck Reconsideration

Mr. Seth Fletcher was present to represent Handy Chevrolet. He explained that GM had stopped producing the 2014 one-ton trucks in August. The 2015 models would not be available for order until about March or April. Handy Chevrolet did not know that when they gave their quote, and had since found only one solution. A truck in Pennsylvania met all of the town's requirements in everything except for color; it was white instead of maroon. It also had a little extra equipment (power windows and locks, power mirrors, locking differential, etc.) and cost \$1000 more. When factoring in the cost of the snowplow package (\$300), the actual extra cost would be \$700. Because the dealer would not allow him to put a 24-hour hold on the truck, the deal was time-sensitive.

Mr. Thompson made a motion, seconded by Kathy Lavoie, to purchase the white one-ton 2014 truck for \$47,025. Discussion: Mr. Billado asked if Handy Chevrolet would be willing to split the extra \$700 with the town. Mr. Fletcher said that he could look into it, but because it was in Pennsylvania and was not part of a fleet order, the truck was incurring higher costs anyway. Mr. Garrett suggested painting a maroon stripe near the decal to break up the white. Discussion concluded. Motion carried.

The Selectboard discussed the color of the primer and paint of the body, which was typically black. John Lavoie asked Mr. Fletcher to find out if the box color could be maroon with no additional cost. Mr. Fletcher agreed to call at the earliest opportunity to reserve the truck and to look into the box color options.

b) Ag Mitigation

Kathy Lavoie stated that the Department of Agriculture had informed her and Tim Smith that they were willing to restructure for phasing for ag mitigation. The burden was on the town to determine what that phasing needed to be, so the town was now dependent upon Mr. Cross's work. If the board authorized Mr. Jescavage to sign Mr. Cross's contract, Mr. Cross would

evaluate the permits and work with the town and the Department of Agriculture toward the restructuring of the phasing.

#### 4. Expenditures

##### a) General Orders (08/21/13 – 09/18/13)

Mr. Billado made a motion, seconded by Mr. Thompson, to accept the orders as printed. Motion carried.

##### b) Highway Orders (08/21/13 – 09/18/13)

Mr. Clark made a motion, seconded by Mr. Thompson, to accept the highway orders as printed. Motion carried.

##### c) Payroll (08/21/13 – 09/18/13)

Mr. Billado made a motion, seconded by Mr. Clark, to accept the payroll as printed. Motion carried.

Mrs. Fournier presented a few right-of-way permits for Vermont Gas, which Mr. Garrett had already reviewed and signed. The permits were approved by the Selectboard and Development Review Board chairs, Mr. John Lavoie and Mr. Joel Clark. Mr. Lavoie asked Mr. Jescavage to update the forms to reflect the current boards.

#### 5. Animal Control Officer

##### a) ACO Monthly Report

Shawn Dashno, Animal Control Officer, came forward. He stated that he had received a lot of cat calls, but the biggest issue had been at large animals, most of which had tags and were returned to their owners with verbal warnings. There was an ongoing issue at 15 Spring Street, in which a Mr. Fred Wiseman e-mailed Mr. Dashno that his neighbor's pitbulls kept getting loose. The owner had received both a verbal warning and a written warning. The woman had admitted to 2 of the incidents, but contested the claim that there was a third incident. She had 3 pitbulls and a Chihuahua, which violated the landowner's limit of one dog. Fred Wiseman stated that the dogs barked at he and his wife, but had not bitten them. Mr. Dashno had not witnessed this behavior personally, and did not want to issue a fine based only on the owner's word versus the neighbor's. Mr. Thompson said that Mr. Laroche, the former Animal Control Officer, had had some dealings with one of the dogs, which had demonstrated aggressive behavior toward him. Mr. Dashno added that he had informed the owner of the property of the situation, and the property owner was no longer returning his calls. Mr. Thompson asked Mr. Jescavage to write a letter to the dog owner for the Selectboard to sign, stating that if a letter were received from Mr. Wiseman about the dogs being at large again, the dogs would be impounded. The landowner should be copied on the letter. The Selectboard agreed that Mr. Wiseman's e-mails to Mr. Dashno constituted written complaints.

Mr. Dashno stated that a visitor from Florida, staying on Maquam Shore Road, had a dog which got free and killed a neighbor's chickens. Mr. Dashno issued a written warning, determined that the dog was up-to-date on rabies, and instructed the owner to reimburse the neighbor for the cost of the chickens.

Mr. Dashno said that he had received some barking dog complaints, but had not been able to verify the barking for himself. Mrs. Fournier confirmed that Mr. Vinslett had licensed his dog as promised.

Mr. Dashno added that Joseph Raleigh had sent another picture of Mr. Zorn's German Shepherd trespassing on his property again.

Mr. Clark made a motion, seconded by Kathy Lavoie, to enter executive session for legal, personnel, and real estate at 7:38 p.m. Motion carried.

Mr. Billado made a motion, seconded by Mr. Thompson, to come out of executive session at 8:14 p.m. Motion carried. Action taken: Kathy Lavoie made a motion, seconded by Mr. Thompson, to

appoint Mr. Jescavage as the new safety officer for the remainder of the year. Mr. Clark voted nay; the ayes had it. Motion carried.

## 6. Highway Department

### a) Updates

The Selectboard discussed the Hog Island Road water issue and Mr. Garrett said that the only way to fix it would be to raise the ditches. Mr. Garrett added that he had mowed Missisquoi Street. Mr. Clark recommended that Mr. Garrett ditch Hog Island Road First, then attend to Mr. Richard Longway's ditch as promised previously.

The Selectboard discussed the placement of a thermostat in the new town garage, which should be on the first floor rather than the second. Mr. Clark added that Mr. Pratt should present a response to the punch list items, and that an opening should be planned soon.

Mr. Billado explained that a diesel leak had damaged some pavement in the salt shed, so Mr. Pratt had had one of his men cut it, but it needed to be cut back further because the edges were still crumbling. It also had not yet been refilled or compacted. John Lavoie asked Mr. Jescavage to contact Mr. Pratt and instruct him to update the punch list and estimate a completion date. Mr. Clark recommended having a punch list walk-through with the contractor and the engineer, to agree on the status of each item on the punch list; Mr. Jescavage was asked to set up that meeting. Mr. Clark and Mr. Jescavage planned to attend the meeting.

Mr. Jescavage was asked to advertise the Saturday, October 19<sup>th</sup> garage open house, from 9 a.m. to 1 p.m.

Mr. Garrett was reminded to determine the cost for line striping Tabor Road, Donaldson Road, and Lakewood Drive. Mrs. Fournier noted that the previous year's cost had been 12.5 cents per foot.

Mr. Garrett stated that he had agreed to remove some trees along Woods Hill Road, as requested by Mr. Jim Pratt. Mr. Lavoie agreed to help Mr. Garrett find suitable delineators for a section along Woods Hill Road.

Mr. Garrett stated that he had filled the salt shed up to about 40% and added that he had ordered 60 tons of salt from Cargill; however, the state had not set the salt price yet, so he did not know the final cost of the order. The roadside mowing was done; all of west Swanton had taken 9 hours of mowing, with the total mowing time at 40 hours. He would use a culvert of at least 12" on Hog Island Road and would then work on Missisquoi Street.

Mr. Thompson asked Mr. Jescavage to check on the status of the high-risk road grant for Beebe Road and South River Road, since the dangerous furrows on Beebe Road were getting deeper.

Kathy Lavoie mentioned some trees along Donaldson Road that would be worth taking down, because root exposure had contributed to tree decay.

### 7. Public Comment – none.

### 8. Correspondence

Mr. Billado made a motion, seconded by Kathy Lavoie, to pay Knight's Consulting Engineers \$112.50 for the concrete compressive strength testing cylinders. Motion carried.

Mr. Thompson made a motion, seconded by Kathy Lavoie, to authorize Mr. Jescavage to sign the contract from Cross Consulting Engineers for \$4200 for consulting for Park D. Motion carried.

Mr. Jescavage noted that Smith and Warren had produced and sent the Animal Control Officer badges, to arrive tomorrow, the 18<sup>th</sup>.

Mr. Jescavage shared a letter from Northwest Television about their 14<sup>th</sup> anniversary celebration at Twiggs in St. Albans, October 7<sup>th</sup> at 7 p.m. The event would highlight services used by municipalities, with staff on hand to answer questions.

Mr. Jescavage presented a speculative question from Shawn: Would weddings be able to be held on the steel bridge across from the museum and use the museum parking lot for parking? The Selectboard agreed that specifics would be needed (number of guests and cars, length of time, etc.) and that the bridge could not be closed to the public during the event.

#### 9. Any Other Necessary Business

Mr. Thompson said that Jim Barlow had offered to hold a class for \$800 to help the listers and the BCA have a common understanding about the tax assessment process; other communities may have an opportunity to attend as well.

Mr. Garrett said that the gentleman's agreement between Swanton and Fairfield regarding the plowing was no longer cost-effective for Swanton; he recommended that Swanton plow instead. Mr. Jescavage was asked to set up a meeting with Fairfield to discuss and resolve the issue.

Mr. Garrett said that he and his road crew would like to host a luncheon to invite the town office personnel and village employees to see the new town garage.

Mr. Garrett signed his employee evaluation, reviewed at the last meeting.

Mr. Billado informed the public that, two weeks ago, a Highgate horse had died of Triple E and that, last week, a Swanton horse had also died of Triple E. Swanton was therefore considered high risk for Triple E until there had been a "hard-killing frost."

The Selectboard discussed their concern about the gas range that was placed right near the window of the new town garage kitchen. Mr. Jescavage was asked to get each of the Selectboard members keys to the garage.

#### 10. Upcoming Events

a) September 18, 2013 VTrans Route 78 Public Hearing at 6 p.m. Village Complex

Kathy Lavoie added a few more items:

- October 6, 2013 MVU showing of Hungry Heart, a movie about prescription drug addiction, with public forum on October 16<sup>th</sup> regarding the same issue at the Village Municipal Complex.
- September 24, 2013 Joint Legislative Body meeting at 7 p.m. at the Swanton Town Offices

11. Executive Session – No executive session needed.

#### 12. Adjournment

Mr. Billado made a motion, seconded by Mr. Clark, to adjourn the meeting at 9:15 p.m. Motion carried.

Typed on September 20, 2013

Minutes by Yaasha Wheeler

Received and filed by:

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Cathy Fournier, Swanton Town Clerk

Date