

**TOWN OF SWANTON
MINUTES
SWANTON & HIGHGATE SELECTBOARDS
JOINT MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, November 19, 2013 @ 7:00 p.m.**

Present: John Lavoie, Selectboard Chair; Daniel Billado, Selectboard Vice Chair; Dick Thompson, Kathy Lavoie, and Joel Clark, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Yaasha Wheeler, Secretary; Harold Garrett, Road Foreman; Shawn Dashno, Animal Control Officer; Peter Cross, Cross Consulting Engineers; Jeff Towle, Steve Bushey, and Henry Rainville, Highgate Selectboard; David St. Pierre, Lynn Billado, MVR; Paul Rocheleau; Tim Girard, Swanton Village Fire Department; Keith Ploof; Todd Conger; Laurie Rossi; Brad Barnett.

A. Call to Order

John Lavoie called the hearing to order at 7:01 p.m.

B. Pledge of Allegiance

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

C. Meeting Topics:

The Selectboard agreed to first discuss Item 5: 2014 Budget Discussion.

5. 2014 Budget Discussion

a) MVR Budget

David St. Pierre summed up that the proposed budget was \$345,788. Payroll had increased by \$30,000 to give a \$1/hour raise to all employees, who had not had a raise in 3 years. Office supplies, advertising and public relations, and gas and diesel also increased. The increase in communications was part of the gradual effort to replace the portables. Medical supplies were more expensive, some equipment had had to be replaced, and one ambulance was 14 years old. The communications through central dispatch had also increased in price. Mr. St. Pierre summed up that all professional fees (billing fees, dispatching and legal fees) totaled \$75,956, while all bank account balances as of 10/31/13 (Chittenden Bank, payroll account, savings) totaled \$52,276. MVR requested \$345,788, with Highgate's portion at 35% for a total of \$121,026, and Swanton's portion at 65% at \$224,762.

At Kathy Lavoie's request, Mr. St. Pierre clarified the cost of dispatching. Twenty-six agencies paid percentages to the communications dispatch center, which were negotiated through the St. Albans Police Department budget. If the budget increased, the amount represented by the percentage also increased. Originally, when Fire Chief Pete Prouty pitched the cost for dispatching, it was based on per capita. Now it is based on 40% of the St. Albans City police department's budget, and the cost is then divided between Swanton and Highgate at 65% and 35% respectively. This dispatch was separate from the fire department dispatch. Mr. St. Pierre suggested that, rather than have MVR repay a lump sum to the Town, could St. Albans directly bill the towns, which could be reimbursed by MVR? The item could be removed from the MVR budget and paid out of the Town general fund. Mr. Thompson said that, because MVR was not a municipal entity, he did not know if that arrangement was legal.

Mr. St. Pierre informed the board that MVR received about 90 calls a month in 2013, with about 22 paid staff members, himself being the only full-time staff member. The Highgate Selectboard

asked for clarification of how the \$30,000 translated to a \$1/hour raise for all employees, so Lynn Billado clarified the formula used to arrive at that number. Mr. Clark asked what would be done with any excess monies at the end of the year, and Mr. St. Pierre replied that it usually went into an “equipment memorial fund.” Laurie Rossi added that there was no real excess, since MVR held a reserve account for three months prior to getting payment from the town. Mr. Billado asked about the costs for the heavy rescue building and Mr. St. Pierre replied that it related to the separate building detached from the complex. Mr. Billado asked why MVR has been paying for repairs to something they rent and Mr. St. Pierre said that MVR had been told that because the bay was modified to accommodate their situation and they had upgraded the building, the expenses of repair and maintenance belonged to them.

Mr. Billado felt that the dispatching costs were “almost criminal,” and advocated talking with St. Albans to negotiate a better arrangement. Mr. St. Pierre doubted that 26 towns would be able to coordinate well enough to do so.

Mr. Rainville asked about plans for capital improvement, and Mr. St. Pierre responded that they planned to downsize the ambulance to make it cheaper. Replacing the ambulance would depend on how long the current ambulance kept itself going. Nothing was yet set aside for the purchase of a new ambulance. Laurie Rossi explained the reasons that cash reserves were unlikely.

The two Selectboards thanked MVR for its service to their towns.

1. Minutes

a) November 5, 2013 Regular Meeting

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

2. Public Comments – None.

3. Old Business

a) Review New Garage Paving Change Order & Requisition #7 with Peter Cross

Mr. Cross stated that Millbrook’s breakdown of the credit came to about \$78 per ton. He recommended accepting the offered credit, in the interest of closing out the project. Mr. Thompson made the motion, seconded by Mr. Lavoie, to accept Millbrook’s credit of \$5127 for paving. Discussion: The Selectboard discussed that the paving had never been properly prepped, nor the yard regarded as it should have been. Kathy Lavoie felt that the breakdown given was not well detailed, and Mr. Billado added that he felt that, since the problem was Millbrook’s, Millbrook should redo the work right. Mr. Thompson wanted to get the project completed and trusted Mr. Cross’s judgment, and Mr. Lavoie felt that the credit was fair by usual standards. Discussion concluded. Mr. Clark, Mr. Lavoie, and Mr. Thompson voted in favor of the motion to accept \$5127 from Millbrook for the credit for pavement. Mr. Billado and Kathy Lavoie opposed. The ayes had it.

Mr. Cross pointed out the items on the punch list that were still to be completed and said he expected them to be completed soon. It was noted that the septic cover which had been run over had not been replaced yet.

Mr. Clark made a motion, seconded by Mr. Billado, to approve the requisition for \$27,754.27. Motion carried.

Mr. Jescavage signed a permit application to the Corps of Engineers for Park D.

The Selectboard thanked Mr. Cross and wished him a Happy Thanksgiving.

4. Economic Development

Kathy Lavoie stated that no updates were available.

5. 2014 Budget Discussion

b) Fire Department Budget

Mr. Tim Girard came forward. He stated that the budget was currently before the Village Trustees for review, and was not yet ready for Selectboard review. There was a small increase, partially due to a line item for fire prevention. The cost of gear and airpacks had also increased because of new regulations. A few grants were in the works to help fund the large line items. In general, however, the budget was level-funded.

The Selectboard members expressed their frustration that, despite paying for 75% of the fire budget, their review of the budget had been delayed in the last 2 years. The Selectboard did not blame Mr. Girard, but felt that the Village should be made to understand that this arrangement was unacceptable. Mr. Jescavage was instructed to contact Reginald Beliveau to schedule a meeting for the fire budget.

Mr. Girard said that the Woods Hill markers looked good, and asked if the Town was still planning on putting up guard rails. Mr. Garrett said they would “feel it out,” since, in some cases, it was safer to go over a bank than to hit guardrails.

The Knox Box would not be ready until the Selectboard determined whether it should go on the gate or the building.

The Selectboard thanked Mr. Girard for his presence and explanations.

1. Public Comments

Mr. Brad Barnett of 24 Jones Court thanked the Town for ditching along the Rail Trail behind Jones Court. However, the widening of the ditch made accessing the rail trail from his property much more difficult. Was there a possible solution to that? After discussion, the Selectboard recommended that Mr. Barnett should obtain a driveway culvert permit, purchase a culvert, and install it. Mr. Garrett said that the culvert should be too narrow to allow vehicle passage, and said he would help Mr. Barnett find the cheapest culverts.

The Selectboard signed Mr. Todd Conger’s liquor and tobacco license for St. Marie’s, and wished him good luck in his endeavor.

7. Animal Control Officer

a) ACO Monthly Report

Mr. Dashno said that October had been a slower month. He had dealt with an at-large chocolate lab on Gauthier Drive, which he impounded on the 15th of October and, after receiving no calls, brought to the Humane Society. On the 22nd, he received a call that the dog was out again and that he lived on Farrar Street. After catching him, he issued a warning to the owner, who claimed that the dog slipped the tether. The dog was not licensed, so he gave 10 days to license it. He impounded the dog again on the 26th when he found it at large. At that point, he noticed that it appeared to have a skin problem on its hindquarters when he took it down to the Humane Society. He received an irate phone call from the owner, whom he had informed to pay the \$75 fine, but had heard nothing since then. He had also impounded a beagle mix and shih tzu; the former was claimed, but the latter was left at the Humane Society. The Spring Street issue was much better. A reported dog bite occurred when the owner was bitten by her own dog when trying to break up a dog fight.

6. 2014 Budget Discussion

c) Highway budget

Mr. Clark and Mr. Garrett explained the highway budget, which increased by \$5400. They had added a line item titled “engineering services,” for things like feasibility studies, surveying, etc.

Cost increases involved natural gas, electricity, and uniforms. Stone and sand had been reduced. They also hoped to increase road line paint, which they considered a safety issue, and trash and roadside litter. They hoped to carry unspent money to put toward building a lean-to on the salt shed to cover the equipment.

Mr. Garrett said that he would replace his tires before spring and he would need a new laser. He would also buy new signage before the end of the year. Kathy Lavoie asked why the salaries were done in January, and suggested perhaps they could be done earlier.

The Selectboard agreed that tires should be brought in on household waste day to reduce the time and effort the highway crew spent recovering tires from ditches. The Selectboard also discussed setting up a fund for the purchase of the next large piece of equipment; Mr. Billado suggested buying a single-axle with money from the sale of the Fourth Street garage.

7. Expenditures

a) General Orders (10/17/13 – 11/20/13)

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

b) Highway Orders (10/17/13 – 11/20/13)

Mr. Thompson made a motion, seconded by Mr. Clark, to accept the highway orders as printed. Discussion: The Selectboard discussed the funding sources for the new one-ton truck. Kathy Lavoie asked about the printer expense and Cathy Fournier explained that the entire element inside the printer (which the Town owned) had had to be replaced. Cathy Fournier also explained that, although it seemed that the Town was overbudget and had spent a lot, it was actually underbudget and offset by sources of revenue. Discussion concluded. Motion carried.

c) Payroll (10/17/13 – 11/20/13)

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

Mr. Thompson made a motion, seconded by Mr. Billado, to approve the school payments to both MVU and Swanton Central School for a total of \$6,002,123.30. Motion carried.

It was noted that a bill for \$940 in legal fees from Brian Monaghan in regard to the Roy's Mobile Home Park and Housing Foundation, Inc. had been receipt. The Selectboard stated that the town had no responsibility to pay any fees in relation to the matter, as agreed upon.

8. Highway Department

a) New Garage Fencing Plan

Mr. Jescavage said that a bidder had wanted to know if the fence should be right along the property line or whether it could be adjusted to save the trees. The Selectboard opted to move the fence further inside the property to save the tree border.

Mr. Jescavage stated that a bidder had recommended a 30 foot gate with detectors in the ground to keep the gate open if a vehicle were to wait in the middle of the gate. Instead, the Selectboard felt most comfortable with a 25-foot gate with manual control.

b) New Garage Remaining Issues

The Selectboard asked Mr. Jescavage to forward Mr. Cross's list to them upon receipt of it.

c) OSHA Mandated Workshop

The workshop was scheduled for December 34rd in South Burlington, from 9 to 11 a.m. The entire highway crew should attend. Mr. Lavoie added that the highway crew should have a MSDS binder for all hazardous materials and recommended Project Worksafe to aid in bringing the crew into compliance. Mr. Jescavage agreed to call Project Worksafe.

d) Hydroseeder Update

Mr. Jescavage explained that the Regional Planning Commission had agreed to purchase and own the hydroseeder, with each town chipping in \$500 to set up the fund to help maintain it. Mr. Garrett said that he was helping to choose the hydroseeder that would be purchased and that he was leaning toward a diesel model. The hydroseeder would be bought by the 1st week of December. NRPC would own the hydroseeder, so it would hold the insurance on it, although it would be registered to a municipality. It would most likely be housed in Sheldon or Enosburg. Anyone who wanted to join the hydroseeder group afterward would have to pay a buy-in fee of \$1400.

e) Updates

Mr. Garrett said that the ditches on Missisquoi Street and Janes Road were being cleaned. Mr. Clark asked to know whether driveway culverts in the town right-of-way could be cleaned. Mr. Garrett said that that was the landowners' responsibility, since there was concern about the liability if the town got into the cleaning of private culverts. Mr. Clark recommended calling the Vermont League of Cities and Towns, and Kathy Lavoie suggested also asking for the opinion of another municipality.

The Selectboard discussed Hazard Road, of which the dirt portion was suffering from heavy equipment traffic and cars using it as a turn-around. It was noted that the homeowner's driveway in that portion should be a T, not a Y. Mr. Lavoie suggested that Mr. Garrett should meet with Bob Manning and the homeowner to create a solution that would satisfy everyone.

9. Public Comment – None.

10. Correspondence

Mr. Jescavage presented a close-out notice from VTrans for the Comstock Road railroad crossing, stating that since paving the edge of the road, there was no more problem with the gravel.

Mr. Jescavage also presented a notice on the amount of woodchips made at the woodchip facility.

The county invited the town to attend the budget process, which Cathy Fournier explained to the Selectboard. The Franklin County budget was based on each town's grand list and converted to a percentage. Swanton's rate was 0.00849% and anyone could attend the public hearings to review the budget.

Mr. Jescavage noted that he would like to attend two workshops, the Incident Command System for Executives on December 2nd and the Vermont Community Development Association workshop on December 11th.

As far as health care, the town chose to extend their current program until March 2014. In February, all employees would have to register under the new program individually, and by April 1st, the new program would begin. The town was still covered between January and March.

The Mylar for Park D had never been recorded, and approval had expired after 180 days. The Town would have to apply to the DRB as the final phase and receive approval again.

11. Any Other Necessary Business

Mr. Billado requested Miss Wheeler to send him the quarterly budget minutes of the last year.

12. Upcoming Events

- a) Nov. 20, 2013 @ 7:00 p.m. PC Public Hearing: SGD Zoning Amendment
- b) Nov. 21, 2013 @ 7:00 p.m. Development Review Board
- c) Nov. 21, 2013 Brownfields Committee @ FCIDC Office/St. Albans @ 3:30 p.m.
- d) Nov. 28 & 29, 2013 Thanksgiving Holiday (Town Office Closed)
- e) Dec. 3, 2013 Next Selectboard Meeting @ 7:00 p.m.

The Selectboard asked for updates of the Fourth Street Garage project to occur at least weekly.

Kathy Lavoie informed the board of Operation Happiness, which would collect food for 300 families at the Swanton Municipal Complex through the food drive on December 7th until the delivery on December 14th.

13. Executive Session (personnel/contract/litigation)

Mr. Clark made a motion, seconded by Kathy Lavoie, to enter executive session for personnel, contract, and litigation at 10:22 p.m. Motion carried.

Kathy Lavoie made a motion, seconded by Mr. Clark, to exit executive session at 11:02 p.m. Motion carried. No action taken.

14. Adjournment

Mr. Thompson made a motion, seconded by Mr. Billado, to adjourn at 11:03 p.m. Motion carried.

Typed on November 23, 2013

Minutes by Yaasha Wheeler

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date