

**TOWN OF SWANTON**  
**MINUTES**  
**SELECTBOARD MEETING**  
**Swanton Town Office Building**  
**1 Academy Street, Swanton, VT 05488**  
***Tuesday, January 21, 2013 @ 7:00 p.m.***

Present: John Lavoie, Selectboard Chair; Dan Billado, Selectboard Vice Chair; Joel Clark, Kathy Lavoie, and Dick Thompson, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Harold Garrett, Road Foreman; Yaasha Wheeler, secretary; Heather Buczkowski, Channel 15; Tawnya Kristen, Meredith Birkett, and Floyd Kilburn, GMTA; Don Poirier, Kathie Mercia, and Christie Montagne, Franklin County Court Diversion.

A. Call to Order

Mr. Lavoie called the meeting to order at 7:02 p.m.

B. Pledge of Allegiance

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

C. Meeting Topics:

1. Minutes

a) January 7, 2014 SLB Meeting

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

2. Public Comments – None.

3. Old Business

a) Millbrook Final Requisition

It was noted that the board had withheld \$1000 from the requisition at the last meeting, because of two incomplete items, one of which had been fixed and the second of which was scheduled to be resolved. It was also noted that Mr. David Pratt had asked the board to disregard Change Order #4. Mr. Thompson made a motion, seconded by Kathy Lavoie, to pay the remaining balance of \$1000 to Millbrook. Motion carried.

Because the garage doors were still exhibiting problems, Mr. Clark asked Mr. Jescavage to continue keeping a lot of warrantee calls, and to write a letter to Mr. Pratt about the ongoing problem.

b) Annual Discussion with Rusty Posner/FCFS

Rusty Posner came forward. She presented the board with a microchip scanner. She noted that the contract included a few updates. The FCFS would continue helping the town to place dogs; only 2 dogs were taken from the Town in the last quarter. The spay-neuter clinic and V-Snip programs were going well, as well as the TNR program, which spayed and neutered barn and feral cats. In all, the society had taken in 687 animals in 2013. The board clarified for the public that they did not deal with cats unless there were public health issues, and that the Franklin County Humane Society was willing to work with the Town for 10-day bite-hold situations.

Mr. Dashno, Swanton Animal Control Officer, could not be present because of sickness. Ms. Posner noted that he had a good working relationship with the Humane Society. Cruelty complaints were now going to the Franklin County Sheriff's Department. Mr. Jescavage was

asked to make a footnote on the contract in relation to the cat services offered to the Town, and to sign the contract on behalf of the Selectboard.

Mr. Billado made a motion, seconded by Mr. Clark, to sign the annual contract with the Franklin County Humane Society, with the amendment in relation to the offered cat services. Motion carried.

c) Annual Discussion with Tawnya Kristen/GMTA

Ms. Kristen, community relations manager for Green Mountain Transit Agency, passed out information about GMTA. Joining her was Meredith Birket and Floyd Kilburn from GMTA. Ms. Kristen explained that GMTA was the public transportation provider for Franklin/Grand Isle region with both fixed route services and individual services. The fixed route services (buses) included the downtown St. Albans Shuttle, the free shopping shuttle to Price Chopper, the Alburgh/Georgia commuter, and the Richford to St. Albans commuter. Some of these services were free, and some required fare.

GMTA also offered individual services for people on Medicaid, people with disabilities, or the elderly. These were people needing access to meal sites, senior centers, medical care, physical therapy, adult day centers, dialysis and cancer treatment, and more. The individual services were offered by volunteer drivers who used their personal vehicles and were reimbursed for mileage. In the fiscal year of 2013, ongoing transportation served 167 Swanton residents, with over 5000 individual trips, and over 87,000 miles traveled.

GMTA tried to develop a “fair share” for each town served, based on the general population; the percentage of elderly, financially disadvantaged, and disabled people within that population; and the potential number of people who would receive services. The state was currently paying 90%, but might soon reduce its aid to 80%, leaving 20% to match for local support.

Kathy Lavoie asked how the ridership changed over time, and Ms. Kristen replied that it ebbed and flowed. In the fiscal year 2012, 174 Swanton residents had made over 6000 trips for a total of 120,000 miles. Mr. Lavoie noted that, on the comparative chart of the appropriations given by each town, it did “not look good for Swanton,” given Swanton’s use of the service. He agreed that the Selectboard would certainly discuss the possibility of increasing the Town’s appropriation for GMTA.

Ms. Birkett explained that when the grants were billed, the revenue was deducted from the top. Fares lowered the 20% leftover after the grant paid, but was not mixed with the money from the Town. Ms. Kristen added that, at the state level, GMTA was competing against rail, bridges, and other transportation services. Local funds showed the state that the service was important. Ms. Birkett noted that Medicaid reimbursed some of the individual trips, but that it was capped at a certain amount. Ms. Kristen asked to be contacted if any new development in the area would benefit from public transit. The Selectboard thanked the GMTA representatives for their informative presentation.

d) Franklin County Court Diversion Request for Increased Funding

Don Poirier, chairman of the Franklin County Court Diversion board, came forward, with Kathie Mercia and Christie Montagne. Mr. Poirier stated that the letter to the Town asked for \$1000 annual support, but because Swanton had 71 offenders and 48 victims to St. Albans’ 70 offenders and 58 victims, he asked that the Town increase its annual donation to \$3000, the same amount given by the City of St. Albans. Ms. Mercia explained that she was a case manager who worked with individuals ages 10 and up, and has seen people find redemption through the positive, non-punitive programs. A second program with which she works focuses on teenagers before the age of 21, who are caught in possession of or who are using marijuana and alcohol. She had seen very few return as a result of their education through the program.

Ms. Montagne added that she was an office manager and coordinator of the DLS program, which worked with people whose licenses were suspended due to the failure to pay accrued fines. The program helped the individuals work with the DMV and the judicial bureau to assess what they owe and what qualifications must be met before getting the license back. Then the

individuals are put on a repayment plan, and are able to get their license at the start of the contract, so long as they keep making payments. The program has been very successful, and helped people to live productive lives.

Kathy Lavoie stated that she had just become a new member of the FCCD board, and was convinced that programs like this were needed to do more than just put offenders in jail. Many people from Swanton went through the programs; just about everybody knew somebody who had gone through FCCD. Swanton's number of offenders was as high as that of other towns who were giving higher appropriations. Mr. Clark said that it would be easier to justify the Town's appropriation if he knew the breakdown of the FCCD budget. Mr. Poirier estimated the total expenses at \$175,000, 52% of which was reimbursed by the state. The people going through the programs were charged fees for the service, but the fees did not nearly cover the program's actual costs. Ms. Marcia added that 2 important grants had been lost in the last year and not replaced, creating another financial burden on FCCD.

The Selectboard agreed to consider increasing its appropriation for the FCCD.

4. Economic Development

a) Review & Sign CAI Technologies 2014 WEBGIS Tax Map Contract

Mr. Thompson made a motion, seconded by Kathy Lavoie, to authorize Mr. Jescavage to sign the annual contract with CAI Technologies to maintain and update the tax maps for a fee of \$1800. Motion carried.

5. Expenditures

a) Orders Postponed to Next Meeting

Ms. Fournier said that she still had to close the year before the orders could come before the board.

6. Animal Control Officer

a) SW ACO Monthly Report

Mr. Dashno could not be present because of illness, so this item was postponed until the next meeting.

7. 2014 Annual Report/Budget Discussion

a) Cemetery Budget Discussion with Gary Centabar

Mr. Jescavage said that Mr. Centabar was unable to be present because of a work conflict. He presented a letter in which the many needs of the cemeteries were presented, including removal of trees, repair of roofs, paving of cemetery drives, and more. Not all of these projects were set to be accomplished in 2014. The cemetery was asking for \$12,500 from the Town.

Mr. Garrett reminded the board that, although the Cemetery Commission maintained 4 cemeteries, the Town actually contained 7 cemeteries. Three were being cared for by individuals, but all of them badly needed funds for repair. He strongly felt that the dead, as well as the living, should be honored. Mr. Clark asked to see photographs of their condition and said that, although he agreed with the need to put more into the cemeteries, he would like to see a definitive plan of how to spend the money. Would it just be left up to the commissioners? The Selectboard agreed to consider and discuss the matter further, and Mr. Jescavage would present information on cemeteries from his planning archives.

b) Review Warning Articles

Mr. Thompson explained for Kathy Lavoie how appropriations were decided to be separate from the articles, and now voters only vote some customary articles (for the library, the fire department, and others) rather than a long list of appropriations line by line. In consideration of the GMTA and FCCD appropriations, the Selectboard agreed with Mr. Jescavage that the article could be worded to ask for an additional amount of money, so that if the higher appropriation is voted down, the customary yearly appropriation is still intact.

Mrs. Fournier passed out the highway budget. It was noted that salaries were increasing because they had had to factor in more overtime, since 2013 had been overbudget on the actual overtime; and also because one full-time employee was receiving a raise. The Selectboard discussed ways to reduce the highway budget from a total increase of 4% to a total increase of 2%. Agreeing that a study of South River Street was important to public safety, and that the paving budget was already as conservative as possible for Swanton's actual needs, the Selectboard agreed to reduce the engineering line item to \$8000, parts and supplies to \$23,000, and legal fees down to \$12,000. The total increase for the highway would be 2.1%.

#### ARTICLES

Mr. Billado made a motion, seconded by Mr. Thompson, to enter executive session for personnel at 9:17 p.m. Motion carried.

Mr. Billado made a motion, seconded by Mr. Clark, to exit executive session at 9:35 p.m. Motion carried. Action taken: none.

The Selectboard then reviewed the following articles:

Article 1: To elect from the legal voters of said Town the following officers:

- Moderator, Town and Town School District
- One Town Clerk for a 3 year term
- One Town Treasurer for a 3 year term
- One Selectmen for a 3 year term
- One Selectmen for a 2 year term
- One Selectmen for a 1 year term
- One Lister for a 3 year term
- One Lister for a 1 year term
- One Auditor for a 3 year term
- One School Director for a 3 year term
- One School Director for a 2 year term
- One Trustee of Public Money for a 3 year term
- One Library Trustee for a 5 year term
- One Cemetery Commissioner for a 5 year term
- Town Grand Juror
- Town Agent
- Collector of Delinquent Taxes

Article 2: Will the Town appropriate [a number to be determined] for the operation and maintenance of the Town Highway Department?

Article 3 : Will the Town appropriate \$167,901.00 for fire protection, \$43,608 of which is for a fire truck replacement fund?

Article 4: Will the Town appropriate \$114,901.00 to provide police protection to the residents of the Town of Swanton?

Article 5: Will the voters of the Swanton School District appropriate \$8,318,740.00 necessary for the support of the Swanton Schools for the school year July 1, 2014 through June 30, 2015?

Article 6: Will the voters of the Swanton School District authorize the School Directors to borrow money in anticipation of taxes?

Article 7: Will the voters of the Swanton School District appropriate \$100,000 for the purpose of addressing certain building issues, such as HVAC controls, Babcock lighting and electrical, and other capital improvements as needed?

Article 8: Will the Town appropriate [number to be approved] for the Town General expenses?

Article 9: (see following discussion)

Article 10: Will the Town appropriate \$224,762.00 to provide rescue services to the residents of the Town of Swanton?

Article 11: Will the Town appropriate \$99,925.00 towards the Operating and Maintenance Budget of the Recreation Department?

Article 12: Will the Town appropriate \$124,577.00 toward the Operating and Maintenance Budget of the Swanton Public Library?

Article 13: Shall the Town increase the percentage of voters required by 17 VSA Section 2661(b) (2) on a petition for reconsideration or rescission from five to twenty percent?

Mr. Billado made a motion, seconded by Mr. Thompson, to go into executive session for legal (to discuss Article 9) at 9:53 p.m. Motion carried.

Mr. Billado made a motion, seconded by Mr. Clark, to exit executive session at 10:10 p.m. Action taken: none.

The Selectboard agreed to replace the old Article 9 (Will the Town set October 15, 2014 as due date for 2014 taxes?) with the following article: "Shall the Town collect its real and personal property taxes to defray the expenses of the Town for the fiscal year commencing January 1, 2014, and annually thereafter, by its actual receipt of payment (postmarks will not be accepted) at the Town Offices by 5 p.m. on October 15<sup>th</sup>, or if the 15<sup>th</sup> shall fall on a weekend or holiday, the following business day by 5 p.m. with an eight percent (8%) penalty and one percent (1%) interest per month (or portion thereof) due thereon for the first three months, and one and one-half percent (1.5%) per month (or portion thereof) thereafter, to be charged for late payment of any installment?"

#### GENERAL

The following items in the general budget had increased: listers' salaries/property assessments, employee salaries, FICA/Medicare, retirement-VMERs, unemployment and training, meetings, mileage & ed. Expense, auditing, ZBA clerk/ PC secretary, Z&P supplies & printing, electricity, water & sewer, Northwest Regional Planning Commission, Vermont League of Cities and Towns, and building renovation 9/10 2013.

The following items in the general budget had decreased: decreased administrative assistant, health insurance, teen center utilities, water & dispenser, telephone, town office complex maintenance, franklin county tax, Z&P legal fees, and solid waste 5/5 2013.

The Selectboard asked Mr. Jescavage to ask Mr. Finelli about potential decreases of the premiums if the deductibles were to be increased.

The budget included the following appropriations:

Missisquoi Valley Rescue: \$33,077.00

Swanton Public Library: \$18,805.00

Swanton Recreation: \$12,825.00

The computer and software line item was reduced to \$3500.

#### APPROPRIATIONS

Mr. Thompson made a motion, seconded by Mr. Lavoie and Mr. Billado, to add as Article 14 an article to request an additional \$2000 for the Green Mountain Transit Association appropriation. Motion carried.

Mr. Clark made a motion, seconded by Kathy Lavoie, to add as Article 15 an article to request an additional \$655 for a total of \$1000 for the Franklin County Court Diversion appropriation. Motion carried.

The following language for the articles was reviewed:

*Article 14: Will the town appropriate an additional 2000, for a total of \$2500 if approved, for the green mountain transit agency?*

*Article 15: Will the town appropriate an additional 655, for a total of \$1000 if approved, for the Franklin County Court Diversion?*

The Selectboard noted that, before the appropriations, the General Budget had only increased by 1%. Because the General Budget was not yet ready to be finalized and approved, Mr. Jescavage was asked to warn a special Selectboard meeting for Friday, January 24, 2014, at 7 a.m.

#### 8. Highway Department

##### a) Review & Sign VTrans Certificate of Highway Mileage

Mr. Jescavage stated that some additional mileage had not been accounted for on the certificate. One of the underestimated roads was Gauthier Drive, which was listed as being 1.33 miles, but was actually 1.76 miles. The board had to hold a special meeting to show how the additional mileage was measured, then vote to add the mileage to their list, and then sign the certificate. He would put this on the next agenda. The certificate was due to the state on February 20, 2014. Mr. Clark requested that Mr. Jescavage coordinate this with Mr. Garrett.

##### b) Updates

Mr. Garrett stated that the sander did not have the adjustability that was advertised. The sander should sand a width from 2 feet to 40 feet, but the smallest width he could get it down to was 18 feet. The Selectboard stressed that the seller should be informed of the situation and required to resolve it.

Mr. Garrett informed the board that he had bought 500 yards of sand. He asked what the board intended to do as far as resolving the misunderstanding with Sheldon about the Woods Hill project. Mr. Thompson stated that, upon reviewing the DVD of the meeting (which did not include the Swanton/Sheldon discussion, but only the Sheldon recap of the discussion), he felt that the partnership in the project had been agreed upon as he and the Swanton Selectboard members had understood it. Mr. Jescavage was asked to set up a meeting with Sheldon.

#### 9. Correspondence

Mr. Jescavage informed the board that Erica Berl from the Vermont Department of Health had called to request a joint meeting between Highgate and Swanton on EEE, of which both Swanton and Highgate horses had died in 2013. It was important to inform the public of the danger posed by EEE. Mr. Jescavage was instructed to get the schedules of Mr. Billado (Swanton Health Officer) and the Highgate Health Officer to ensure that they could attend the meeting.

#### 10. Any Other Necessary Business

##### a) Review & Sign Consent Form to Transfer Audit Records

Mrs. Fournier explained that their usual auditing company had sold out to A.M. Peisch, and the consent form had to be signed to authorize the release of Swanton's records. Mr. Thompson made a motion, seconded by Kathy Lavoie, to authorize Mr. Jescavage to sign the release form to transfer Swanton's records from Cota to A.M. Peisch. Motion carried.

##### b) Discuss Andy Finelli's Memo Regarding Insurance Options

Mr. Thompson made a motion, seconded by Mr. Clark, to approve the General and Highway budgets as submitted. Motion carried. Mr. Jescavage would discuss different options with Mr. Finelli, but the total numbers budgeted for insurance were approved.

#### 11. Public Comments (Reprise)

12. Upcoming Events

- a) January 23, 2014 @ 7 p.m. DRB
- b) January 23 to February 2, 2014 – Time Period for Posting Town Meeting Warning & Notice in 2 Public Places & in or near Town Clerk's Office – Mrs. Fournier stated that Swanton would be posting on Friday the 31<sup>st</sup>.
- c) February 4, 2014 @ 7 p.m. next Selectboard Meeting

13. Executive Session

Mr. Thompson made a motion, seconded by Mr. Billado, to go into executive session for personnel at 11:13 p.m. Motion carried.

Kathy Lavoie made a motion, seconded by Mr. Clark, to exit executive session at 11:47 p.m. Motion carried. Action taken: none.

14. Adjournment

Mr. Billado made a motion, seconded by Mr. Thompson, to adjourn at 11:48 p.m. Motion carried.

Typed on January 22, 2014  
Minutes by Yaasha Wheeler  
Received and filed by:

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Cathy Fournier, Swanton Town Clerk

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Date