

**TOWN OF SWANTON
MINUTES
SELECTBOARD MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488**

Tuesday, April 1, 2014 @ 7:00 p.m.

Present: Dan Billado, Chair; John Lavoie, James Guilmette, and William “Turk” Thompson, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Yaasha Wheeler, Secretary; Brian Monaghan, attorney; Tim and Leslie Nulty, EnergyTech North Country; Heather Buczkowski, Channel 15.

A. Call to Order

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

B. Pledge of Allegiance

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

C. Meeting Topics:

1. Minutes

a) March 18, 2014 SLB Meeting

Mr. Guilmette made a motion, seconded by Mr. Lavoie, to accept the Selectboard minutes of March 18, 2014 as printed. Motion carried.

2. Public Comments – No public comments.

3. Economic Development

a) Executive Session to Discuss Real Estate

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to enter executive session for real estate at 7:03 p.m. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Thompson, to exit executive session at 8:07 p.m. Motion carried. Action taken: The Selectboard had discussed the sale of Park D with potential buyers and with lawyer Brian Monaghan present. The concerns of both parties had been worked out. Mr. Lavoie made a motion, seconded by Mr. Thompson, to sign the purchase and sales agreement between Energy Tech North Country and the Town of Swanton. Motion carried unanimously. The parties signed the agreement.

Mr. Nulty said that he was looking forward to being a neighbor, and Mr. Monaghan promised to wrap up the details.

4. Liquor Control Board

a) Statutory Requirements

Mr. Jescavage directed the board’s attention to page 8, section 166, as being especially pertinent to their research, which the board members would review at home.

5. Old Business

a) Liability Insurance Rider Info from Andy Finelli

Mr. Jescavage stated that he had informed Mr. Finelli of the Color Splash Run and the Big Equipment Day at the school, and Mr. Finelli had responded that no riders were required.

6. Law Enforcement

a) SW Village Police Chief Report

Chief Stell came forward. He reported that March had seen 39 calls, with a total of 15 traffic tickets for a fine amount of \$1932. Mr. Guilmette asked about the hours of coverage, and Mr. Billado replied that the hours were around 5 to 6 p.m. to 2 to 3 a.m., but that the Swanton Police was very good about working with the needs of the Town outside of the contract hours. Mr. Guilmette mentioned that Route 105 was just like the interstate at commuting hours, and Mr. Stell responded that those hours would result in higher speeds. At times, it was hazardous to stop cars along busy routes; however, he would certainly maintain a police presence in the area. Mr. Billado asked about the schedule and whether there was ever a time when only one officer was working. Mr. Stell replied that there were always two officers—one for the Town and one for the Village—on duty. Mr. Billado added that, as soon as the Town received money from the traffic tickets, the Selectboard could begin discussion with the police department about the equipment and special details that Mr. Stell had previously advocated as being especially beneficial to the Town.

7. Highway Department

a) Concrete Culvert Project Update

Mr. Jescavage stated that Mr. Jim Smith had the information he needed, and, upon his return from vacation, would begin working with the Town on the culvert repair.

b) Road Paving Update

Given the absence of Mr. Clark and Mr. Garrett, the board agreed to table this discussion until the next meeting.

c) Warranty List Update

Mr. Jescavage said that, after making copies of the meeting minutes that started after the garage warranty had kicked in, he did not find much specific information with which to supplement the warranty log. The Selectboard explained that they wished to see greater detail in the log: who initiated, who followed-up, and what the final result was, with all associated dates and any important notes. Mr. Jescavage agreed to do so.

d) Other Updates

Mr. Jescavage stated that he and Mr. Garrett had met with FEMA representatives about the 75% reimbursement for the highway crew's time and equipment to clear broken branches and debris in the Town right-of-way, resulting from the ice storm of December 2013. Mrs. Fournier had figured out all the straight time, overtime, and benefits for employees. Mr. Garrett had been instructed by FEMA to create a list documenting hours and equipment used, as well as to project how many more hours would be put into the job. Mrs. Fournier asked how much could be charged per hour for the chipper, and Mr. Jescavage replied that FEMA had a list that explained how much could be charged per hour for a particular piece of equipment. Once FEMA had the numbers, reimbursement could be calculated.

Mr. Jescavage informed the board that he had received 3 bids for the new single-axle truck that Mr. Garrett wanted. The board agreed to open the bids at the next meeting.

8. Correspondence

Mr. Jescavage presented a document from the state, asking the board to confirm that Mr. Jescavage had been appointed as Town Service Officer.

The Selectboard asked Mr. Jescavage to direct the Village's attention to a communication from the Vermont Rural Fire Protection Force, which was informing the Town of grants available to obtain dry hydrants.

Mr. Jescavage informed the board that the retirement party of Jack McCarthy was the same night as the May 6th Selectboard meeting.

9. Any Other Necessary Business

Mr. Lavoie said that he was communicating with an individual who was interested in buying the Fourth Street property. He would continue pursuing that possibility.

Mr. Jescavage recalled that he had e-mailed the Selectboard a report that the asbestos in the Fourth Street garage was only in the sheathing and vermiculite, and had forwarded the report to the Mansfield Group. Mansfield had responded that they would begin work on April 14th, and wanted information about the square footage of the building, when it was built, etc. Mr. Lavoie asked Mr. Jescavage to remind the highway crew that any equipment they wished to retain from the garage should be removed before that date.

Mr. Jescavage reported that he had called the executive director of the Hazardous Waste District, and been told that the next Hazardous Waste Day would be held in St. Albans, since it was a new town in the district. Since Swanton had a Hazardous Waste Day 4 years ago, Swanton residents could go to the nearest town with a Hazardous Waste Day, or they could go to the Georgia facility, which was open year-round. Mr. Jescavage had spoken with Chris Leach (Swanton's representative in the Solid Waste District) and Mr. Leach confirmed that he had been told the same thing at the district's board meeting. However, Mr. Leach explained, the board had not voted on the matter; it had been decided by the executive director.

The Selectboard agreed that they wanted to discuss the matter at the next Joint Legislative Body meeting. Mr. Jescavage had reviewed the contract with the district, and the only terms clear to him was how much Swanton had to pay the district. Mr. Thompson suggested that the Swanton Selectboard make an appearance with Mr. Leach at the next District meeting, to express Swanton's concerns. Mr. Billado summed up that, originally, Swanton had refused to join, but later, upon joining, was told that Swanton would have two Hazardous Waste Days a year. Then that number was reduced to one, and now Swanton was being told it would get none. He felt that the District was not holding up their end of the agreement. Mr. Jescavage added that the VLCT had sent out warnings that new legislation that had been introduced will mandate that every town must belong to a Solid Waste District by 2017. Mr. Billado felt that such a mandate would put locals "over a barrel" and Mr. Thompson recommended speaking with the representatives in Montpelier about it.

It was noted that the next Joint Legislative Body meeting was scheduled for April 23rd.

Mr. Guilmette asked who would tear down the Fourth Street garage once the asbestos was removed. Mr. Jescavage replied that the Town Highway Crew would tear the garage down. Mr. Lavoie confirmed with Mr. Jescavage that one spot on the property had been identified as having "hot dirt."

Mr. Jescavage informed the board that VLCT would charge \$825 for an attorney for 2 hours, but the upcoming event in Middlebury was cheaper overall, since it included more attorneys, more information, and an all-day class. The Selectboard agreed that the Middlebury class was the better option.

10. **Public Comments (Reprise)** – No public comment.

11. Upcoming Events

- a) April 5, 2014 @ 5 p.m Planning Commission
- b) April 10, 2014 @ 5:30 p.m. VT Dept. of Health Presentation on EEE Virus Impact on Swanton & Highgate @ SW Village Complex, 120 First Street
- c) April 15, 2014 Next Selectboard Meeting @ 6:30 p.m. (Finance, 5-year, put 5-year on both agendas)
- d) April 15, 2014 Tax Day
- e) April 18, 2014 Good Friday Office Closed

12. **Executive Session** – No executive session.

13. Adjournment

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to adjourn at 8:54 p.m. Motion carried.

Typed on April 2, 2014
Minutes by Yaasha Wheeler
Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date