

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

*Wednesday, April 23, 2014 @ 7:00 p.m.*

Present: Chris Leach and Adam Paxman, Village Trustees; Neal Speer, Village President; Dan Billado, Selectboard Chair; John Lavoie, Joel Clark, and James Guilmette, Selectmen; Reginald Beliveau, Village Manager; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Chief Leonard “Joey” Stell, Swanton Village Police Department; Chief Tim Girard, Swanton Village Fire Department; Sandy Skeels-Kilburn, Ronald Kilburn, Ross Lavoie, Sharon Menard, Marie Frey, Marianna Gamache, Linda Wirts, Pixley Hill, Swanton Enhancement Project.

A. Call to Order & Roll Call

Mr. Paxman, JLB Vice Chair, called the meeting to order at 7:02 p.m. It was noted that Mr. Eugene Labombard (Village Trustee) and Mr. William “Turk” Thompson (Selectman) were absent.

B. Pledge of Allegiance

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

C. Annual Elections

1. Nominate & Elect Chair

Mr. Paxman stated that Mr. Labombard had agreed to be chair this year, since it was the Village’s turn to chair. Mr. Billado made a motion, seconded by Mr. Leach, to nominate Mr. Labombard as Joint Legislative Body Chair. Motion carried.

2. Nominate & Elect Vice Chair

Mr. Lavoie made a motion, seconded by Mr. Billado, to nominate Mr. Clark as vice chair. Motion carried.

D. Meeting Topics:

1. Minutes

- Approve Minutes of 12/18/2013 JLB Meeting

Mr. Leach made a motion, seconded by Mr. Billado, to approve the 12/18/13 minutes as written. Motion carried. Mr. Lavoie abstained because he was not present at that meeting.

2. Discuss Dispatch with Chief Taylor & Judy Dunn (tentative)

Chief Taylor and Judy Dunn being absent, the JLB moved on to Item #3.

3. Swanton Fire Department Update

Chief Girard stated that the fire department had just received a \$34,000 radio rant to upgrade the narrow banding, an upgrade that the federal government has imposed on all emergency services. The narrow banding would be replaced by portable repeaters, which would hopefully cover the dead spots in the Swanton area. The upgrade would also include two mobiles for the area on the tanker, plus portables for the office. The fire department would pay for the cost of installation. The department had also put in for a federal grant for \$160,000 to upgrade the air packs, air compressor system and washer and dryer to wash the fire gear in. The grant was currently in the review stage, with an expected decision date around May. With that grant, the fire department would have to pay up to 10%, which equaled \$16,000. In the last four months, the fire department had had 83 calls, from flooded basements to airplane crashes. Three trucks were up for replacement, most notably the aerial truck, which would be \$750,000 to \$1 million if bought new. He was going to a show to talk to dealers; the truck would not be bought until 2015. Engine 3 and the tanker were also up for replacement within the next few years.

Mr. Paxman asked how the 83 calls compared to other municipalities in the area, and Chief Girard stated that they were similar to Enosburg and St. Albans Town, because Swanton had the biggest area to cover (65 square miles) and the most mutual aid calls. To sum up, in a quarter of the year, the fire department had responded to half of its usual annual number of calls. Mr. Billado asked how the budget was for the first quarter and Chief Girard replied that, with the biggest things be truck maintenance and the replacement of gear, plus the replacement of original tires on the tanker, the budget was still on track, if not under. Mr. Billado asked if that might be rolled over for the next year, and Chief Girard replied that it was hard to say, especially since, if the department got the \$160,000 grant, it would still have to pay \$16,000. Until all costs were known for sure, Mr. Girard would keep a close eye on the budget.

#### 6. Discuss Community Visit Program

Mr. Beliveau introduced the members of the Swanton Enhancement Project who were present: Marianna Gamache, Marie Frey, Linda Wirts, Ross Lavoie, Ron Kilburn, and Sandy Skeels-Kilburn. At a past meeting of the Project, it had been unanimous to have a Community Visit from the Vermont Council of Rural Development. A website had been launched for the Project, and there were several public meetings, steering meetings, and subcommittee meetings. The original name, Swanton Downtown Community Enhancement Project, had seemed exclusive of the parts of Swanton not considered part of the downtown area, so the name had been changed to reflect that the project affected Swanton as a whole. They had had several visitors already, and Mr. Beliveau handed out documents that recorded the ways in which Community Visits had impacted other Vermont municipalities.

Ms. Frey stated that the main project underway was the beautifying of the town by planting flowers and trees. She identified several areas in town where that beautification would take place, areas that seemed to be focal points with lots of traffic. They were trying to involve the community, to give a sense of ownership. Jeff Young from St. Albans City (who was responsible for much of the streetscape and park rehabilitation in St. Albans) spent a day with the Swanton Enhancement Project representatives giving guidance about trees and plantings. It was hoped that Mr. Young and Mr. Mike Menard would work together in the project, and UVM was also getting involved. The committee had created a concrete plan that included a budget, the number of trees to be bought, how much compost was needed, and more.

Mrs. Skeels-Kilburn stated that the deadline was to do all this before Memorial Day. There was much interest in doing something involving the river, and in bringing a restaurant and theater and art group to the Town. The Community Visit will bring 25 people from state and federal agencies to Swanton in a single meeting, to identify areas in the community that could most benefit from improvement.

Mr. Beliveau identified the three committees that were involved in the Swanton Enhancement Project: the communications committee, the special projects committee, and the resources identification committee.

Mr. Kilburn stated that this was the opportunity for the JLB to get behind the efforts of these volunteers. He asked the JLB to consider bringing to town the Vermont Council on Rural Development. Since 1996, this council has conducted 26 community visits in Vermont, working in 2 communities each year. Swanton hoped that it would be one of those communities in 2014. Paul Costello (executive director of the Council) had already visited Swanton this year, with the 35 attendees very excited about the prospects. The Vermont Council on Rural Development actively connects grassroots community building efforts with statewide resources, expertise, and opportunities. Each visit brings a broad mix of community members together with a statewide team, for an intensive partnership and tailored programs. The program will happen over a 4 month period, with facilitated discussions. To be successful, the program needed a broad spectrum of community members. The Council would raise the funds for this program, at minimal cost to the community, except for the time and energy invested. At the conclusion of the visit, Swanton will receive a report and action plan, which would contain details like a vision statement, a list of opportunities and challenges, a list of priorities, a task force action plan, resource teams, recommendations, and more, all tailored to the community. At the end of the visit, interested citizens would join to make the volunteer task force, to work on community goals. Local leaders will have direct access through the process to statewide resources, grant opportunities, and more. Mr. Kilburn presented a proposed resolution, to be adopted by the JLB in support of the Swanton Enhancement Project, and a letter to Paul Costello inviting the Vermont Council to visit Swanton as part of their Community Visit Program.

Mr. Paxman made a motion, seconded by Mr. Lavoie, to accept the resolution and letter. Motion carried unanimously. The resolution and letter were signed.

#### 4. Discuss Northwest Solid Waste District's Cancellation of Swanton's 2014 Household Hazardous Waste Day

Mr. Jescavage stated that he had called Mr. John Letty, executive director of the Northwest Solid Waste District, after he had discovered that Swanton was not included to have a Household Hazardous Waste Day this year. Mr. Letty had explained that the District had decided to do a Hazardous Waste Day in St. Albans because it was a new member and Swanton had had a Hazardous Waste Day in the previous 4 years. Only 10 out of the 17 towns in the district would have a Hazardous Waste Day every year. Swanton residents could visit neighboring towns to get rid of their waste, and the Georgia facility would take hazardous waste at any time.

Mr. Leach stated that he was on the board of supervisors, which did not decide on the sites, as it was the manager's criteria to do so. The funding involved \$60,000 annually, with \$6000 going to each of 10 communities every year for a Hazardous Waste Day, which could only be held after May first. In Swanton's history, there had been less hazardous waste every year, which indicated to the board that the people of Swanton were not having a problem getting rid of their waste. He urged the JLB members to read the new Act 148, which indicated that by 2017 or 2018, recyclables would not be allowed to be taken to any dump site. By 2020, garbage scraps would not be accepted; they had to be composted. At home, people would have to pay by bulk or weight to have their trash removed, and this would be policed.

Mr. Clark asked if Swanton had a contract that indicated how many Hazardous Waste Days were guaranteed to Swanton. Mr. Billado said that when Mike Ewell of the Northwest Solid Waste District had come to Swanton and presented to the Selectboard, he felt that the district had Swanton "over a barrel." After fighting for 2 years, Swanton gave in, under the understanding that Swanton would always have a Household Hazardous Waste Day for Swanton residents. The

number of Hazardous Waste Days declined from 2 a year, to one, and now to none. Mr. Billado felt that this is not what the Selectboard signed up for. Mr. Leach recalled that Mr. Ewell had said that Swanton would always have an opportunity to get rid of its solid waste, but did not recall a guarantee of how many Hazardous Waste Days would be held in Swanton. Mr. Paxman asked what the harm was in not having a Hazardous Waste Day, since Swanton's participation was declining anyway. Mr. Billado replied that it was an inconvenience, especially for the elderly. Mr. Jescavage stated that the only specific information in the contract was how much the Town had to pay; the number of Hazardous Waste Days was not specified.

Mr. Leach explained that he felt the Solid Waste District was fairly good, since Swanton owned part of a dumpsite in Sheldon and the district was well-run and paying its bills. Mr. Billado said that he believed the District was supposed to take care of investigating roadside dumpings and Mr. Leach said that the District had an officer who dealt with illegal burning and dumping by writing tickets. Mr. Billado noted that Swanton had an ordinance to allow the writing of tickets for such illegal activities and Mr. Stell added that the majority paid the fine. Mr. Leach summed up that, "If you report it, the District will investigate it, but they won't clean it up. Clean up is the Town's responsibility."

Mr. Clark recommended asking the District to commit to sponsoring a Hazardous Waste Day for Swanton in 2015, since it seemed that a 2014 Hazardous Waste Day was impossible to get. Mr. Leach explained again that Act 148 would require separation of all waste, in the hopes of reducing the 30% of recyclables still in garbage to a much lower percentage. Mr. Lavoie summed up that the biggest issue was the education of the people, and recommended advertising the location of facilities that would take hazardous waste.

#### 5. Discuss Swanton Street Light Charges

It was noted that Mr. Jescavage and Mr. Garrett had not yet identified all the Town lights on the list, to make a recommendation about which ones to keep or not. Mr. Billado added that the Village's list included more lights than he had noticed in those areas; for example, seven lights were listed for Grand Avenue, but he had only counted two. Mr. Clark added that many of the lights on the list were actually on private property; why should the town pay for them? Mr. Beliveau said that the Village had started "scrubbing" the main list of street lights that were actually personal lights, indicating that the Village had been unknowingly losing up to \$12,000 every year on such lights. The list had been "scrubbed" this past winter, and more lights had been discovered, which was why the Town was now getting charged for additional lights in the Town. Mr. Billado asked Mr. Jescavage and Mr. Garrett to compile a list of all the Town lights and to create a recommendation for which ones to keep. This item would be kept for the next agenda.

#### 7. New emergency management plan

Mr. Girard stated that Chief Stell and members of the Fire Department had been very instrumental in getting the Fire Department radio grant.

Chief Stell explained that the new Tabletop Exercise involving testing 2 plans that the village and town had in place. One plan (the basic operation plan) was signed off by the board last year, the second has not been. The second plan is more of a guide than a plan, and looked at how the municipality could become an emergency operation center, including guidance on room layout, job functions, etc. The Tabletop would test (1) the emergency operation guide to see if it can function within the prescribed parameters and (2) the basic emergency operation plan. The program had identified a shelter with the American Red Cross, and was finishing up agreements with two churches for additional shelter sites, along with MVU and the Swanton Elementary School. The exercise will activate the shelter, ensuring that responders will be able to contact the

number of people needed. At a meeting in Highgate, representatives of Swanton had talked about sharing some volunteers in the case of an emergency, as the shelter would have to be opened immediately, prior to the arrival of the Red Cross. Shelter materials were on hand, such as cots and 3 days' worth of bottled water, which was recycled periodically to keep it fresh.

Chief Stell added that new Selectboard members should take the ICS training, which involved two hours. The training would ensure that the program met the federal requirements, therefore making Swanton eligible for FEMA funding in the case of an emergency. Certification was a one-time deal; no continuing education was required. Training could be completed online at the FEMA website. Mr. Beliveau added that the new emergency plan laid out the incident command, operations, and other information so that a responder could refer to it when needed.

Mr. Clark asked who kept the certifications, and Chief Stell recommended that the Town copies of the certifications for those volunteers from the Town (such as Selectboard members and Town employees). It was noted that Mr. Beliveau was the emergency management director, with Chief Stell as the back-up. Mr. Clark added that the state had a CAT 2 exercise planned for June. Chief Stell stated that the June table-top will involve physically setting up a shelter, and recommended that interested board members should attend the tabletop on May 7, 2014 at 8 p.m.

Chief Stell added that the department was working on the Vermont Alert System, which would allow citizens to sign up to get alerts from the state of Vermont, by e-mail, text message, or voice mail. Swanton was currently a member of Vermont Alert, which allowed Swanton to notify the community of local emergency issues. In the event of a Hazmat issue or emergency evacuation, the system could dump into a cell network, sending an alert to any cell phone within reach of a certain cell tower, regardless of whether they are signed up for the alert system. In order to make this system fully functional, Chief Stell needed a call list for the town, including the cell phone numbers of Town employees.

Mr. Billado informed Chief Stell that the speed limit signs on some roads were down. The Chief replied that he was gathering a list to address that.

#### 8. Discuss Recreation Activity

Mr. Beliveau stated that the Village was trying to get the Marble Mill area "turned around" and to improve its reputation. In light of that, the Missisquoi River Basin Association, the Franklin Wildlife Conservation, Friends of Northern Lake Champlain, and Northern Canoe were sponsoring a barbecue on July 17<sup>th</sup>.

#### 9. Swanton Village Projects Update

Mr. Beliveau informed the JLB that the railroad prohibited the installation of a water pipe along the rail trail because the railroad might, in the future, be put back in. The alternate route, therefore, was to take the pipe down Waugh Farm Road and come down Route 7 and Lafarr Street. Brian Savage had spoken with the Transportation Committee, which stated that Swanton could run the line through the railroad area, but would need to sleeve the entire line. Mr. Leach stated that the railroad would never be revived in the area, and it was "crazy" that the water project was tied up and made more expensive because of something that would never happen. Mr. Beliveau noted that a sewer line had been installed in a rail bed in Enosburg, adding that archaeology was "killing us." Mr. Paxman stated that "at some point, quality of life has to be more important than a couple of arrowheads."

Mr. Beliveau said that he would be happy to help the Town with the raising of the sidewalk along Bushey Street, and Mr. Clark agreed that the project would be worthwhile.

Mr. Beliveau informed the JLB that the intersection in the village that used to be an island would now have a raingarden and cobblestone sidewalk, thanks to a grant. Mr. Clark added that Maquam Shore Road could use some review regarding stormwater restoration, since the runoff would pumping sediment into the lake.

#### 10. Discuss Communication Tower Revenue

Mr. Paxman read the following: According to the minutes, “Mr. Billado noted that revenue from the towers donated by Homeland Security could be used to offset fire expenses. Kathy Lavoie added that, since the tower had been donated to both the Town and the Village, it would be nice if both entities benefitted from any revenue. Mr. Beliveau said that he could look into that.” After review of the grant award, dated in 2003, the monies were awarded to the Swanton Police Department. The funds didn’t completely cover all equipment so the Electrical Department funded the remainder. It’s stated in the grant that the Police Department would be the sole owner of all equipment purchased with grant funds. As it stands now, the Village covers all equipment through its insurance and the funds are divided up between the General Fund, Electrical Department, and Police Department.

Chief Stell added that the funds offset operation costs.

#### 11. Swanton Chamber of Commerce Discussion of “Swanton Signs”

Mr. Paxman explained that the Chamber of Commerce had received a \$500 gift from the estate of Duane Swanton of Minnesota, a direct descendent of Captain William Swanton. Mr. Duane Swanton had frequently visited Swanton and left \$500 to the Chamber of Commerce in his will. Mr. Paxman identified five places where the signs through the town and village could be refurbished, with acknowledgement that the sign was sponsored by the estate of Duane Swanton. Glen Swanton, Duane’s son, had been invited to visit Swanton. Mr. Paxman asked if the Town and Village would be willing to sponsor one sign each, at a cost of \$350. Some businesses would be approached to sponsor the other two signs. The Selectboard agreed to sponsor a sign.

#### 12. Discussion of Memorial Day Parade

Mr. Paxman stated that, after a quasi-Memorial Day parade last year, some residents had asked for improvement upon the parade. Willing volunteers were available. Mr. Clark agreed that the Memorial Day events in Swanton were “weak.” Chief Stell added that the Eagle Scout Project in Flatiron Park hoped to unveil a new monument for Memorial Day. The monument would replace the “Support Our Troops” board with a granite monument stating “Swanton Town and Village supports our troops, past, present, and future, in a timeless manner.” A sundial would be affixed to the top of the monument. Mr. Clark agreed to work with Mr. Paxman on the Memorial Day parade project.

#### 13. Public Comments – None.

#### 14. Any Other Necessary Business

Mr. Paxman stated that the only woman with game in the state was not replying to his repeated attempts to contact her about getting swans for Swanton. Swanton rented the swans from her, from May until the Champlain Valley Fair, and paid a caretaker for the summer. Mr. Lavoie said that he would communicate with her, since he worked in the area.

Mr. Paxman asked for an update on Park D. Mr. Billado replied that a purchase and sales agreement had been signed, and that the buyers had seen Mr. Beliveau to get all the permitting in

place, with an August 1<sup>st</sup> deadline. Mr. Jescavage explained that the buyers had requested confidentiality for as long as possible. Mr. Paxman made a motion, seconded by Mr. Lavoie, to enter into executive session for real estate at 9:00 p.m. Motion carried.

Mr. Billado made a motion, seconded by Mr. Paxman, to exit executive session at 9:10 p.m. Motion carried. No action taken.

16. Adjournment

Mr. Billado made a motion, seconded by Mr. Paxman, to adjourn at 9:11 p.m. Motion carried.

Typed on April 24, 2014  
Minutes by Yaasha Wheeler  
Received and filed by:

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Cathy Fournier, Swanton Town Clerk

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Date

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Dianne Day, Swanton Village Clerk

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Date