

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

Tuesday, May 13, 2014 @ 7:00 p.m.

Present: Daniel Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; William Thompson, John Lavoie, and James Guilmette, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Yaasha Wheeler, Secretary; Harold Garrett, Road Foreman; Russ Clark, Clark's Trucking Center; Jim Boucher, J&B International; Daniel Bockus, Jr.; Kathie Rushlow; Jason Hodgdon; Heather Buczkowski, Channel 15.

This meeting was rescheduled from the regular meeting of the first Tuesday of the month.

A. Call to Order

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

B. Pledge of Allegiance

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

C. Meeting Topics

1. Minutes

- a. April 15, 2014 SLB Finance Meeting
- b. April 15, 2014 SLB Regular Meeting

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the meeting minutes as printed. Motion carried. Mr. Lavoie abstained, since he had not been present at the previous meeting.

2. Public Comments – No public comment.

3. Economic Development

No economic development. Mr. Lavoie was in favor of keeping this on the agenda for each meeting.

4. Liquor Control Board

There was no business under this item. Mrs. Fournier did not anticipate any more liquor licenses until next year.

5. Old Business

a) Review Old Garage Demolition Cost Comparisons

Mr. Jescavage referred the board to a table in the packet, presenting the various cost comparisons. He pointed out that Casella had the highest fee for concrete. Dick Moore (from

Dick's Construction) would charge \$100 by the box for concrete removal, but would not charge by tonnage. Other companies charged more per box, or by tonnage. The tonnage and box prices were quite diverse. Mr. Clark commented that Dick's Construction looked like the cheapest overall, considering that there would be quite a bit of concrete weight. Mr. Lavoie guessed that there would not be any more than 2 boxes of concrete to haul away, since a portion of the garage included only dirt floor.

Mr. Billado asked if the building had a footing, and Mr. Garrett replied it had a wall, so it could be assumed there was a footing. Mr. Thompson asked if the Dick's Construction box was bigger than Casella's, and Mr. Jescavage replied that it was. The Selectboard discussed the scrap metal price.

Mr. Billado summed up the services presented by Dick's Construction: \$100 a box, \$137 per ton for disposal, no haul charge, with a payment of \$145 to the Town for scrap metal. Mr. Guilmette and Mr. Thompson made a motion, seconded by Mr. Lavoie, to award the contract to Dick's Construction for removal and demolition of the Town building on Fourth Street. Motion carried.

Mr. Jescavage noted that this year, July 1, 2014, the new state statute required all demolition material to be recycled. Mr. Billado asked if something would be done about the scrap metal piled up on the property, and the Selectboard decided to put it all in the dumpster with the rest of the scrap material. Mr. Garrett said that the heaters had been ripped out, but he guessed that the copper wiring was in the scrap pile.

b) Street Light Recommendations

Mr. Jescavage stated that he and Mr. Garrett had ridden through the town and looked at the lights listed on the Village inventory list, and made recommendations on which ones were not needed by the Town (11 total). One of the lights that they recommended dropping was a double count because it was on the corner of Ferris Street and Upper Ferris Street, and therefore counted as both. Other lights they recommended retaining because the lights provided a public service (45 total). Mr. Clark interpreted that 20% of the lights were not needed, and were perhaps never requested by the Town to be installed. He suggested the Town may also request a rebate for some of the unnecessary lights. Mr. Jescavage noted that on Grand Avenue, eight of which were charged to the Town, only five were in the Town, and the other three were in the Village.

Mrs. Fournier noted that the increase in charge occurred at the end of last year, because that was when the Village had done its inventory.

Mr. Thompson recommended removing the eleven lights, and asking for a refund of the fees associated with lights that the Village had billed the Town for that were actually in the Village.

Mr. Billado said that he had been approached by Rene Fournier, who had asked for a light to be installed on Brooklyn Street near his business. There were currently three lights on that road, one on every other pole. Mr. Lavoie asked if one of the existing lights could be moved to a better location, to avoid the cost of adding a light. Mr. Thompson suggested viewing the site before making any decisions. Mr. Guilmette asked to know the purpose of the requested light, and Mr. Billado said that Mr. Fournier reported that that the area was dark for the businesses. The Selectboard agreed to Mr. Thompson's suggestion to table the issue for future consideration.

Mr. Thompson made a motion, seconded by Mr. Guilmette, that the Selectboard accept the recommendations of Mr. Jescavage and Mr. Garrett regarding which lights to keep or remove. Mr. Garrett noted that some lights were billed to the Town but were in the Village, because there was a discrepancy between the Town map and the understanding of some people in the Village. Mr. Thompson said that Mr. Beliveau, Village Manager, would sort the situation out.

c) Discuss Bourdeau & Elwood Drainage Requests

Mr. Clark stated that he had explained to Rene Bourdeau that there was no benefit to the Town to deepen the ditch to drain his field, and also that the ditch drained across private property. Mr. Bourdeau understood that, currently, the Town would not change the ditch at all. Mr. Billado mentioned some work done in the ditch that appeared to represent Mr. Bourdeau's efforts to fix the problem on his own.

Mr. Clark stated that he had visited the Andy Avenue/Chad Elwood site, and had asked Mr. Garrett to take a few elevations. There was a possibility of going from one catch basin to another, instead of going across the road, and Mr. Clark recommended discussing with the landowner the possibility of allowing Mr. Elwood to install a swale. No final solution was decided yet.

6. Law Enforcement

Chief Stell was not present, but Mr. Billado had communicated by e-mail with him prior to the meeting, and, as police commissioner, Mr. Billado presented the report to the board on Chief Stell's behalf. For the month of April, there were 12 citations in the amount of \$1941. Mr. Clark noted that there seemed to be a rash of sign damage/sign theft, and he felt that the police should be updated on the incidents as they occurred, to aid in finding patterns or apprehending the vandals. Mr. Garrett detailed several recent incidents of sign theft, stating that as fast as he can replace the signs, they are stolen again.

7. Highway Department

a) Discuss Truck Bids

Mr. Billado summed up that the bids had been reviewed and given to Mr. Clark and Mr. Garrett, who would present a recommendation to the board. Mr. Clark replied that he and Mr. Garrett wished for more clarification on some items, such as the computer for the spreader, to ensure that the bids compared the same details. He added that he and Mr. Garrett wanted a stainless steel body, and that he had recommended to Mr. Garrett that they review one of the other trucks (they had only viewed the Freightliner). He felt that he and Mr. Garrett were not quite ready to give a recommendation.

Representatives were present from J&B International and Clark's Trucking Center.

Russ Clark from Clark's Trucking Center came forward, and summed up the center's past relationship with the Town. He explained that the overall truck style would be about the same as the single-axle truck currently driven by Kevin Lapan (road crew member). Mr. Billado asked if the new truck had resolved the fluttering of the motor that had been a problem with Mr. Lapan's truck, and Mr. Russ Clark replied that it had. Mr. Russ Clark said that he felt the price was good, with a fair trade-in number. Mr. Lavoie asked about the reliability of the truck, and Mr. Russ Clark replied that Clark's Trucking had sold 27 town trucks, about 50% being this model. The engine had SCR, which is the next generation emissions, but the engine is the same as it has been for years. There have been no unresolved issues with those trucks. He recommended automatic, as it reduced wear and tear on both the vehicle and the operator.

Mr. Russ Clark noted that in Vermont, few stainless steel bodies were seen, although about 80% of the bodies in New York were stainless steel, and he highly recommended the stainless steel. Mr. Billado pointed out that the mechanism and other equipment would get the usual wear and tear, and Mr. Russ Clark replied that that was true, but it still saved money in the long run because of less repair of the body. He recommended making a decision soon, since some companies were scheduling their building into October already.

Mr. Jim Boucher of J&B International stated that his company was bidding the same vehicle as Clark's Trucking Center. He agreed that the new engines were reliable and had fewer problems than the "older generation" trucks. J&B had included extended warranty packages, for towing, the overall truck, and the engine, each of which was broken out separately. Mr. Lavoie recalled a situation in which the Town wished they had bought the extended warranty because of an expensive repair after the warranty expiration. Mr. Boucher recommended the stainless steel as well, and summed up the good relationship that J&B International had with local municipalities.

Mr. Russ Clark informed the board of a demo truck that would be available within a week for review by the Selectboard. The Selectboard considering asking Mr. Russ Clark to have the truck available for the next meeting, but Mr. Thompson was concerned that seeing the truck at the next meeting would push out the official recommendation from Mr. Joel Clark and Mr. Garrett until the meeting after that, delaying the delivery of the final vehicle.

Mr. Lavoie asked how the regular steel box came, and Mr. Russ Clark replied that the Viking boxes were painted and baked, which he felt was high quality. Mr. Garrett explained the differences between the Viking and Tenco boxes, with Viking being completely washable and with better rear view. He said that the Freightliner trucks had very visible transmission and other parts.

The Selectboard agreed that Mr. Joel Clark and Mr. Garrett should look at the truck and give a recommendation at the next meeting. Mr. Russ Clark suggested that the truck could be viewed in Williston prior to the next meeting.

b) Discuss Sidewalk Feasibility Grant

Mr. Jescavage stated that the Town had previously been awarded a \$14,000 grant for the feasibility grant, which required a 10% match. However, then the rules changed and required a 50% match, so the Town had turned the grant down. The grant had come up again this year, with a 10% match. This was to determine the feasibility of sidewalks on South River Street and from McDonald's to MVU. Mr. Clark said that he was not interested.

c) Discuss Private Road Sign Replacement

Mr. Jescavage noted that the ordinance made the Town responsible for the replacement of street signs at the Town's expense, except for the new subdivisions, for which the developer was responsible. Mr. Billado asked about the money budgeted for signs, and Mr. Garrett said that half of the money was already gone. He had spent about \$1800 on signs already, some of which had to be replaced to meet the new standards, and some which replaced stolen signs. He added that about 10 stop signs had been shot or otherwise vandalized, and that several speed limit signs were also illegible and had to be replaced. Mr. Billado felt that it was a safety issue and had to be addressed; the signs had to be replaced. Mr. Garrett estimated that about 7 signs had to be reordered because of theft. He was concerned that he would not have enough money for culverts, because the budget for culverts and signs was being used up for replacement signs. Mr. Clark summed up that they should watch the budget, but they had to replace those signs.

d) Request by Harold Garrett to Amend Road & Bridge Standards

Mr. Garrett stated that he had attended the Planning Commission meeting on May 7th, and presented his concerns about driveways that funnel water onto the main road. The Northwest Regional Planning Commission members, Greta Brunswick and Taylor Newton, reminded that developers had to abide by A76 standards, but there was nothing in there that specified the issue about roadwater running into the public highway. Mrs. Brunswick recommended that the road

standards be changed to add language requiring a swale so that the driveway water cannot run into the public road. Mr. Billado asked if the standards could be amended at any time, and Mr. Jescavage said that they could. The Selectboard agreed that Mr. Garrett's concern should certainly be addressed, and the standards should be updated.

e) Hungerford Bridge Reflectors Update

Mr. Guilmette had asked if some reflectors could be put on the guard rails on Woods Hill Road, since the rails came right up to the edge of the road. Mr. Billado asked Mr. Garrett to check into the cost of the reflectors.

f) Road Paving Update

Mr. Garrett stated that Missisquoi Street was done. He had mistakenly identified its length as 600 feet, but it was only 320 feet, so that represented a cost savings. On Woods Hill Road, he had stopped paving at the Sheldon Town line. Mr. Thompson asked if the previous agreement with Sheldon had involved paving. Mr. Billado said that his understanding was that Swanton would pay for the whole thing, and Sheldon would reimburse them, but Mr. Garrett recalled that Sheldon had agreed to be responsible for its own paving. Mr. Garrett said that the road included ½ inch stone and 1 ¼ inch paving, to handle the heavy truck traffic.

Mr. Garrett said that the road crew planned to widen Comstock Road and ditch it on both sides, with paving to be done soon. If enough money was leftover, Janes Road would be paved as well. Mr. Clark recommended being attentive to adequately compact the culvert area.

g) Other Updates

Mr. Garrett stated that he had received a complaint from Brooklyn Street, because of the heavy truck traffic. The traffic had ruined a culvert by driving across someone's lawn in order to turn around. Mr. Billado said that, in the past, sewer lines had been damaged as well by the traffic. Mr. Billado felt that it was an enforcement issue, and Mr. Garrett noted that the sign that stated "No Thru Trucks" had disappeared. Mr. Thompson recommended informing Chief Stell of the issue and advising him to patrol the area. Mr. Garrett said that the problem was the GPS systems that sent the trucks on that road. Mr. Lavoie recommended installing a sign that stated, "Industrial Park Entrance Use Next Left," to divert traffic from Brooklyn Street. Mr. Clark added that they could contact the GPS companies to get the systems updated.

Mr. Garrett informed the board that the crossing guard on Bushey Street requested pavement along the sidewalk instead of gravel, because water sat in the dips. The guard was continually being splashed by the passing traffic. Mr. Billado said that turning trucks tore up those areas, and that the road needed to be redone (which was on the 5-year plan). Mr. Garrett said that he had explained the issue to her, and told her that he could only use stone until the road could be fixed next year.

8. Correspondence – This item was tabled until later in the meeting.

9. Any Other Necessary Business – This item was tabled until later in the meeting.

10. Public Comment

Daniel Bockus Junior, Jason Hodgdon, and Katie Rushlow were present. Mr. Hodgdon stated that, at a previous Selectboard meeting, someone had mentioned that the truck traffic from

Hodgdon, Berger, & Sons was tearing up Waugh Farm Road. Mr. Billado felt that the road was not much “busted up.” Mr. Hodgdon felt that the road had held up well over the last 25 years, but that one section was troublesome. Mr. Bockus added that tree roots might also have damaged the road. Katie Rushlow explained that there was nowhere for the water to go along that area, so it affected the road. She added overweight loads had been blamed for the problem, but those loads had permits.

Mr. Clark said that the comments could have been said more tactfully, affirmed that the Town had a good relationship with those two businesses, and agreed that the road has held up well. He acknowledged that the area near Route 78 was bad, whether it was because of water or tree roots, and the Town would work with the problem area. Mr. Billado mentioned that 80,000 pounds were the limit, and asked if any research had been done on the weight limits. Mr. Hodgdon said that Tanya Remillard, assistant town clerk, had researched it and determined that the Town had “no contest” allowing for a legal road limit of 80,000 pounds on Waugh Farm Road. Mr. Garrett added that Chief Stell had listed the road as 24,000 pounds in the weight ordinance, based on information from the state records. Mr. Hodgdon said that he had spoken to Chief Stell today, who had informed him that the ordinance would only affect roads after Hodgdon Drive. Mr. Hodgdon added that the Act 250 process of years ago allowed for the higher weight limit.

Mr. Billado assured Mr. Hodgdon that the Town had a good relationship with the business and wanted to remain business-friendly. He felt that the state must have a record of the higher weight limit somewhere, since a transfer station would not be permitted on a road that only allowed for 24,000 pounds. Mr. Lavoie felt that the road would eventually need some work, but was holding up well so far. Mr. Hodgdon said Hodgdon, Berger & Sons didn’t want a bad name for tearing up the road, and Mr. Billado apologized if such an impression was given.

Mr. Bockus mentioned a tree on the road that was very close to the road, and seemed hazardous. Mr. Billado knew the tree in question, and agreed that it was a problem. Mr. Lavoie recommended speaking with Mr. Mike Menard, since the tree might be removed in the waterline project anyway. There would be no expense for the tree removal to Mr. Bockus, because it was in the town right-of-way. Mr. Clark said he would look into the matter and get back to Mr. Bockus.

8. Correspondence

Mr. Jescavage presented a letter from Bruce Nyquist (Assistant Program Manager of the Agency of Transportation), dated May 2, 2014, regarding the reduction of the speed limit along Route 7 near Walmart. According to the letter, the 35 mph speed limit was extended to just north of Walmart, but the rest of the 50 mph zone in that area was kept. The letter also complained that there is no enforcement of the speed limit. Mr. Billado explained that from 2 a.m. to 6 p.m., the speed enforcement falls under the jurisdiction of the Vermont state police, as the Village police are only contracted from 6 p.m. to 2 a.m. Mr. Jescavage should call the state police and inform them of the complaint, so that he could assure Mr. Nyquist in his follow-up letter that the issue had been mentioned to the police.

Mr. Jescavage received correspondence on the repaving project from Robin Hood on Route 78, and had asked the Town to maintain part of the project. The Town would only be responsible for whatever improvement went into the right-of-way, which was 3 rod limits wide. The Town needed to sign off on the maintenance of improvements. Mr. Thompson summed up that the state would pave into the Town’s road right-of-way, and was basically asking the Town to maintain that. Mr. Thompson made a motion, seconded by Mr. Clark, to sign the maintenance agreement to allow the state of Vermont to work in Swanton’s right-of-ways. Motion carried. Mr. Clark said that, later in the summer, he would meet with the state about Hazard Road.

Mr. Garrett said that the Bachand Road and Sugar Maple Drive culverts were in the state right-of-way, and the Town could not fix it, but citizens were complaining about the need for culvert repair. Mr. Clark agreed to address that with the state.

9. Any Other Necessary Business

Mr. Billado reminded that the second meeting of July would include a financial meeting. Mr. Garrett reported that the electric and water for the Fourth Street garage had been taken care of. Mr. Billado stated that he and Mrs. Fournier had met with A.M. Peisch for the auditors. They had been under the assumption that the Town had to go out to bid on the auditing every 3 years, and Mrs. Fournier had checked with Vermont League of Cities and Towns, who informed her that that was not necessary. Mr. Billado recommended staying with A.M. Peisch for auditing. Mr. Thompson made a motion, seconded by Mr. Lavoie, to stay with A.M. Peisch & Company, LLP, rather than put out RFPs for other auditing companies.

Mr. Billado still felt that Swanton needed a Hazardous Waste Day, and that Dick Thompson affirmed what Mr. Billado had recalled of the agreements with the Solid Waste District. Mr. Clark reminded that a yearly Hazardous Waste Day in Swanton was not part of the contract, even though it had been a verbal understanding, and said that he was not interested in spending more taxpayer money when the Hazardous Waste Day was available at other local locations. Mr. Jescavage explained that, in belonging to a Solid Waste District, all events had to be done through the district. Mr. Thompson said that he felt the state has forced the Town to be part of the district, and was disappointed in the service. He recommended writing a letter to the district to convey the Town's disappointment that it was paying for a service that was not provided. He recalled that the Town had withdrawn from the district years ago because of similar treatment, and, since rejoining, Swanton was getting the same treatment.

Mr. Billado instructed Mr. Jescavage to write a letter on the behalf of the Selectboard to the district, and to have it available for review by the Selectboard at the next meeting. Mr. Thompson added that the letter request that Swanton residents be clearly informed of where, when, and how they can dispose of their hazardous waste in the community. Mr. Thompson suggested that, next year, the Town should make a proposal of exactly what services would be provided by the district.

11. Upcoming Events

- a) May 20, 2014 Next Selectboard Meeting @ 7 p.m.
- b) May 26, 2014 Memorial Day Holiday Office Closed
- c) May 29, 2014 @ 7 p.m. DRB
- d) June 3, 2014 Selectboard Meeting @ 7 p.m.

12. Executive Session

Mr. Clark made a motion, seconded by Mr. Guilmette, to enter executive session at 9:10 p.m. for personnel and real estate. Motion carried.

Mr. Clark made a motion, seconded by Mr. Lavoie, to exit executive session at 10:22 p.m. Motion carried. Action taken: none.

13. Adjournment

Mr. Lavoie made a motion, seconded by Mr. Thompson, to adjourn at 10:25 p.m.

Typed on May 14, 2014

Minutes by Yaasha Wheeler

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date