

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

Tuesday, June 3, 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; Yaasha Wheeler, Secretary; Harold Garrett, Road Foreman; Ed Daniel; Andrew Schroth and Allison Jerram, UVM water sensor project; Brian Thompson; Chief Leonard Stell, Swanton Village Police Department; Shawn Dashno, Animal Control Officer; Heather Buczkowski, Channel 15.

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) May 20, 2014 SLB Regular Meeting

Mr. John Lavoie made a motion, seconded by Mr. Guilmette, to approve the minutes of May 20, 2014 as written. Motion carried.

2. Public Comments - No public comments.

3. Economic Development

a) Authorize Payment of \$500.00 for Park D Ag Mitigation Fee

Mr. Clark made a motion, seconded by Mr. Guilmette, to authorize payment of \$500.00 to Energtek for the Park D Ag Mitigation fee.

Discussion: Mr. Ed Daniel asked if the Town was “getting out of the industrial park business,” noting that the voters approved the money to buy the industrial park in the first place, to ensure future industrial growth in the Town. Mr. Billado explained that infrastructure costs (over \$1 million) were too high for the Town to pay. This solution created 3 to 5 jobs in the near future, and up to 50 jobs in 10 years. This was an opportunity to make something out of the property. Since no one had raised concerns during the 30 day petition period, the Selectboard was moving forward with the sale. Mr. Thompson suggested that the buyers had bought a large tract of land and, since they were only using a small portion, there was the possibility that at some time in the future, they might sell a piece for other industrial development. Mr. Lavoie added that the Town had had to pay to update the permits for the park, so when they were approached for the whole piece of land, it seemed like a win-win for the Town.

Discussion concluded. Motion carried.

4. Old Business

a) Public Hearing to Name Penell Road

Mr. Jescavage explained that Penell Road had several different spellings and designations, so the hearing was being held to establish its name officially, for clarity’s sake.

The hearing was entered at 7:08 p.m. Mr. Billado read the public notice, as follows:

Notice is hereby given that the Town of Swanton Selectboard will conduct a public hearing for the purpose of naming a road on Tuesday, June 3, 2014 at 7 p.m. in the Town Office Meeting Room at 1 Academy Street in Swanton, Vermont. The Board will discuss and act on naming an existing road that has several varied spellings in different publications. Its proper name is Penell Road. The road is located on the westerly side of U.S. Route 7 about 1.8 miles north of the Swanton/St. Albans boundary line. It is a little over ½ mile long. The Selectboard will consider making "Penell Road" its permanent, official name. The public hearing is being conducted pursuant to Sections II and V of the Town of Swanton Ordinance Regarding Enhanced 911 Road Naming, Road Signs and Addressing. Members of the public and owners of property abutting the road are welcome to attend the public hearing and offer input.

The public hearing was exited at 7:10 p.m. Mr. John Lavoie made the motion, seconded by Mr. Thompson, to name the road Penell Road. Motion carried.

b) Discuss Bourdeau & Elwood Drainage Request

Mr. Billado noted that the Bourdeau request had been "put to bed." Mr. Clark stated that he and Mr. Garrett were going to get a few "shots" regarding the Elwood drainage, and would keep that matter on their list until they could do that.

c) Sign Revised Northwest Solid Waste District Letter

Mr. Jescavage recalled that the board had already reviewed the letter and asked for Mr. Jescavage to add information about the promised education. Mr. Clark read the following letter into the record:

(addressed to Mr. John Leddy, Executive Director of Northwest Solid Waste Management District)

To Mr. Leddy:

This letter serves as confirmation of our displeasure with your decision to cancel the Household Hazardous Waste (HHW) Collection Day in Swanton this year in favor of other NWSWD towns. The explanation given by you to our Town Administrator was that Swanton had hosted it for the last four years and a new NWSWD member, the Town of St. Albans, would be getting its turn at hosting the event in 2014. You also mentioned that Swanton residents could take their HHW to one of the nearby towns that was scheduled to host a HHW event this year or to the hazardous waste collection facility in Georgia that accepts HHW year round. We find none of these alternative collection sites to be acceptable for Swanton residents.

Swanton has one of the highest populations in the NWSWD. It seems to us that it would make more sense to hold the HHW events in the more heavily populated towns where the collection efforts could be maximized. Those of us who were on the Selectboard when you sold the Town on the benefits of joining the NWSWD remember being promised that Swanton would have two HHW events each year as well as a school education component. Those two events dwindled down to one and in 2014 became none. We are curious to know how our membership dues are benefiting Swanton.

You also told our Town Administrator that you would be increasing public outreach to make Swanton residents aware of where they could dispose of their HHW this year. Can you please tell us what forms this outreach will take and when it will be implemented? In the absence of an HHW collection event in Swanton this year, we expect that you will take extraordinary measures to ensure that the word gets out to inform Swanton residents of the HHW disposal sites.

We thank you for your attention to this matter and hope to hear from you soon.

Sincerely,

The Swanton Selectboard

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the letter as written. The Selectboard signed the letter.

The board moved to 6. Highway Department

a) Discuss Request by UVM Students to Place Water Quality Sensors from Steel Bridge

Allison Jerram introduced herself as the lead technician, and also introduced Professor Andrew Schroth.

She explained that their team was hoping to drill some small holes into the ground to secure a data logger. The packet she provided explained what would be seen by passing pedestrians, and other details. She explained that the cinder block and PVC housings would not be visible, and would be under the water. She did not feel that the sensors would be visible enough to be targeted. The rebar would go into the stream bed, and there would be no chemical component or noise issues. They hoped to drill into a concrete slab from a pier of the bridge to secure the instruments. The project was expected to last a few years.

Mr. Billado asked how the historical value might be impacted. Ms. Jerram stated that the site was picked to be as removed as possible from the historic stone pilings, and the only thing in the river would be the sensors. Everything else would be on concrete on land. The Selectboard noted that the pier in question is not one of the three historic piers. Ms. Jerram said that the cables would be encased, on land, and dipping straight into the water. A power cable might lead from the solar panel to the land, where it would be buried. The system will send data back to the lab during storm events in real time. They hoped to track the chemical fingerprints of storms, in relation to other areas from the watershed.

Mr. Schroth added that they had other sensor areas, and explained the social aspects of the job. Mr. Jescavage asked how the sensors would be protected from floating logs, and Ms. Jerram said that the sensors would be anchored low and on the edge, hopefully far enough away from the main travelled area of the river. Mr. Clark asked about the rebar, and Ms. Jerram stated that the rebar would stick out just a little bit in low-water conditions. Mr. Clark suggested putting a cap on the top to prevent injury.

Ms. Jerram explained that the solar panel, which would power the project, had to be available. Mr. Billado suggested incorporating the solar panel on the building (gauging station), so that the panel would be less of a target for vandals. Chief Stell added that he had not heard of any vandalism in that area.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to implement the Newrnet Sensor Project to monitor the water in the Missisquoi River. Mr. Clark asked that the gathered information might be shared with the town. Motion carried.

5. Law Enforcement

a) SW Village Police Chief Report

Chief Stell came forward. Chief Stell stated that 20 tickets had been written for \$3389 in fines; a second report showed the locations of the offenses. The area was widespread, representing the general area of the town. Mr. Billado asked about the 6 instances that were outside of the contract time. Chief Stell explained that it is "Click It or Ticket" month, so the grant funding was split between the town and the village for more aggressive control of seat belt use, some time which was spent outside of normal contract times.

A total of 50 instances occurred in May 2014. It was noted that the warmer weather contributed to more activity, which led to more situations to monitor. Chief Stell noted that the department was back up to full staff since the graduation of one of the men. He added that the CAT 2 exercises (mentioned in a previous Selectboard meeting) were approaching, and explained that the purpose was to see if Swanton could mobilize, establish a shelter, and communicate in the event of an emergency.

Mr. Jescavage stated that an official at the New England Central Railroad had contacted him, informing him that the long rails would be laid down along the railbed, a project which would block some roads, like Lakewood Drive, temporarily (4 or 5 hours). Mr. Billado reminded that the railroad company needed to notify emergency services that the road was not passable during those times. Chief Stell said he would ensure that the communication occurred.

Chief Stell reported that the new truck had technical difficulties which would delay its use.

4. Old Business

d) Discussion with the ACO

Mr. Jescavage recalled that Mr. Dashno, having been unable to attend the last several Selectboard meetings, was asked to attend a meeting with the Selectboard. Mr. Guilmette made a motion, seconded by Mr. Clark, to enter executive session at 7:34 p.m.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to exit executive session at 7:52 p.m. Motion carried. Action taken: none.

It was noted that animal cages were needed, and Mr. Dashno replied that there were 2 large, 2 medium, and 2 small kennels currently. He added that the 2 large ones were being held together by zip ties and expressed concern that they would not adequately contain their occupants. Mr. Billado asked Mr. Dashno to speak with Cathy Fournier to see what money was available from dog licenses to put into buying new cages.

6. Highway Department

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

Mr. Jescavage directed the board's attention to the changes to the road and bridge standards. Mr. Clark asked about the phrase "and the use of the road right-of-ways by non-town entities." Mr. Jescavage explained that the standards were mostly for the highway crew, but since other people could work in the right-of-way, the language included those people as well. Mr. Jescavage referenced the following phrase: "All work in a Town road right-of-way by an entity other than the Town's Highway Department requires the submission of a right-of-way work permit application and fee and the subsequent approval of the permit by the Road Commissioner, Road Foreman, and Selectboard Chair prior to the initiation of any work project in the Town road right-of-way." Mr. Clark and Mr. Thompson felt that the phrase "and the use of the road right-of-ways by non-town entities" repeated the provision on page 3.

Mr. Thompson was concerned that discussing private roads in the ordinance could open up a can of worms ("The specifications below shall apply to both public and private roads") and would hinder development. Mr. Jescavage replied that the DRB held the developers to certain standards. Mr. Clark said that it all depended on the definition of road; he felt that this matter was a large change in trying to regulate what people were doing on their property.

The Selectboard agreed to remove "and the use of the road rights-of-way by non-Town entities." Under Roadways, the phrase "The specifications below shall apply to both public and private roads" was deleted. Mr. Clark asked that the Road Commissioner, as well as the Road Foreman, should have the authority to "set reasonable conditions on any right-of-way permit for any entity." The board felt comfortable with the emergency situation language, and the new access management requirements.

Mr. Clark made a motion, seconded by Mr. Lavoie, to accept the Town Road and Bridge Standards with the amendments that were discussed. Motion carried.

c) Road Paving Update

Mr. Garrett anticipated paving Comstock Road by the end of June.

d) Brooklyn Street Light Update

Mr. Garrett did not get a chance to speak to the neighboring landowners who would be affected by moving a light, as previously discussed in the last meeting, but the light would only be moved 20 feet. Mr. Thompson felt that there was not enough traffic on the street to warrant moving the light. The Selectboard agreed that no action would be taken and this item would be removed from future agendas.

e) Other Updates

Mr. Clark said that a resident on Woods Hill Road had claimed that the ditch backed up water and might contribute to the possible failure of a septic, but it had been determined that the issue had not been caused by the Town.

Mr. Garrett said that a woman along Brooklyn Street requested the front of her house to be swept because of excessive sand. She wanted the area hand-swept and picked up, so there would not be sand on her lawn, and Mr. Garrett told her that the road crew did not have that capability. She claimed that the dust was "horrible," but Mr. Garrett felt that the dust was minimal.

Mr. Lavoie stated that he would prefer to look at the pictures Mr. Garrett took before making a determination. Mr. Billado agreed to look at the house himself. Mr. Garrett informed the board that people along Torrie Lane also wanted the road swept, but they did not want the sand swept onto their lines, but rather picked up. Mr. Thompson felt that the Town had too many roads to be sweeping and picking up at citizen request, like the Village does. Mr. Clark reminded that anything swept off the road still goes into the town right-of-way.

Mr. Garrett stated that the hydraulics were not working on the loader because a control pad had died. The new pad cost \$800 and had been ordered. Mr. Garrett said that vehicles were speeding at 50 or 60 mph along Comstock Road, with the drivers chatting on their cell phones, causing a safety hazard to the road crew members who were working there.

7. Correspondence

a) Lister Computer Support

Mr. Jescavage presented the annual fee (\$238.81) for a letter agreement for computer assisted mass appraisal (the software that was used for lister support). Mr. Lavoie made the motion, seconded by Mr. Thompson, for Mr. Billado to sign the contract. Motion carried.

b) Letter from Kawory Berthe

Mr. Jescavage drew the board's attention to the letter from Kawory Berthe, from Tagoumi, Mali, who was requesting a cash donation to purchase French school books for the school children in Mali. Mr. Clark summed up that it seemed that the letter requested textbooks and school furniture, and he did not feel that this was something to use taxpayer money for. Mr. Billado recalled the original discussions with Mr. Berthe, and was a little concerned that there was no real accountability for where their money was going. Mr. Lavoie recalled that some of the Selectmen had made personal donations of their own, which might be why Mr. Berthe was presenting his request.

The board felt most comfortable leaving the issue alone, since they could not justify spending taxpayer money. The board invited personal donations on behalf of this need. Mr. Billado asked Mr. Jescavage to inform Mrs. Smith of the answer; Mrs. Smith had presented the letter on Mr. Berthe's behalf.

8. Any Other Necessary Business

Mr. Garrett asked to know the board's decision on the manure injection pipe on Comstock Road. Mr. Clark and Mr. Garrett were in agreement on the area of installation, and felt that if the road had to be cut anyway, installing the pipe at the same time was a win-win situation. Mr. Garrett discussed the details of the location; there would be only one sleeved pipe in the easternmost cut. Mr. Clark clarified that this was not a change to the requirement to bore under the road; this was a special case because the road was going to be dug up anyway.

9. Public Comments (Reprise) – No public comment.

10. Upcoming Events

- a) June 2nd to June 6th – Village Waterline Work on Route 78 Bridge
- b) June 14, 2014 Flag Day
- c) June 17, 2014 Next Selectboard Meeting @ 7 p.m.
- d) June 19th, 6:30 – 8:30 p.m., Northwest regional Planning Commission in Swanton –
Discussion of Vermont’s new Shoreland Protection Act in the Village
Complex at 120 First Street
- e) June 25, 2014 @ 7 p.m. Planning Commission

11. Executive Session

Mr. Clark made a motion, seconded by Mr. Lavoie, to enter executive session at 8:40 p.m. Motion carried.

Mr. Thompson made a motion, seconded by Mr. Lavoie, to exit executive session at 9:04 p.m. Motion carried. Action taken: none.

12. Adjournment

Mr. Clark made a motion, seconded by Mr. Lavoie, to adjourn at 9:07 p.m.

Typed on June 5, 2014
Minutes by Yaasha Wheeler
Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date