

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

***Tuesday, September 2, 2014 @ 7:00 p.m.***

Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; John Lavoie and James Guilmette, Selectmen; Harold Garrett, Road Foreman; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Jim Pratt; Darrin Ries, Chief Leonard “Joey” Stell; Heather Buczkowski, Channel 16.

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. Agenda Review

Mr. Clark stated that Mr. Darrin Ries was present to discuss the culvert at 58 Lakewood Drive, and requested that that item be placed in Old Business.

Mr. Billado added a few items to the Upcoming Events

Mr. Clark requested adding “Community Visit” from the Vermont Council on Rural Development, from the Swanton Enhancement Committee.

Mr. Garrett added “87 South River Road” under Highway.

D. Meeting Topics:

1. Minutes

a) August 19, 2014 SLB Regular Meeting

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to approve the meeting minutes as printed. Mr. Billado noted that all suggested corrections had been made. Motion carried.

2. Public Comments – None.

3. Economic Development

Mr. Jescavage informed the board of an upcoming meeting to discuss the new visitor center. He added that he had received an e-mail from a state official listing a plethora of items that was needed for the potable water supply application, which he forwarded to the Nultys.

4. Old Business

a) Discuss Culvert with Darrin Ries

Mr. Ries came forward. Mr. Garrett stated that he and Kevin Lapan had visited the site, and suggested that they could eliminate the culvert by filling in the small swale. If they dug a 32”-36” ditch for about a tenth of a mile, they could empty it toward the lake. A telephone wire was in the town right-of-way, and was not censored or taped, so no one knew exactly where it was. If they could not ditch because of the wire, the Town and Mr. Ries would have to come to an agreement about replacing the culvert. Mr. Clark was in favor of eliminating the culvert and running the ditch in the other direction, as Mr. Garrett suggested. Mr. Garrett added that permission from the landowner of the neighboring meadow (Mark Pfenning) would need to be obtained, because some of the project would require work outside of the road right-of-way. Mr. Ries stated that he had spoken with Mr. Pfenning, who was favorable to the idea.

Mr. Ries summed up that the Town would block off the culvert on one side of the field and that he would be responsible for maintaining his side. He asked how soon this project would be finished, and Mr. Garrett estimated that it would be taken care of within the next several weeks.

b) Discuss 4<sup>th</sup> Street Property Sale

Mr. Clark made a motion, seconded by Mr. Lavoie, to set the sale price for the Fourth Street property to \$250,000. Motion carried. Mr. Jescavage stated that he would advertise in the local newspaper and on the Town website to gather buyer interest, and added that he would order a sign to advertise its availability for sale. Mr. Clark suggested perhaps some local real estate agents would know of potential buyers. Mr. Lavoie suggested defining the property lines with flags or other delineators; Mr. Garrett suggested straightening out the fence, which misled viewers as to the actual Town property line. Mr. Lavoie reminded of a “hot spot” that needed to be taken care of as well. Mr. Clark recalled that an updated study might have to be done so many days after the sale of the property.

c) Discuss Old Garage Trusses Sale

Mr. Jescavage noticed that a number of the trusses were broken, and recalled that the board set a price of \$50 for each truss. He recommended revising the motion to \$50 or best offer, since some were not in their best condition. Mr. Lavoie made a motion, seconded by Mr. Clark, that, if the trusses do not move within 30 days to an interested buyer, the Town would offer the trusses to an employee just to remove them from the Town property. Motion carried.

d) Discuss Closing on Fosgate/Robin Hood Property Sale

Mr. Jescavage stated Brian Monaghan (Town attorney) was working with Mr. Fosgate’s attorney, and would be coming up with a closing date.

e) Animal Control Update Discussion (Executive Session)

Tabled for the end of the meeting.

f) Community

Mr. Billado stated that he and Mr. Clark had met with the Swanton Enhancement Committee, which was looking for volunteers to be on various committees and invited responders to contact him or Mr. Clark for more information. Mr. Clark stated that the Community Visit would involve a visit from the Vermont Council of Rural Development. The representative would help the community brainstorm, and then implement a plan to enhance Swanton. For this to succeed, participation was needed, so Mr. Clark strongly encouraged people to step forward and take part. Mr. Billado noted that Molly and Hank Lambert spear-headed the committee meeting, and did an “awesome job.”

5. Law Enforcement

a) SW Village Police Chief Report

Chief Stell reported 125 incidents for both July and August (he had been unable to attend the July meeting due to other commitments). Twenty-eight traffic tickets had been written, for a total fine amount of \$5005. The complaints throughout the Town were various.

Mr. Lavoie asked for an update on vandalism, and Chief Stell replied that he and the State Police were trying to wrap up the case against two people who appeared to be responsible for 90% of the burglaries in the area. Both were local, and had confessed to some of the incidents. He felt that the vandalism was not related to the burglaries, and were perpetrated by some of the younger teens in the area.

Mr. Billado stated that there was a Town issue which would put some people at risk if it were made public. Mr. Clark made a motion, seconded by Mr. Lavoie, to enter executive session at 7:30 p.m. to discuss the matter privately with the chief. Motion carried.

The Selectboard exited executive session at 7:52 p.m. Action taken: none.

6. Highway Department

a) Update on Concrete Culvert on Maquam Shore Road

Mr. Jescavage stated that Mr. Clark and Mr. Garrett had agreed to go with Tatro's bid, and Mr. Jescavage, Mr. Tatro, and Mr. Garrett met together last week at the site. Mr. Tatro suggested blocking off half the road and work on one side at a time, and sent his certificate of insurance and would send a standard contract form.

Mr. Clark made a motion, seconded by Mr. Lavoie, to contract with Dale Tatro Construction LLC, to do the repair on the culvert on Maquam Shore Road, according to the specifications in his bid; and to authorize Mr. Jescavage to sign a contract to that effect. Motion carried.

b) Decker Road Request Update

Mr. Jescavage stated that he found an old discontinuance report that the previous Selectboard did in 1992, discontinuing Decker Road as a road, and converting it to a trail. Therefore, the road is a legal trail that is open to the public, but is not a road.

Mr. Clark reminded that Mr. Decker asked the Town to mow the sides of the road, but he personally felt that there was no public interest in maintaining the road. The road was gated during hunting season, and only a few landowners used it to access farm land. Mr. Guilmette asked if any other similar trails were maintained by the Town, and Mr. Clark said that the closest similar trail was the Rail Trail. Mr. Lavoie felt that the trail had no value for the Town, and would prefer to give it back to the landowners for their use and maintenance. Mr. Billado was concerned that some property owners could limit traffic along the portions they owned, and Mr. Clark replied that part of the closure could ensure the right for the road to remain open for all landowners along the road.

Mr. Clark suggested contacting the landowners and letting them know that the Selectboard wished to discontinue the Town's ownership of the trail. Mr. Jescavage would research the procedures to do so.

c) New Garage Door Repair Update

Mr. Garrett reported that he had contacted David Pratt to request spreader bars to be put on all the doors, and to fix the middle door. Doors Number 1, 2, and 3 did not have spreader bars, but Door 4 and the middle door had been fixed. Mr. Jescavage stated that he had e-mailed David Pratt to have him address Doors 1 through 3. Mr. Lavoie requested Mr. Jescavage to follow up with a phone call as well.

d) OSHA Training for Highway Crew

Mr. Garrett stated that Mr. Turk Thompson had recommended that one crew member should attend the training, and Mr. Garrett agreed. Mr. Thompson replied that the board's approval was needed for this. Mr. Lavoie mentioned that these classes could be taken online as well. Mr. Clark felt that training was money well spent, and Mr. Billado was in favor of two people taking the course. Mr. Clark added that two should be trained this year, and another two should be trained next year.

e) Road Updates

Mr. Garrett noted that 87 South River Street was owned by Mr. Bessette, who had talked to Mr. Garrett about sloping the shoulder better, but that involved some amount of work outside of the road right-of-way. Mr. Clark had looked at the area, and had some concerns about future liability. Mr. Billado suggested waiting until after the feasibility study was done.

Mr. Guilmette asked when the roadside mowing would be done, and Mr. Garrett replied that they would be done soon, but the mower was broken. Mr. Guilmette asked if the shoulder of the intersection with Cook Road would be stoned, but Mr. Garrett said that the traffic "kept cutting it with the equipment."

Mr. Clark reported that the road crew would work on Janes Road in one of the troublesome areas that was holding water and undermining the pavement. He added that there were a few other drainage areas to be addressed on the following roads: Donaldson Road, Mountain View Drive, Maquam Shore Road, and Andy Avenue.

f) Equipment Updates

The mower was broken, with \$900 in parts currently on order to repair it. They would mow again once it was fixed.

g) Department Updates

The salt shed needed about 150 more yards to be full, and there was already 190 tons of salt. There was enough money to buy about another 90 tons. Mr. Garrett stated that their shots on the pavement at the garage showed that they only needed a 2" swale. He planned to replace the broken shaft of the woodchipper. Mr. Clark and Mr. Garrett had agreed on the amount of sand to buy, about 150 to 200 yards of sand. The new truck should be delivered, with the body, by about January 2015.

h) Other Updates

Mrs. Fournier reported that the tax bills went out last week.

7. Correspondence

a) MPG Grant Closeout E-mail

Mr. Jescavage stated that the Town received a letter from the state that the Municipal Planning Grant had been closed out, so the Town should receive the grant money soon. He added that Betsy Fournier had asked the Town to look into a community facility grant for a new recreation building. Mr. Billado suggested that perhaps a grant gained for the Swanton Enhancement Project could be used for the new rec building, since it would enhance Swanton. He suggested that Molly and Hank Lambert might be able to steer Mrs. Betsy Fournier toward available grant, as well as the two gentlemen who spoke at the Swanton Enhancement Committee meeting.

Mr. Jescavage stated that Franklin County Court Diversion was seeking donations.

He added that the Vermont League of Cities and Towns annual fair, and he brought the Selectboard's attention to the need to designate Mr. Jescavage as the Town delegate to the VLCT Annual Business Meeting.

Mr. Jescavage mentioned an upcoming animal cruelty workshop.

Mr. Jescavage noted an upcoming free semester offered through CCV of the "Principles of Supervision" course.

Mr. Jescavage noted that the VLCT was presenting a class on the new Open Meeting Law on Wednesday, September 10, 2014 in Montpelier. Some of the topics involved public records, municipal websites, how to comply, etc. Mr. Jescavage asked if all the different Town and Village boards were aware of the new laws, and asked him to make them all aware.

He noted an upcoming Vermont Health Trust meeting, and stated his intention to go to the Vermont Town and City Management Association, October 16<sup>th</sup> and 17<sup>th</sup> in Stowe.

He added that Mr. Beliveau, Village Manager, had sent him a letter regarding the ISO ratings that affected the municipality's insurance premiums.

Mr. Jescavage noted that he had put together a group of articles about natural gas and its development throughout the nation.

8. Any Other Necessary Business

a) Appoint Town Administrator as Voting Delegate for VLCT Town Fair

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to appoint Mr. Jescavage as Swanton's voting delegate at the Vermont League of Cities and Towns Town Fair. Mr. Billado signed the form. Motion carried.

Mr. Clark reminded Mr. Jescavage to notify other committees and councils to start putting together budgets, and asked Mr. Jescavage to develop a schedule.

Mr. Jescavage stated that the next meeting would include a hearing to discuss the cat situation, to introduce the topic to the public.

Mr. Billado stated that he had spoken with Mr. Allan Laroche, who had agreed to act as ACO temporarily.

Mr. Garrett stated that he had estimates on the trusses for the lean-to, and asked if the Selectboard wanted a cost for the whole thing (less labor). The trusses would be specially designed for the lean-to, and would meet the load limit. Mr. Clark wished to get an estimate of the whole project, and Mr. Garrett agreed to put together a cost analysis for Mr. Clark.

9. Public Comments (Reprise) – None.

10. Upcoming Events

- a) Wednesday, September 10, 2014 JLB Meeting @ 7 p.m. Village Complex
- b) Wednesday, September 10, 2014 Revised Zoning Bylaws Public Hearing @ 7 p.m. Village Complex (JLB & PC)
- c) Tuesday, September 16, 2014 Next Selectboard Meeting @ 7 p.m.
- d) Thursday, September 25, 2014 DRB Meeting @ 7 p.m.
- e) Thursday, September 11, 2014 Selectboard members meet with Dominic Cloud @ 10:30 a.m.
- f) Wednesday, September 24, 2014 6:30 p.m. to 7:30 p.m., Swanton Today, on Channel 16 with Richard Copperthwaite

11. Executive Session

Mr. Clark made a motion, seconded by Mr. Guilmette, to enter executive session at 8:49 p.m. to discuss the animal control officer position.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to exit executive session at 9:07 p.m. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to deny Shawn Dashno's request to rescind his resignation as Animal Control Officer, that was previously accepted by affirmative motion at the September 19, 2014 Swanton Selectboard meeting. Motion carried.

Mr. Clark made a motion, seconded by Mr. Guilmette, to bring on Allan Laroche at \$600 per month, plus mileage, to do the duties of the Animal Control Officer while the Town advertised the position vacancy. Mr. Laroche would also provide training to the new appointed ACO, once hired. Motion carried.

The Selectboard directed Mr. Jescavage to send a letter to Mr. Dashno, informing him of the board's decision. All equipment belonging to the town in regard to Animal Control duties is to be returned in 7 days. Any equipment belonging to Mr. Dashno would remain in his ownership.

12. Adjournment

Mr. Clark made a motion, seconded by Mr. Lavoie, to adjourn at 9:14 p.m. Motion carried.

Typed on September 4, 2014  
Minutes by Yaasha Wheeler  
Received and filed by:

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Cathy Fournier, Swanton TownClerk

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Date