

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

Tuesday, September 16, 2014 @ 7:00 p.m.

Present: Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; John Lavoie, James Guilmette; and William “Turk” Thompson, Selectman; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Harold Garrett, Road Foreman; Allan Laroche, Animal Control Officer; Heather Buczkowki, Channel 16; David McWilliams.

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. Garrett added “Lean-To/Shed” under Highway. Mr. Billado noted that Swanton was looking for a new representative to the Solid Waste District; this discussion would go under “Any Other Necessary Business.” He also added “Garage Warranty” under Highway. Upcoming Events should include Eagle Scout Dedication at Memorial Park (Flat Iron Park) on September 20, 2014 at 10 a.m. Correspondence would include discussion of Red Cross volunteers. There would be no public hearing to add cats to the ordinance, since cats were already included, but the meeting would include an update on the matter.

1. Minutes

a) September 2, 2014 SLB Regular Meeting

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to accept the Selectboard minutes of September 2, 2014 as written. Motion carried.

2. Public Comments – None.

3. Old Business

a) Discuss Listing Old Garage Land Sale

Mr. Billado stated that he spoke with Mr. Jescavage, and they discussed listing the Fourth Street property with a realtor. The property had already been advertised in the Town Office, on the Town website, and in the local papers. Mr. Clark suggested contacting a local commercial realtor and ask if anyone might be interested in such a property. The property was zoned R5 (Residential) and a realtor would ask for 6 – 12% from the property price. The Selectboard agreed to have Mr. Jescavage contact realtors and ask if anyone might be interested in the property.

b) Discuss Acceptance of Lighted Lakewood Drive RRX Signs

Mr. Billado stated that he wished to have Mr. Jescavage deal with this item administratively; the Selectboard agreed. Mr. Thompson made a motion, seconded by Mr. Lavoie, to authorize Mr. Jescavage to sign and accept ownership of the signs on behalf of the Town. Motion carried.

4. Expenditures

a) General Orders (08/20/14 – 9/16/14)

Mr. Thompson made a motion, seconded by Mr. Lavoie, to accept the General Orders as printed. Motion carried.

b) Highway Orders (08/20/14 – 09/16/14)

Mr. Clark made a motion, seconded by Mr. Thompson, to accept the Highway Orders as printed. Motion carried.

c) Payroll (08/20/14 – 09/16/14)

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to accept the payroll as printed. Motion carried.

d) Discuss Tax Rate & Billing

Mrs. Fournier stated that everyone had received an interim tax bill, which did not include the school tax rate. The school budget passed and, after a 30-day wait period, the state would review it, calculate the tax rate, and notify the Town. She estimated that the information would be available the second or third week of October, and would print the bills, which would be due 30 days from the date of the mailing (probably mid to late November). She did not know the rate yet.

5. Economic Development

a) Southern Growth District Water & Sewer Discussion Update

Mr. Billado stated that he, Mr. James Guilmette, David Jescavage, and Dominic Cloud (St. Albans City manager) and Martin Manahan (Director of Business Development) had met on September 11, 2014 to discuss the possibility that Swanton could receive municipal water and sewer from St. Albans. Mr. Cloud affirmed that the city had the capacity to handle the needs of big box stores, restaurants, hotels, and residential developments. However, his main concern was that Swanton and St. Albans would not attract business and potential large taxpayers away from each other through the arrangement. More discussion was needed, but Mr. Billado felt that the meeting overall was cordial and informative.

Mr. Clark said that he would meet with Jim Cota, and would report the results of his discussion about Route 207.

6. Animal Control Officer

Mr. Laroche reported that a 92-year-old woman was bitten by a terrier mix on her own property. The dog was from Pennsylvania, and by the time the information was processed, it was the 8th or 9th day since the bite and the dog had returned to Pennsylvania, so the animal was not quarantined. Mr. Billado stated he tried to contact Shawn Dashno (then animal control officer) and could not reach Mr. Dashno, so he called Mr. Laroche. Since the dog had returned to Pennsylvania, the health department in Vermont was working with the health department in Pennsylvania to ensure the condition of the dog and the resolution of the incident.

b) Kennel Cage Update

Mr. Guilmette said that he had some concerns that the kennels were held together with zip-ties and that better kennels were needed. Mr. Jescavage said that Shawn Dashno said that the Town could keep the kennel.

c) Update on Cats

Mr. Thompson made a motion, seconded by Mr. Lavoie, that the Selectboard should start enforcing the ordinance in regard to cats. If the Selectboard found that it was a taxpayer burden, the Selectboard might consider licensing cats and related issues. Discussion: Mr. Jescavage summed up that the ordinance applied to cats in the same way as it applied to dogs. If it was at large, a nuisance, or vicious, it could be impounded. Mr. Lavoie and Mr. Thompson discussed the practicalities of capturing and impounding problem cats, and agreed that the Animal Control Officer should not be put in undue harm's way because of a cat (climbing trees, etc.). If the owner was not known, the cat would be taken to the Franklin County Humane Society. Mrs. Fournier recommended calling FCHS to ensure clarity on the terms of the contract in regard to cats.

Mr. McWilliams stated that the contract in Georgia allowed for \$500 for cats to be brought to Franklin County Humane Society. He also recommended trapping feral cats, and expounded on the ongoing cat problem.

Mr. Clark supported the notion of beginning to control the cats. He wished to hear more from the public. He asked, "Is Allan Laroche up to this?"

Mr. Laroche replied that he gets calls about cats. Should the cats be trapped? Would he get paid for his mileage to check the traps every day? Mr. Thompson reminded that there was a day when dogs were a problem; now it was under control. Mrs. Fournier noted that the ordinance dealt with "domestic cats." Did that count feral cats? Mr. Jescavage stated that state law exempted landowners from responsibility for feral cats on their properties, even if they fed them. Mr. Guilmette noted that Mr. Laroche was an interim Animal Control Officer, but since they were adding something new to his workload, should they look at the issue further?

Mr. Thompson stated that the "right thing is not the popular thing," and recalled the early days of dog licensing. Mr. Lavoie asked to know the average number of calls about cats per week; Mr. Laroche estimated about 8 calls per week, with the nature varying from incident to incident. Mr. Clark summed up that a public hearing might be desired in the future, and added that the Animal Control Officer's pay should be adjusted accordingly after a month or two of data.

Mr. Garrett asked if the impounded cats would be housed in the Town Garage for 5 days. Mr. Thompson replied that the ordinance required a 5-day impoundment, or \$75 to re-own the cats. Mr. Lavoie felt that more information was needed on housing the cats and other practical issues before this ordinance could be fully implemented. He felt that the Selectboard might be opening up something bigger than it could handle at this time, and felt more discussion would be helpful. Cats had to be dealt with, according to the ordinance, but he was concerned about going into the situation too quickly. Mr. Clark amended the motion (seconded by Mr. Thompson) to begin enforcing the ordinance on November 1st, to allow the Selectboard time to gather information. Discussion concluded. Amendment carried unanimously. The amended motion carried unanimously.

Mr. Garrett recommended posting a notice that the cat ordinance would be enforced in three public places and in the paper.

7. Highway Department

a) Maquam Shore Culvert Project Update

Mr. Garrett stated that Tatro Construction began the culvert project on September 8th. The highway crew excavated the east side and the headwalls were poured. He estimated that the project would be done by the end of September. Mr. Garrett had spoken with Dianne from the state and affirmed that the town's time, equipment, and materials would be reimbursed up to \$33,000.

b) Mower Repair Update

The mower had been repaired and was back at work.

c) Discuss Any Equipment Issues

Mr. Garrett reminded that he would buy 8 tires for the Volvo.

d) Discuss Any Operation Issues

None.

e) Various Road Issues

Mr. Garrett informed Mr. Clark of a highway meeting at 7 p.m. on Monday.

Mr. Clark reminded the Selectboard that he would speak with Mr. Jim Cota about Bachand Road and Route 207 and the permitting to repair that area. Mr. Garrett stated he had also spoken with a citizen who wished to convert the Y off of Hazard Road to Route 207 to a straight intersection. Mr. Clark reminded that he had received permission to pursue the South River

Street sidewalk feasibility project, and planned to fund the project from the underspent items in the Highway Budget (which he enumerated for Mr. Billado's benefit). Mr. Clark added that the new truck should be expected by the end of December.

Mr. Guilmette added that Route 207 by Woods Hill has a rough area that the state should be aware of. Mr. Garrett said that a stone culvert on South River Street was caving in, and should be repaired.

Mr. Lavoie asked if the garage front area would be paved in spring 2015; Mr. Garrett agreed that they would wait, and stated that he had been able to assuage some of the water issues as well.

f) Lean-to/Shed Discussion

Mr. Garrett said that he had priced a lean-to to cover the equipment, and detailed the pitch, snowload, and other options, with their associated costs. He explained some possibilities for reduced cost materials, based on conversations with Mike Lemnah from Swanton Lumber. The lean-to would be open on the front, and the rafters would be designed to produce more "head-room." The money in the budget would cover the steel and the rafters. The total price would be under \$12,000, and he estimated a depth of 32 feet and a length of 100 feet. Mr. Thompson made a motion, seconded by Mr. Clark, to authorize Mr. Garrett to spend up to \$13,000 to build a shed. Mr. Billado noted that the budget was only \$1500 short of the whole price, and recommended going ahead with building the shed.

g) Warrantee Log Updates

Mr. Jescavage reminded that September 20th was the expiration date of the warrantee. Mr. Garrett had reported a problem with Door 3 (missing bolts) and it was being addressed. It was noted that the spreader bars had been added to all the doors; all other problems before the 20th would be dealt with immediately.

8. Correspondence

Mr. Jescavage said that Joey Stell had sent out an e-mail looking for Red Cross volunteers; the appeal was posted in the Town office.

Mr. Billado stated that Chris Leach would be retiring as Swanton's representative to the Northwest Solid Waste District. A new representative was needed.

9. **Any Other Necessary Business** – None.

10. **Public Comments** – None.

11. Upcoming Events

- a) September 17, 2014 Office Closed at noon for Clerk's meeting
- b) September 20, 2014 @ 10:30 a.m. Eagle Scout Dedication at Memorial (Flat Iron) Park
- c) September 24, 2014 Swanton Today 6:30 p.m.
- d) September 25, 2014 @ 7 p.m. DRB @ Town Office
- e) September 25, 2014 Deadline for ACO Applications
- f) October 1, 2014 Deadline for 4th Street Land Offers
- g) October 7, 2014 Next Selectboard Meeting @ 7 p.m.

D. Executive Session

Mr. Thompson made a motion, seconded by Mr. Lavoie, to go into executive session at 8:15 p.m. for personnel because public discussion would put that person at a disadvantage. Motion carried.