

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

Tuesday, November 3, 2015 @ 7:00 p.m.

Present: Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; James Guilmette and John Lavoie, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Harold Garrett, Road Foreman; Yaasha Wheeler, Secretary; Reginald Beliveau, Village Manager; Adam Paxman, Village Trustee; Ronald and Sandy Kilburn; Betsy Fournier; Reginald Beliveau; Rebecca Rupp, Swanton Public Library; Henry and Molly Lambert; Chad and Mary Metayer; Terri O'Shea; Kathy Lavoie; Eugene Rich, Jr., Swanton Village Police Department, Zach Scheffler, 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. Billado added Personnel, Legal, and Contracts under Executive Session. Mr. Clark asked to move Item 5 (Discuss Swanton Enhancement Committee's Request for Funds) prior to Old Business. Mr. Jescavage said that Darlene Marrier, the new Zoning Administrator, had put in a request for office furniture to Other Necessary Business. Mr. Clark added Swanton Wind Update/Special Vote under Old Business.

D. Meeting Topics:

1. Minutes

a) October 20, 2015 SLB Regular Meeting

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

2. Public Comments – None.

3. Economic Development

a) FCIDC Annual Meeting Invitation

Mr. Jescavage directed the board's attention to the invitation to the FCIDC annual meeting on November 12, 2015, at the St. Albans Historical Museum, beginning at 4:30 p.m.

4. Community Development

a) Discuss Swanton Enhancement Committee's Request for Funds

Hank and Molly Lambert came forward. Mrs. Lambert thanked the Selectboard for their support of the Community Visit by Vermont Council on Rural Development. The support helped them to build credibility for an all-volunteer process. The Swanton Enhancement Project, as a result of the Community Visit, had organized Swanton's talent in a way that had made an incredibly positive difference in the community, with five task forces and over 150 active individuals engaged in discussions and activities in relation to those five areas. Mr. Lambert agreed that the effort had been building community spirit and partnerships

with local and state organizations and resources. Mrs. Lambert noted that the interest in the arts in Swanton had been “uncorked” in the last ten months, with 80 members in the arts task group and contributing to a number of Swanton events and efforts, in a “vivacious outpouring.” The Economic Development task force was going to tour a number of facilities and offices to get a closer idea of Swanton’s assets. Preservation Trust had provided a matching grant to the Swanton Enhancement Project to help renovate an important building in the downtown area. National expert Mark Fenton had visited and given information about walkability and similar needs. The substance abuse task force had been working very compassionately with a group of people in the community who are very affected by addiction. Expertise from local and state agencies was being “poured into Swanton.” The recent Dam Ducky Derby had revived the community spirit in the location of Marble Mill Park.

Mr. Lambert stated that, in order to sustain this effort, an investment should be made. Swanton needed a point person to encourage economic development. The committee saw a community and economic development coordinator as the “glue” that would pull all the pieces together, involving both economic and community development.

Mrs. Lambert assured the Selectboard that the investment would have a positive return, in the sustainability of all the positive energy of Swanton’s citizens and enhancing of the community. “There’s real momentum, and I hope you feel that energy.” She emphasized the importance of these efforts in “creating an environment that will make Swanton a special place where people will want to live, work, learn, and play.”

Mr. Billado thanked the community members who had been part of these efforts. The Selectboard applauded them. Mr. Billado asked for more information on the scope of the community and economic development coordinator position. Is it part-time or full-time? What will be the benefits? “Quality of life for this community is Number One, and what you guys have done for this community is amazing.”

Mr. Clark stated that he was very proud of what Swanton Enhancement Project had done. “This is a momentum that we should not lose. It’s a momentum we should encourage and increase.” He was in favor of responding to the request letter positively and getting “someone who will continue to make Swanton a better place.”

Mr. Lavoie and Mr. Guilmette expressed their total support. Mrs. Sandy Kilburn said that the position could potentially bring more money into the community through grants. Mrs. Kathy Lavoie added that the grant writing was leveraged toward showing Swanton’s commitment, which would then make Swanton more eligible for a whole host of other grants.

Mr. Billado agreed that this needed to happen, but it needed to happen fiscally for the taxpayers as well, and it would take coordination between the Village and the Town to put together a plan to pursue this direction.

Mrs. Lambert said that, in terms of “scope of work,” Mrs. Kilburn’s comment was correct: the position would scan for potential opportunities and draw more money into Swanton. The position should be given to “someone who is knowledgeable about those tools that are available to communities and knows how to take advantage of them and apply them to our community.” Although various town officials were passionate, they did not have the time necessary to devote to those efforts. Businesses needed to know who to speak to as a “point person,” and Swanton needed someone who could help coordinate with local, regional, state, federal, and philanthropic partners. Johnson, Vermont, had a coordinator that could be used as a model.

Mr. Beliveau said that the Swanton Enhancement Project was so beneficial because the people involved were selfless and generous. “I am astonished and proud to be part of that group.”

Mrs. Terry O’Shea asked what the Selectboard would need to know in order to evaluate the position. Mr. Clark said that it was probably for the Selectboard to come up with those

details. "It's in our purview to talk and ask questions. It's our job to tease out the details of what we think we can support and what the taxpayers are willing to support." Mr. Clark envisioned that the coordinator would work from the Town Offices and work closely with town officials and SEP volunteers. It was unlikely that they would advertise for a full-time position, but would test the waters with a part-time position first.

5. Old Business

a) Review Sidewalk Scoping Bids

Mr. Billado stated that only one bid had been received. The grant received for the engineering study was \$30,000, and the bid came in at a few dollars under \$30,000. "What if the grant was \$20,000? That's a lot of money." Mr. Clark noted that the grant would do a lot of legwork as far as easements and other details. Mr. Jescavage reminded that there was a \$3000 match, split evenly between the Village and the Town. Mr. Beliveau reiterated the routes that would be looked at.

Mr. Clark made a motion, seconded by Mr. Guilmette, to accept the bid from Cross Consulting Engineers for \$29,843.52. Discussion: Mr. Clark noted that the hours cited in the bid were "not outrageous," and fair for the work that would be required. Discussion concluded. Motion carried.

b) Renovation Update

Mr. Jescavage explained that the next step was to cut into the walls from the interior to determine the amount of insulation in the walls. He discussed the potential locations of the two cuts, and would follow up.

c) Discuss Proposed Agreement with Methodist Church Re: Library Parking

Mr. Billado explained that, at a joint meeting about a month ago, the boards had discussed using the Methodist Church Parking lot to help enhance the parking situation in the Village. Adam Paxman said that he and Mr. Jescavage had met with representatives of the church and discussed concerns. Mr. Paxman read the following into the record:

Swanton Village and Town will:

- *Agree to lease the parking lot and right-of-way from MUMC for a sum of \$1.00 per year. Lease will begin on January 1, 2016 and continue year-to-year until one party declines the lease. A 6-month notice will be given by the declining party.*
- *Agree that the parking lot and right-of-way will be insured under the liability coverage of either Swanton Village or Swanton Town.*
- *Agree to cover all legal fees with regards to the lease.*
- *Agree to remove snow during the winter season. Snow piles will be removed as necessary.*
- *Agree to have the parking lot swept after the winter season.*
- *Agree to designate and post signs for one parking spot for "Handicap parking" and "Pastor parking" (handicap signs will be ordered by Swanton Village/Town).*
- *Agree to discuss merging the Library parking lot with the MUMC parking lot.*
- *Agree to assist MUMC with removal of specific tree(s) along the fence line.*
- *Agree to remove any vegetation that MUMC has piled up for removal.*
- *Agree to stripe the parking lot in the spring.*
- *Agree to fill pot holes as needed.*

MUMC will:

- *Agree to lease the MUMC parking lot and right-of-way to Swanton Village OR Swanton Town for \$1.00 per year. Lease will continue year-to-year until one party declines the lease. A 6-month notice will be given by the declining party.*
- *Agree to clean up the vegetation along the fence line, along the property and to keep it cleaned up on an on-going basis (Swanton Village/Town will remove when notified).*

- *Agree to provide Swanton Village/Town with sign for Pastor parking spot (Handicap sign will be taken care of by Swanton Village/Town).*

The church trustees approved this agreement. Mr. Billado stated that he was “all for it,” since the library parking was needed. In the past, when the parking lot was available to the Town, the Town/Village had plowed the parking lot. “This all sounds good, but there is no ownership as far as cost in maintenance for the library and church, who will still be using that lot... It shouldn’t all be on the Village and the Town.” Mr. Lavoie noted that, if the library no longer needed to pay for plowing, the savings would reduce its budget. Mr. Clark said that he was in favor of the lease only if there was an agreement between the parties that there would be a merger of the parking lots (church and library). He agreed with Mr. Billado that “the church should have a little piece of this.” One big question was: Who should take over the plowing, Town or Village?

Mr. Billado asked if Mr. Jescavage had looked into the liability insurance, and Mr. Jescavage said he had not yet. Mr. Clark suggested that the Town lease the parking lot(s) and then come up with an agreement with the Village as far as maintenance, perhaps to have maintenance duty every other year, the Village one year and the Town another year.

Mr. Paxman agreed to speak with the church trustees about merging the parking lot and would report back to the Selectboard at the next meeting.

d) Discuss Revised Library Budget

Mrs. Rupp said that the last meeting had included discussion about the Town taking over some costs from the Economic Development Fund. Mr. Jescavage said that the funds could be used for building upkeep, but probably not for equipment updates. Mrs. Rupp summarized that total plowing had been \$3000, but some groups had “chipped in” \$1000 to help with plowing.

Mr. Clark asked how much the library was looking for computers, and Mrs. Rupp said they would love \$4000, because the current computers were “really ancient, doddering machines.” This year was a “catch up year,” because the library director was underpaid. The average salary of a librarian was \$18/hour and some of the staff was being paid under \$10. The percentage of increase from 2015 would now be 13.7% instead of the previously requested 30%.

Mr. Billado summed up that it looked as though the library had level-funded everything except salaries, and spaced some of the other expenses over a four-year plan. Mrs. Kathy Messier said that the physical needs (the electrical work and the water work) were the biggest priorities.

Mr. Billado suggested putting those items as a separate article, and let the taxpayers decide what they wanted to pay for. Mr. Clark felt that the parking lot plowing costs, if shifted to the Town or Village, might be used toward the computers instead. Mrs. Rupp added that some grants may be available to the library, since it was a historic building.

Mr. Billado asked if the library anticipated carryover. Mrs. Messier said that she expected that some line items would have some money leftover.

Mr. Jescavage stated that he noticed that there were a number of contracted services, and noted that contractors had to prove that they had workman’s comp insurance, and if they did not, the state would consider them an employee. The “hold harmless” agreements by contractors without workman’s comp were worthless, and other towns had been sued by contractors who had been injured on the job.

Mrs. Sandy Kilburn thanked the library trustees and officials for the work they were doing. The library was doing very well and the programs were “wonderful.”

e) Swanton Wind Update

Mr. Clark said that on October 20, 2015, the Selectboard had received a letter from Swanton Wind, LLC, in response to the letter that the Selectboard had sent out. The closing paragraph stated that the Selectboard had made a hasty call for a vote, based on misinformation. Mr. Clark said that “we did not make a hasty call for a vote. We made a deliberate decision” to get a feel for how their constituents felt on the project. The project is apparently developed enough to tell us how much tax revenue we would receive and the size of the wind generators. There’s enough detail that the governor of our state has made a statement that this project does not make sense. A large utility, Green Mountain Power, had stated that the ratepayers would have to pay for a transmission line to send the power out of state. For Swanton Wind, LLC, to say that the Selectboard was making a hasty decision was a mistake on their part. “We’ve done our due diligence.” He felt that the state had created a “situation that was out-of-control regarding these large-scale energy projects.” It was the “wild West” right now.

Mr. Billado reminded people to read the article well when they voted, to be sure they voted the way they intended to vote.

6. Law Enforcement

a) Swanton Police Monthly Report

Officer Eugene Rich came forward. There were 42 calls during the month of October. The “speed spy” was operational. The department was always looking for input as far as areas to monitor. Also, the digital signboard had been borrowed from Border Control and informed drivers: “Your speed is...” and “Watch for Children.” There had been two citations, totaling \$394.

7. Highway Department

a) Bushey Street Concrete Debris Update

Mr. Garrett said that the debris had been piled up, and had been instructed to take it home. He was waiting for the ground to freeze so that the trucks did not rip up his field. It was \$7 a load, with 8 or 10 loads, to dispose of it elsewhere. The Selectboard was fine with leaving the debris where it was until the ground froze enough for the debris to be hauled.

b) Leaking Waterline on Covey Drive

Mr. Garrett wanted the Selectboard to send a letter to the homeowners along Covey Drive to remind them to repair the private water line down the center of the road. The Selectboard agreed that the homeowners needed to be given a notice with a deadline, and, if they failed to fix it in time, the Town would repair it and bill the homeowners. Any repairs for the road would be under the supervision of Mr. Garrett.

c) Other Updates

Mr. Garrett stated that he had to order a new front tire for the Volvo. The Volvo had also had a mishap after fixing the driveway on Donaldson Road. He put the excavator on the trailer backward, and the height difference was enough for the excavator to hit the interstate bridge on Woods Hill Road, and damaged the hydraulics and the boards on the trailer. The repair costs would be about \$700 - \$800.

The culvert that went across Woods Hill Road would be extended, and that project would be done within the next day or so.

Mr. Garrett had looked at the water issue on Wheeler Round, and there were no storm drains on Wheeler Round to put the water.

The Bushey Street/Robin Hood Drive swale was not deep enough, but the water on the end of Bushey Street (on the state end) was still a problem. However, the state would be redoing that section next year.

Mr. Garrett said that part-time highway employee Brian Thompson was interested in helping with plowing, but did not want to plow the Fairfield end. Mr. Garrett had informed him that he would have at least 24 hours a week, and possibly up to 40 or 50 hours. Mr. Clark suggested that the first workday would be Wednesday, unless it was snowing.

Mr. Garrett stated that the resident of 1 Bachand Road claimed that he had water in his cellar because the parked excavator crushed his pipe, which went under the road. He had discovered that the pipe was three-quarters full of mud, and recommended flushing it out. The resident still insisted that Mr. Garrett had crushed his pipe. Mr. Garrett had recommended that he speak to the Selectboard, and assured the Selectboard that the pipe had not been crushed.

Mr. Clark stated that the Middle Road culverts had been done. The ditches were deeper, but the shoulder had been increased, so he did not see it as a safety hazard. The Bushey Street paving bill was about what the Selectboard expected.

Mr. Garrett stated that he and Mr. Jescavage had met with Jim Cota, who was very interested in looking at the old stone box culvert, since he could not understand why the repair grant was decline. Mr. Jescavage added that the purpose of the meeting was to explain how the towns had been redistributed since the dissolution of District 6. Because of the new towns in District 8, Swanton could be placed lower on the list for funding for Class 2 roads.

Mr. Guilmette noted that a dead tree had fallen into the ditch in Viens Road.

Mr. Garrett said that he had met with St. Albans Town and had “cut a deal” with Steve Beauregard. St. Albans would plow French Hill/Swanton Hill if Swanton would plow Lebel Drive.

Mr. Garrett added that his truck should spray liquid, and he had priced liquid from various sources and found a good deal in St. Albans.

8. Correspondence

Mr. Jescavage presented a letter from the Franklin County Citizen Advocacy Program thanking the Selectboard for their support.

VTrans was having six public hearings throughout the state to get public input about what people expect from their department. One would be held at the LaQuinta in St. Albans on November 12.

Voices Against Violence were requesting \$1500 to support their services in Swanton’s upcoming budget.

Hi-Swan Senior Center had thanked the Selectboard for the town’s donation to their center.

Elizabeth Malone from Channel 15 was willing to have a special broadcast about the upcoming special vote.

Representatives from PASIF VLCT wanted to know if the town was interested in any liability insurance quotes. Mr. Billado recalled the experiences of being “handcuffed” by the company, and felt comfortable with Kinney Pike. Mr. Clark was all for “competition” and was willing to look at a proposal. The Selectboard agreed to look at a quote from Passive VLCT.

9. Any Other Necessary Business

Mr. Jescavage stated that Mrs. Darlene Marrier, the new Zoning Administrator, was requesting office furniture for \$751 total, not including a new chair. Mr. Billado felt that Mrs. Marrier had a lot of vision and would do well in her new job.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to approve the request by Darlene Marrier for office furniture.

10. Public Comments – None.

11. Upcoming Events

- a) Wednesday, November 11, 2015 – Veterans Day – Town Office Closed
- b) Thursday, November 12, 2015, FCIDC Annual Meeting at the St. Albans Historical Museum at 4:30 p.m.
- c) Tuesday, November 17, 2015 Special Vote @ 7 a.m. to 7 p.m. Village Complex
- d) Tuesday, November 17, 2015 Next SLB Meeting @ 7 p.m. Town Offices
- e) Thursday, November 19, 2015 Next DRB Meeting @ 7 p.m. Town Offices

Mr. Garrett stated that NRPC was holding a meeting in Enosburg on Monday, November 9, 2015, from 6:30 – 8:30 p.m. regarding renewable energy siting.

12. Executive Session

Mr. Billado stated that the personnel, legal, and contracts discussion would put individuals and the Town at a disadvantage if discussed in open session. Mr. Lavoie made a motion, seconded by Mr. Guilmette, to enter executive session at 9:04 p.m. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to exit executive session at 10:26 p.m. Motion carried. No action taken.

13. Adjournment

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to adjourn at 10:28 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date