

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

Tuesday, June 7, 2016 @ 7:00 p.m.

Present: John Lavoie, Selectboard Vice Chair; James Guilmette, Dan Billado, and Jeff Raleigh, Selectmen; Adam Paxman, Chris Leach, and Eugene Labombard, Village Trustees; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Derick Billado, Animal Control Officer; Andy Larocque; Bill & Judy Cheney; Bob Lafar; Bernie, Heather, and Ann Cota; Amy Brewer, NMC; Chief Leonard Stell, SVPD; Peter Cross & Patrick Cross, Cross Consulting Engineers; Zach Scheffler, Ch. 16.

A. Call to Order

Mr. Lavoie called the meeting to order at 7:00 p.m. This meeting would include a joint meeting with the Village Trustees.

B. Pledge of Allegiance

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

C. Agenda Review

Mr. Billado added (C) Building Repairs under "Old Business," and (A) Roy's Trailer Park under "Any Other Necessary Business." Mr. Lavoie added (D) Electronic Sign for Swanton Park under "Old Business." They moved (4) Law Enforcement after Item 2.

D. Meeting Topics

1. Minutes

a) May 17, 2016 SLB Regular Meeting

b) May 23, 2016 SLB Special Meeting

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

2. Public Comments

None.

3. Law Enforcement

a) Swanton Police Monthly Report

Chief Stell came forward to present the report for May 2016. There had been a total of 57 incidents, with nine traffic warnings and twelve traffic citations, for a total of \$2265. There had been more calls in the evenings.

Mr. Billado said that the extra detail on Tabor Road had gone very well. The Town contracted with Swanton Police Department for 56 hours a week, but the department offered extra hours during the daytime as needed. The 5 p.m. to 1 a.m. schedule seemed to be working well, and Chief Stell said that the extra hour of daylight gave the department more visibility in the town.

Chief Stell presented a draft of the weight ordinance. The board had asked Chief Stell to help construct an ordinance for overweight trucks, and he had consulted with the Agency of Transportation, the Department of Motor Vehicles. He had considered some exemptions, as well as roads that had to be 80,000 lbs. At the end of the ordinance, the penalty section highlighted VT Title 23, Section 1301 to 1408. The board would take the draft ordinance home and read it, to discuss at the next meeting. Mr. Billado identified the ordinance as “above and beyond” the department’s work for the town.

4. Old Business

a) Joint Meeting Between Selectboard & Trustees (Public Hearing)

i. Sidewalk Scoping Project Presentation by Cross Engineering

- ***South River Street Sidewalk***

Mr. Leach opened up the Village Trustee hearing at 7:10 p.m. Peter Cross of Cross Consulting Engineers came forward and presented images detailing the proposed sidewalks. The first area was along South River Street, from Route 78 to the Historical Museum and bridge; the second area was along First Street, from McDonalds to Missisquoi Valley Union high school.

The purpose of this scoping study was to look at options, come up with cost estimates, prepare timeline for completion of the project. As part of the study, this was the second hearing, an alternatives meeting to take public input and allow the boards to vote on the preferred alternative.

Mr. Cross showed the details for South River Street first. One alternative was to put the sidewalk on the west side of the street (house side), the second was to put the sidewalk on the east side of the street (river side), and the third was to widen the road on both sides by about four feet to create a “shared use path,” which was really a striped portion of the road for use by pedestrians and bicyclists, rather than a set-apart sidewalk.

The sidewalks would be approximately 5 feet off the pavement, and drainage could be dealt with by the installation of a French drain: “We don’t want the street water going across the sidewalk and causing icy conditions.”

Mr. Cross showed the positions of the proposed crosswalks and sidewalks. On the western side, there would be some conflicts with utilities or trees, and some of the houses were very close to the road right-of-way. The main obstacles on the eastern side were tree roots, the steep embankment to the river, and some mailboxes. The board would have to consider the purpose of the sidewalk, and who it was meant to serve. Were they the users of the pedestrian path who would be crossing the river in a loop? Or were they the residents along the street?

The University of Vermont was doing a “desktop” research study to consider the known archeological areas in Swanton. They did not feel that the east side was archeologically sensitive, but felt that the entire western side was archeologically sensitive, which would require additional studies, including digging and searching for artifacts.

Mr. Lavoie asked how the steepness of the bank would impact the sidewalk versus widening options. Mr. Cross said that the widening option would not go as far to the top of the bank as the sidewalk would, since the sidewalk included a strip of greenspace.

Mr. Leach asked about the possibility of a river walk overlooking the river. Mr. Cross said that was not within the scope of the study, but the issues that came to mind would be access to the river, floodplain, and disable accessibility.

Mr. Paxman asked if the crosswalks would be in place with the widening of the road; Mr. Cross said they would. Mr. Labombard asked whether a sidewalk or a widening would be safer. Mr. Cross replied that the sidewalk would be safer, because of the greenbelt and the further distance from the road.

Neal Speer, a landowner along South River Street, spoke for at least four landowners in the area. He applauded the work done by Cross Consulting Engineers. He said that most of the pedestrians along the road were the walkers and bikers who went along the east side of the street to use the rail trail. He thought that there would be a “war” if a sidewalk was installed on the western side of the road, and he felt that the archaeological check would be a “disaster.” Every utility pole would have to be moved and there would need to be some fill to get the sidewalk width. Realistically, he felt that the best choice would be an east side sidewalk, with an alternative to widen the street.

Bernie Cota said that his concern with widening the road on the east side was making the bank too steep to access the river. Mr. Cross said that the fill required to build on the east side would extend into private property, requiring the acquirement of “slope rights.”

Judy Cheney said she was 100% against the sidewalk and wanted it left just the way it was. “It would be 16 feet from my house to the sidewalk... People will be touching the house to walk by there.” She felt it would invade privacy to have the sidewalk on the west side. She could not see the sidewalk on the river side, because of the disturbance to the embankment. “Leave it as it is. It is country. It’s out of the Village, so why is there a need for this?” She felt installing a sidewalk would create a lot of unnecessary work.

Mr. Cota asked who would maintain the sidewalk in the winter; would that be the property owners? Mr. Lavoie said that would be considered by the board.

Mr. Lavoie stated that the recreational Rail Trail was being used increasingly, which made the idea of a “total loop” of trail/sidewalk attractive, especially in terms of pedestrian safety. He affirmed that the board was considering all viewpoints.

He stated that Alice Johnson of 30 South River Street had submitted a letter, since she could not be present at the hearing. She did not see a “clear need to spend this amount of money for a short length of sidewalk.” She suggested increasing safety by lowering the speed limit and adding more signs at a lower, more visible level. If a sidewalk was considered necessary, she recommended installing a sidewalk on the eastern (river) side. She was concerned about mail delivery, snow removal, and littering by pedestrians. She did not see a sidewalk as a high need, “especially considering the trade-off that people living here would get.”

Bill Cheney said that 20 years ago, he wanted to move his house back from the road and was required to build back on the same foundation. “That Rail Trail created this.” The Rail Trail was “great,” but he felt that there were not enough walkers to justify a sidewalk along this road. “I think our money could be spent wisely somewhere else.” He mentioned that some areas that could use greater attention would be drainage in the Village and surrounding areas.

Amy Brewer, of Northwestern Medical Center, representing Betsy Fournier and other citizens, said that the option on the river side allowed for pedestrians not to have to cross the street to get to the village. That would be better for pedestrians with young children. Also, the connectivity throughout the village helped young families and other pedestrians to allow access by Rail Trail, to walk instead of driving.

Andy Larocque said that the construction of the Rail Trail from St. Johnsbury would increase traffic along the Rail Trail, especially cyclists.

Judy Cheney said that she was concerned about the pedestrians and cyclists on the narrow sidewalk of the Village bridge (not the foot bridge). More sidewalks would encourage more traffic along that bridge, which she felt was unsafe.

Mr. Speer said that “this was a safety factor,” and suggested that a compromise would be to widen the east side, because there were a number of pedestrians, even at night (especially kids). If something was done on the river side, would that require permits from the state? Mr. Cross replied that the shoreline protection rules exempted municipalities. The Agency

of Natural Resources had some rules to protect stream banks, but they would have to ensure that there would not be erosion.

Mr. Billado said that he appreciated the public input. Richard Thompson said that there were 100 people using that Rail Trail and he felt that sidewalks were a safety issue. However, it was also a cost issue and a quality of life issue. He was leaning toward widening the road.

Mr. Lavoie suggested creating a visible widening of the road only on the east side. His main concern was: "What is it going to take for only one person to get hit?"

Mr. Leach suggested a path on the other side of the river, near the two municipal parking lots, from the parking lot by the VFW, follow the river, and get up to the end of the bridge. Mr. Billado said that there was no right-of-way for the town or village there, so property would have to be purchased.

Shelley Martin said that safety was a big issue on Route 78 and suggested moving on to that item.

Mr. Cross said that widening the street would be shared by pedestrians or bicyclists. Cyclists meeting each other required 8 to 10 feet, and VTrans would probably recommend widening on both sides of the street.

Harold Garrett said that the area involved "heavy truck traffic." If you widened that road 4 feet, "you've just created a death trap."

- ***Route 78 Sidewalk***

Mr. Cross identified the three options for Route 78.

- 1) A sidewalk on the north side
- 2) A sidewalk on the south side
- 3) An option of cutting across the lots near the water line to access MVU

Mr. Cross said that the sidewalk on the north side was outside of the right-of-way and would go through a wetland between Interstate 89 and Maplefields, which would require right-of-way acquisition. There were also wetlands between the on-ramp and Frontage Road. This would require a crosswalk across an off-ramp and an on-ramp. The sidewalk would most likely need to be installed between the interstate abutments and the road.

A sidewalk on the south side would require a crosswalk in a high-traffic area. This would require a crosswalk across an on-ramp and an off-ramp. It would involve some wetlands near On-the-Run station.

In terms of Option 3, there was an easement for the water line across Brian Rowell's property. Mr. Cross pointed out two cross-sections. Between McDonald's and Frontage Road, he allowed 8 feet for ditches, with a 4- or 5-foot sidewalk. That would require acquiring some right-of-way. Once past Frontage Line, the highway narrowed, with more room for ditching without acquiring right-of-way.

Either the north or the south side after Frontage Road and Lafar Street, the sidewalk would be within the right-of-way, continuing past Waugh Farm Road and to the town garage. He would recommend taking the sidewalk straight through the garage driveways. There would be minor issues with tree roots—a few trees on the north would have to go—and some trees or poles would need to be relocated on the south side. He recommended putting a sidewalk along the north side, since that was the area most trafficked by pedestrians and was on the same side of MVU.

On option 3, the road could be taken to the back access road that goes to MVU. However, that would go across private property. If the northern sidewalk was considered, MVU could continue the sidewalk up to the school.

June Charbonneau agreed that the road needed a sidewalk for safety reasons, but they used the sewer and water road along Rowell's land anyway.

Shelley Martin said that the traffic was very fast and the kids were "kids." It was very dangerous.

Mr. Paxman asked about putting traffic lights at the bottom of the off-ramps of the interstate. Mr. Cross said that there were signal warrants that were evaluated in a traffic study to determine if the traffic signals were warranted. They were not often warranted for pedestrian purposes, but were sometimes considered in the cases of special safety considerations. Mr. Paxman encouraged doing a traffic study.

Mr. Billado said that, according to Jim Cota, the state sometimes installed things to slow people down. Mr. Cross explained that it was called "traffic combing," with items like islands.

Bill Cheney suggested a pedestrian bridge over the interstate.

Alice Johnson supported a Route 78 sidewalk.

Mr. Joel Clark was in favor of the north side, not in favor of sidewalk on the south side or going through the woods to the school. He recommended staying on the west side on South River Street because it would be "too costly" to put on the east side.

Judy Cheney supported a sidewalk on the same side of McDonald's and MVU. Traffic was heavy and rushed, especially coming off the off-ramp of the south side.

Mr. Cross added that the archeological issues were very minor, with only one potential site near Waugh Farm Road.

Andy Larocque asked about the width of the green space near MVU and his house. Mr. Cross said it would be roughly 13 to 14 feet to make room for the ditch to get proper drainage. The ditch had to stay along Route 78. The sidewalk was still in the right-of-way, 33 feet from the center.

Mr. Lavoie said that no decision would be made tonight. Mr. Cross said there would be a public presentation at the end of the study. The boards could vote on their preferred alternative at any time now. Mr. Jescavage said that there was a full set of plans in his office that would show the same images that Mr. Cross had presented tonight. Mr. Speer said that there was a set of prints at the Village office too.

Mr. Lavoie closed the joint meeting for the sidewalks.

b) Electric Sign on Village Green

Mr. Clark had received some opposition to this sign. He needed input from both the Selectboard and the Village Trustees, since a vendor was coming on June 24th with a sign for him to consider. Mr. Labombard said that voters had denied a suggestion of that type a few years ago. Mr. Lavoie said that the funding would come from grant money and the economic development fund. Mr. Labombard would personally like to see a sign, but did not know if the voters voted down the sign because of the cost or because they did not want a sign.

Mr. Leach said the item considered had been for a kiosk, not a sign. They wanted control over the area, which was the perfect place for local news announcements. An ordinance should clarify what could be posted there, and have no other signs or banners. Mr. Lavoie felt a digital sign would be useful in bringing awareness and sparking interest in town affairs. He agreed that enforcement would be important.

Mr. Billado summed up that this would be no cost to the taxpayers. The trustees were in favor of the sign, so long as it was not distracting. Mr. Clark had said that there would be two brick pillars on either side, with the sign between them. Mr. Paxman said that the location made sense (at the end of First Street in the Village green).

Mr. Paxman made a motion, seconded by Mr. Labombard, to close the Village Trustee meeting at 8:42 p.m. Motion carried.

c) Building Repairs

Mr. Billado said that the Town Office repairs needed to move forward. He said that he wished to consider repairs to the exterior windowsills, exterior bricks, and the roof.

He jumped to number 7(A) "Paving Bids."

d) Discuss RR Museum Shingles Quotes

The Selectboard considered the quotes. Mr. Jescavage had met with Mr. Ricky Gabree (who had the lowest price overall) and Mr. Gary Smith on site. The board discussed the various options in the bids from Ricky Gabree, Gary Smith, and Vaillancourt Property Management, Inc. Mr. Lavoie asked if they were all insured; Mr. Jescavage said that he would ask for proof of insurance when a bid was awarded. Mr. Jescavage added that Glen Vaillancourt had offered to inspect the Town Offices roof for \$250.

The apparent low bidder was Ricky Gabree. Mr. Lavoie and Mr. Guilmette knew the roofers and affirmed that all three did quality work. Mr. Guilmette made a motion, seconded by Mr. Raleigh, to accept the bid of Ricky Gabree to repair the railroad museum roof on the south side by stripping and replacing with 30-year shingles, with cleaning and removal included in the price, for a price of \$4675, contingent on proof of liability insurance and workman's comp insurance. Motion carried.

Mr. Billado made a motion, seconded by Mr. Guilmette, for Mr. Vaillancourt to submit an inspection report for the Town Offices building. Motion carried.

5. Community Development – None.

6. Economic Development – None.

7. Highway Department

a) Open Paving Bids

The board read bids from ECI, Whitcomb Cons. Corp., and Pike Industries. In general, they awarded based on price per ton. ECI was at \$62.40, Whitcomb was at \$58.65, and Pike was at \$54.90.

Mr. Lafar said he figured Lakewood Drive at 2.2 miles, so he had additional tonnage in his bid, based on price per ton.

Mr. Billado made a motion, seconded by Mr. Raleigh, to contract with Pike Industries at \$54.90 per ton. Discussion: Mr. Billado said that the Town had always gone with Pike Industries and had a good relationship with them. The Town had chosen to go with another company last year, and thanked Pike Industries for "sharpening his pencil" in this bid. Mr. Guilmette said he appreciated that Mr. Lafar was present and came out every year. Mr. Lavoie said that there would continue to be discussions with Mr. Lafar about the exact nature of the work. Discussion concluded. Motion carried.

b) Request for Town to Pave Area Where Water Leak Repair Took Place on Covey Drive

Mr. Bob Chevalier had spoken with Mr. Jescavage about the repaired leak on Covey Drive. Years ago, the repair had been done entirely on private property, across the road, and the town had patched over the repaired area, unbeknownst to the Selectboard. In an e-mail, Joel Clark said, "I do not see the paving repair as our responsibility." Mr. Garrett said that

anyone who cut the road had to maintain it for one year. Mr. Billado summed up that, under the new policy, anyone who did work in the town right-of-way should put the road back the way it was. Mr. Lavoie wanted to table this item to give Bob Chevalier a chance to speak with the board directly about the matter. The board agreed.

Mr. Garrett said that the repair was supposed to be supervised by the town, but it was not, so he did not know what was in the road.

Mr. Raleigh made a motion, seconded by Mr. Guilmette, to table the item to the next meeting. Motion carried.

c) Street Updates

Mr. Garrett stated that the road crew was still working on Tabor Road, which was two-thirds done.

d) Other Updates

The truck was up to Britch & Sons and would be welded tonight.

The two new road crewmen were adjusting well, but needed new steel-toed shoes. Brian Thompson was still on light duty, though he was able to do some mowing.

Via e-mail, Mr. Clark recommended getting the intersection mowing done soon. Mr. Lavoie asked Mr. Jescavage to find out Brian Thompson's next doctor appointment for his final release.

Joel Clark would prepare letters for both residents on Hog Island regarding the drainage issues in their area.

8. Correspondence

Mr. Jescavage presented a letter from Efficiency Vermont, asking if the town wanted to enter an agreement to replace all street lights with LED lights. The Selectboard said they had already done that last year.

Mr. Jescavage said that kids on ATVs were driving along the Rail Trail at night.

9. Any Other Necessary Business

a) Roy's Trailer Park

Mr. Billado noted that Champlain Housing had taken over Roy's Trailer Park, and the Town had supported them in acquiring a grant to get the park. He asked the board to ride through the trailer park now and consider the management. He detailed several areas in which the park was not being maintained. Chief Stell recalled that Champlain Housing's initial plans had detailed several things that had not yet been done.

10. Public Comments (Reprise) – None.

11. Upcoming Events

- a) Wednesday, June 15, 2016 @ 7 p.m. Planning Commission, 1 Academy Street, Swanton, VT**
- b) TBD, Swanton Brownfields Revitalization Meeting @ Town Offices**
- c) Tuesday, June 21, 2016 Next SLB Meeting @ 7 p.m. @ Town Offices, 1 Academy Street, Swanton, VT**
- d) Thursday, June 23, 2016 Next DRB Meeting @ 7 p.m. @ Town Offices, 1 Academy Street, Swanton, VT**

12. Executive Session

Not needed.

E. Adjournment

Mr. Billado made a motion, seconded by Mr. Guilmette, to adjourn at 9:35 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date