

**MINUTES
TOWN OF SWANTON
SELECTBOARD SPECIAL MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, October 18, 2016 @ 6:00 p.m.**

Present: Joel Clark, Selectboard Chair; Dan Billado, Jeffrey Raleigh, James Guilmette, Selectmen; Cathy Fournier, Town Clerk; Tanya Dufresne, Assistant Town Clerk; David Jescavage, Town Administrator; Darlene Marrier, Zoning Administrator; Kevin Lapan, Road Crew; Brian Thompson; Yaasha Wheeler, Secretary; Heather Buczkowski, Ch. 16.

A. Call to Order

Mr. Clark called the meeting to order at 6:00 p.m.

B. Pledge of Allegiance

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

C. Agenda Review

Mr. Clark added Swanton Wind Pre-Hearing Conference, Monday, October 24th at 4:30 p.m. to add under Old Business. He also wished to discuss sidewalks and part-time highway employee under Highway, and to have an executive session for legal, real estate, and personnel matters.

D. Meeting Topics:

1. Minutes

- a) October 4, 2016 SLB Special Finance Meeting**
- b) October 4, 2016 SLB Regular Meeting**

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

2. Public Comments

None.

3. Animal Control

- a) SW Animal Control Officer Report**

Postponed until later in the meeting.

4. Old Business

- a) Discuss Proposed Changes to the Town's Personnel Policy with Town Staff**

There were no questions from the employees as yet, and they had already looked over the new policy. Mr. Billado highlighted the changes as follows (additions underlined):

- 1.9 (G) - [Medical information] will be kept confidential in compliance with the Americans with Disabilities Act, the Health Insurance Portability and Accountability Act, and other state and federal requirements.
- 3.4 (B) - Eligible employees shall be compensated at the rate of time and one half of their basic rate of pay for hours worked over ~~eight (8) hours per day and/or~~ forty (4) hours per week.
- 3.4 (E) – All full-time Town employees who are called in to work between twelve midnight (12:00 a.m.) to five a.m. (5:00 a.m.) will be entitled to one-half hour of

paid time off on the same day for every hour worked during the above-mentioned time period. The paid rest time is granted subject to the supervisor's appeal. This provision does not apply to work schedules altered prior to the work day.

- 3.8 (A) – Funeral leave of not more than ~~three~~ five working days or longer at the discretion of the Selectboard, without loss of pay shall be granted to a full-time employee, with the approval of the Selectboard, for the death of one of the following in the family of any employee: wife or husband, civil union partner, father, mother, brother, sister, son, daughter, parents-in-law, grandparents, grandchildren; domestic partner, domestic partner's parents, children, grandchildren, and grandparents.
- 3.8 (B) – A maximum of one working day ~~four (4) hours~~ of funeral leave may be granted to an employee, for the death of a non/non-immediate family member, with the approval of their supervisor or Selectboard provided he/she can be spared from their work duties.
- 4.1 (B) – All vacation taken will be in the current year that it is earned with the exception of 40 hours ~~five (5) days~~ which will be allowed to carry over to the following year. The Town of Swanton will provide part-time employees to fill in for planned vacations if required. Any accrued vacation in excess of earning and a five day carry over not used by ~~April~~ June 1 of each year will be forfeited. ~~Vacation days are to be taken in increments of not less than 4 hour periods.~~
- 4.3 Flex Time Reserved – ~~All employees will be allowed to modify their schedule arrival/departure times as business needs allow while ensuring an eight (8) hour work day. (i.e. Planned arrival or call in at 5:00 a.m. employee may depart after completing eight (8) work hours).~~
- 4.5 Personal Time (A) – The Town of Swanton does not provide paid personal time off. If an employee has used all of their compensatory time or paid vacation and requires time off, the ~~Town of Swanton~~ Selectboard may, at its option, grant time off without pay.
- 4.7 (B) – ~~Full time~~ employees who are excused from work on a designated holiday shall be paid a holiday allowance of one working day ~~eight hours~~ at their regular rate of pay. All full-time employees who are on duty during a designated holiday will receive the normal holiday allowance of one working day ~~eight hours~~ at their regular rate of pay plus time and one half of their regular rate of pay for hours actually worked.
- 4.11 Highway Department – Summer Work Hours – Highway Department regular work hours are Monday through Friday, 7:00 a.m. to 3:00 p.m. Highway Department employees ~~may work~~ summer work hours are from May 1 to October 1. Summer work hours are Monday through Thursday, 6:30 a.m. to 4:30 p.m. Summer work hours are subject to ~~annual~~ review by the Selectboard.
- 5.3 Disciplinary Action – Disciplinary Action will generally take, but is not limited to, one or more of the following eight forms and may be used in any order, up to and including dismissal, at the sole discretion of the Selectboard or Town Clerk:
 1. Verbal Warning and Documentation
 2. Written Warning & Performance Improvement Action Plan
 3. ~~Verbal Reprimand~~
 4. ~~Written Reprimand~~
 5. ~~Warning/Probation~~
 6. Suspension with pay
 7. ~~Suspension without pay~~
 8. ~~Demotion or transfer~~
 9. Dismissal

This list is given by way of example only, and is not exhaustive. ~~Other~~ conduct, behavior, and performance problems may be the subject of disciplinary action and will be documented.

- 5.4 – Grievance Procedure – The Town of Swanton, ~~Inc.~~ shall provide the opportunity for municipal employees to discuss grievances concerning the application and interpretation of the provisions of this personnel manual.
- Article IV – Workplace Safety – A(3) – All town highway personnel, town employees and elected or appointed officials are required to wear ~~a fluorescent vest~~ high visibility shirts and hard hats while performing traffic control or while out of a town vehicle while working in the highway right-of-way or on a site visit

per OSHA regulations 1926.651 (d). No town employee will perform traffic control for more than four (4) consecutive hours.

- Appendix D – Other Areas – Employees will refrain from smoking when in Town of Swanton ~~vehicles with nonsmokers~~ property and Town equipment.

Mr. Billado recalled that coming in early to plow for a snowstorm, the road crew had punched in for call-in time, but he considered those more like flex time. Call-in was more for emergency situations like clearing away a fallen tree.

Mr. Billado asked that part-time employees, in addition to full-time employees, should be allowed five full days of work, like the full-time employees, because of a death. Mr. Thompson asked about the definition of immediate family member (aunts, uncles, etc.).

Vacation carryover: Mr. Clark suggested that five days shall be corrected to 40 hours.

The Selectboard thanked the employees for all they did for the Town of Swanton and Mr. Billado reminded that the employees were welcome to discuss anything they wanted to with the Selectboard.

Mr. Billado made a motion, seconded by Mr. Guilmette, to approve the amendments to the Personnel Policy, dated October 18, 2016.

6. Expenditures

a) General Orders (September 21, 2016 – October 18, 2016)

Mr. Billado made a motion, seconded by Mr. Guilmette, to approve the General Orders as printed. Motion carried.

b) Highway Orders (September 21, 2016 – October 18, 2016)

Mr. Raleigh made a motion, seconded by Mr. Guilmette, to approve the Highway Orders as printed. Discussion: Mr. Billado asked if more salt would be bought and Mr. Lapan replied that the road crew would have to get more salt. A few trees had been cut down as well. Motion carried.

c) Payroll Orders (September 21, 2016 – October 18, 2016)

Mr. Guilmette made a motion, seconded by Mr. Billado, to approve the Payroll Orders as printed. Motion carried.

4. Old Business

b) 4th Street Real Estate Update

This would be discussed in executive session.

c) Town Roof Repairs Update

Mr. Guilmette had completed work on the roof this past Sunday, and had replaced the ridge cap. “Definitely a good thing we did it when we did, because there were some serious rust problems up there.” He checked the roof over and the calking of the chimney was “good and tight” and the roof should now be “water-tight.” He recommended painting the soffits next year. Mr. Clark reminded that the depot roof might need to be double-checked in the next few years.

d) Swanton Wind Application for Certificate of Public Good before the PSB

The pre-hearing conference had been moved to Monday the 24th at 2:30 p.m. Mr. Clark planned to go; some of the other Selectmen might be able to attend as well.

e) Electronic Sign for Village Green

Mr. Clark had received a reply from the state, which listed the interval between messages as 15 minutes, messages about civic events had to be displayed only up to two weeks before the event, had to be erected outside of the state right-of-way. The board noted that the signs by Highgate, Essex High School, BFA, and Milton changed more often than 15 minutes. However, they felt comfortable with the sign as approved; Mr. Clark would order one.

5. Community & Economic Development

a) Economic Development Coordinator Update

Mr. Jescavage had posted the position advertisement in multiple places online and in the local paper, and had received a call from a person interested in the position. He had explained to her the process that would be involved, and the Selectboard agreed with Mr. Jescavage that the candidates would be interviewed by a special committee.

7. Highway Department

a) Paving Projects & Street Updates

Mr. Garrett arrived at 6:38 p.m. He stated that paving was within the budget and had been finished. Mr. Clark said that part of the stormwater permitting for the Robin Hood Drive extension had been changed because adding the sidewalks changed the calculations for impervious surface. Mr. Clark would be working on that with the consultant. Mr. Garrett reported that the “boys have been working extremely hard” and getting ready to pour the sidewalks. There had been concerns over striping on Tabor Road, because Scott’s was too busy to do the striping. The board mentioned some local options for striping. The Mac truck needed new tires and repaired suspension in the back.

Mr. Garrett wanted to cut shoulders on the Pond Road under the grant. The truckers were asking when the bypass through Robin Hood would be done, and Mr. Garrett said that it had to be done by August 2017.

b) Other Updates

None.

c) Part-time Employee

Mr. Clark and Mr. Garrett would talk to the part-time employee, who would get laid off during the winter but who might be able to cover for one of the full-time employees who would be gone for two weeks. Mr. Garrett would remind the part-time employee of the approaching lay-off, which would occur sometime the first week of November (he would speak with the employee about the best day).

The Selectboard talked about the required response time to call-ins and agreed that they could discuss the matter. Mr. Billado summarized: “It should be as soon as safely possible.”

3. Animal Control

a) SW Animal Control Officer Report

Mr. Derick Billado arrived at 6:38 p.m. Mr. Billado said that September 2016 had been “pretty quiet,” with just a few barking, loose, or missing dogs. Owners were still coming in to register their dogs. He reminded that this marked his second year and he was “having a good time with it.” He had not gotten a new chip reader from the Franklin County Animal Rescue.

8. Correspondence

None.

10. Any Other Necessary Business

None.

11. Public Comments (Reprise)

None.

12. Upcoming Events

- a) **Wednesday, October 19, 2016, PC Meeting @ 7 p.m. in Town Offices, 1 Academy Street**
- b) **Thursday, October 27, 2016, DRB Meeting @ 7 p.m. in Town Offices, 1 Academy Street**
- c) **Saturday, October 29, 2016 from 5:30 p.m. to 7:30 p.m. Swantoween in the Village Park & Town Library**
- d) **Tuesday, November 1, 2016, next SLB Meeting @ 7 pm in Town Offices, 1 Academy Street**
- e) **Wednesday, November 2, 2016, PC Meeting & Public Hearing on Proposed Revisions to Municipal Plan @ 7 p.m. in Village Office**
- f) **Friday, November 11, 2016, Veterans Day Holiday, Town Offices Closed**

13. Executive Session (if needed)

Mr. Clark reminded that part of the Swanton Wing updated was an attorney-client privilege, and the personnel and real estate issues. Mr. Guilmette made a motion, seconded by Mr. Raleigh, to enter executive session at 7:00 p.m. Motion carried.

Mr. Guilmette made a motion, seconded by Mr. Raleigh, to exit executive session at 7:59 p.m. Motion carried.

No action taken.

E. Adjournment

Mr. Billado made a motion, seconded by Mr. Guilmette, to adjourn at 8:00 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date