

TOWN OF SWANTON
DRAFT MINUTES
SELECTBOARD MEETING
Swanton Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, June 20, 2017 @ 7:00 p.m.

Present: Joel Clark, Chair; James Guilmette, Vice Chair; John Lavoie, Daniel Billado, Jeffery Raleigh, Members; Cathy Fournier, Town Clerk, David Jescavage, Town Administrator, Harold Garrett, Highway Foreman; Elisabeth Nance, Economic Development Coordinator/Administrative Assistant; Heather Buczkowski, Videographer; Rose Johnson; Roberta Garey; Leo Brace; Jim Pratt

A. Call to Order – Chair Clark called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance – Chair Clark led those present in the Pledge of Allegiance.

C. Agenda Review

1. Public Comments – Mr. Jescavage noted that in the audience were members of the public who wished to make public comments
2. New Business – Mr. Jescavage informed the Selectboard that the petition for kindergarten early entry was no longer before the Selectboard
3. Mr. Jescavage informed the Selectboard that Economic Development Orders have been added under Expenditures as requested by Cathy Fournier
4. Correspondence – Mr. Jescavage informed the Selectboard that an announcement on the swans in the park had been added
5. Executive Session – Mr. Jescavage noted that the Selectboard would be addressing personnel, real estate, contract, and legal matters in Executive Session.

D. Meeting Topics:

1. June 6, 2017 Selectboard regular meeting minutes. Mr. Guilmette made a motion, seconded by Mr. Lavoie, to approve the June 6, 2017 Selectboard minutes as written. Motion carried.
2. Public Comments

Rose Johnson, a resident of Sunset Terrace Estates, came before the Selectboard regarding a dog issue that has been going on for about 1 ½ years. Ms. Johnson states that this situation arose when a neighbor's dog, a Shar-Pei, bit her son and bit their dog. At the time of the original incident Ms. Johnson opted to deal with this between herself and her neighbor. Ms. Johnson states that her dog was bit a second time, this time on the neck, and it was at this

point that Ms. Johnson contacted ACO Billado who Ms. Johnson believes conducted a minimal investigation into that incident.

Ms. Johnson is before the Selectboard now because she believes the neighbor's dog is allowed to come too close to the road, noting that he is on a tether tied to a lilac tree, and that he is threatening to passersby. Ms. Johnson and Ms. Garey, another resident of the park, are both disinclined to walk by the neighbor's property but Ms. Johnson's son needs exercise and this route is the only one available to him.

ACO Billado informed the Selectboard that there was insufficient evidence to back up Ms. Johnson's assertions that her son and the family dog had been bitten. While ACO Billado noted drool on the dog at the time of the second incident he did not note any blood or other evidence of the dog having been bitten. Both parties agree that no one sought medical or veterinary attention at the time of either incident. ACO Billado stated that he cannot impound a dog without evidence and that the owner of the dog in question has complied with local ordinances and with requests made of him by Animal Control.

There is disagreement about what dog was involved in the original incident. Ms. Johnson stated it was the Shar-Pei while ACO Billado stated the dog was a husky that is no longer on the property. ACO Billado further stated that the Shar-Pei has not displayed any aggressive behavior toward him or other dogs in his presence.

Mr. Guilmette, as ACO Billado's supervisor, stated that he is well aware of this situation but he is unsure what else the Selectboard can do given that the owner of the dog in question is in compliance. The dog is vaccinated, licensed, and confined on the owner's property.

Mr. Billado, as Health Officer, stated that he has been involved as well and reiterated Mr. Guilmette's position.

Ms. Johnson took issue with some of the language used by ACO Billado and the Selectboard, specifically using "alleged" to describe the incidents, and believes the Selectboard is suggesting that she is not telling the truth. Chair Clark stated that because there were no charges filed the term was appropriate and that no one was insinuating that Ms. Johnson was not telling the truth.

When asked if he had anything to add, Mr. Brace stated that he has never known Ms. Johnson to lie.

Mr. Lavoie asked if the dog owner could be asked to shorten the tether. ACO Billado is concerned that this will lead to others asking for the same consideration. Mr. Guilmette stated that he has been in touch with Champlain Housing Trust to ask if the dog owner would tether the dog in the backyard.

ACO Billado stated that calls from Ms. Johnson now will come to the Town Office and/or to Mr. Guilmette.

3. Animal Control – Swanton Animal Control Officer Report

ACO Billado provided his written monthly report. It was a “very busy month.” He has been registering dogs, including 15 at one address. ACO Billado also reported that he has impounded a couple of dogs for bites.

Chair Clark asked to hear some of a voicemail from Ms. Johnson; ACO Billado played part of one recording.

4. New Business

a) Discuss Travis Pratt’s Petition for Kindergarten Early Entry – Mr. Pratt did not need to come before the Selectboard.

5. Old Business

a) Review New 5-Year Plan – Mr. Jescavage asked if anyone had anything to add now or if they wanted to consider it homework.

6. Community & Economic Development

a) EDC Progress Update – Ms. Nance provided the Selectboard with a bulleted list to what she has been working on since the last meeting, including information from the Downtown and Historic Preservation Conference and the Smart Growth Workshop.

Ms. Nance also updated the Selectboard on the passage of S. 135 and suggested it might be worth having someone familiar with TIF to come and speak with Town and Village officials to see if this was something Swanton wanted to pursue.

Mr. Billado expressed concern that, with this position being for one year Ms. Nance needs to provide some results, with an emphasis in the Southern Growth District moving forward on water and sewer without waiting on St. Albans.

Chair Clark suggested working with the Planning Commission and the Development Review Board on any zoning issues. Ms. Nance informed the Selectboard that she will be on the agenda for June’s Planning Commission meeting to begin a dialogue about zoning as it pertains to economic development.

7. Expenditures

a) General Orders – Mr. Lavoie made a motion, seconded by Mr. Raleigh, to approve the General Orders of May 17, 2017 through June 20, 2017 as written. There was a discussion about the calendar year versus fiscal year, and the municipal tax year versus the education tax year. Motion carried.

b) Highway Orders – Mr. Billado made a motion, seconded by Mr. Guilmette, to approve the Highway Orders of May 17, 2017 through June 20, 2017 as written. Mr. Guilmette asked about the Northwest Medical payout; Ms. Fournier stated that it was for a pulled groin. Motion carried.

- c) Economic Development order - Mr. Guilmette made a motion, seconded by Mr. Raleigh, to approve the Economic Development Orders of May 17, 2017 through June 20, 2017 as written. Motion carried.
- d) Payroll – Mr. Raleigh made a motion, seconded by Mr. Lavoie, to approve the Payroll Orders of May 17, 2017 through June 20, 2017 as written. Motion carried.

8. Highway Department

- a) Sweet Hollow Road Project Update – Mr. Garrett reported that this project has been completed and Mr. Jescavage stated that the closeout paperwork will go out tomorrow. The Town spent \$5,500 of the \$10,000 on materials so the remaining \$4,500 comes back as labor.
- b) Sand Shed Concrete Work Update – Mr. Garrett reported that the back side is done; the front and sides were poured on Tuesday. Mr. Garrett confirmed the whole site has been barricaded.
- c) Other Updates – Mr. Garrett updated the Selectboard on Middle Rd where the shoulders have been cut. Janes Rd. is next but finding stone is difficult; Mr. Garrett fielded several suggestions for possible suppliers.

Mr. Garrett was informed that the parts for the tractor are available for pick-up.

There was discussion about mowing particularly at intersections; the Town received some complaints that the grass and weeds had gotten high enough to hinder visibility. Chair Clark stated that while he is sympathetic to these issues, the Highway Department and Road Commissioner have priorities, and that mowing efforts were hampered by the broken mower and the resignation of a Highway Department employee.

Mr. Lavoie stated that he believes the Town should look to hire flaggers so that the Highway personnel can concentrate on the work they need to be doing.

Mr. Lavoie informed the Selectboard that he met with the Highway Department to let them know that they have the support of the Selectboard and to foster communication. He believes the Monday morning meetings serve a valuable service.

- d) Review Highway Maintenance Operator Applicants – Mr. Jescavage reports that there are eight applications at this time that the Selectboard will review in Executive Session

9. Correspondence – Mr. Jescavage shared an email communication from Suzanne Washburn regarding the permit to house swans in the park. The swans will be delivered on Friday, June 23, 2017.

10. Any Other Necessary Business – Chair Clark notified the Selectboard that last week’s DRB meeting was Lucie Hill’s last meeting after 20+ years. Chair Clark mentioned for the record that Ms. Hill is his sister-in-law but that anyone who served for that length of time deserved recognition. Mr. Jescavage will draft a resolution and purchase a clock with a plaque.

Mr. Garrett informed the Selectboard that the Northwest Regional Planning Commission (NRPC) was awarded \$2.3 million in municipal pilot project funding. There is a 20% in-kind match and the work needs to be done by June 30, 2018. The NRPC was requesting all municipalities sign the letter of interest, which does not require a town to apply; not signing the letter however precludes participation in the program. The Selectboard signed the paperwork and Mr. Jescavage will forward to Catherine Dimitruk at the NRPC.

11. Public Comments (Reprise) - None

12. Upcoming Events

- a) Wednesday, June 21, 2017 @ 7 p.m., Planning Commission meeting, Town Offices, 1 Academy Street
- b) Tuesday, July 4, 2017, Independence Day, Town Offices closed
- c) Wednesday, July 5, 2017 @ 7 p.m., next Selectboard meeting, Town Offices, 1 Academy Street
- d) Thursday, July 20, 2017 @ 7 p.m., Northern Gateway Area Wide Plan – next steps public presentation, Village Complex, 120 First Street
- e) Mr. Raleigh reported that the Rec Department is putting on an all-star league tournament from June 21 through July 17. Anyone wanting any information can call Mr. Raleigh.

13. Executive Session (personnel/real estate/contract/legal) – Mr. Lavoie made a motion at 8:39 p.m., seconded by Mr. Raleigh, to go into Executive Session. Motion carried.

Mr. Lavoie made a motion at 10:15 p.m., seconded by Mr. Guilmette, to exit Executive Session. Motion carried.

Actions taken: Contact Kristine Stell; continue job search for Highway Department position.

E. Adjournment – Mr. Lavoie made a motion at 10:17 p.m., seconded by Mr. Guilmette, to adjourn. Motion carried.