

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

*Tuesday, September 15, 2015 @ 7:00 p.m.*

Present: Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; John Lavoie, Selectman; Yaasha Wheeler, Secretary; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Darlene Marrier; Derick Billado, Animal Control Officer; Harold and Pauline Porter; Todd St. Francis; Frankie Maskell; Art Stowell.

**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 wished to add Town Report Discussion under Other Business, Lean-to under Highway, and Directed Police Patrol under Old Business. Mr. Clark added Update on Town Hall Renovation and Swanton Wind Project – Planning Commission under Old Business, as well as Part-Time Employee under Highway. He added Swanton Enhancement Project meeting at 5:30 p.m. on September 16, 2015 to Upcoming Events. Mr. Jescavage noted that the Stop Sign Ordinance item under Highway had been added after the agenda was posted.

**D. Meeting Topics:**

**1. Minutes**

**a) September 1, 2015 Joint SLB Regular Meeting**

Mr. Jescavage stated that he had sent out copies of the joint Selectboard meeting minutes to the other boards to be adapted for their own use. Mr. Clark made a motion, seconded by Mr. Lavoie, to approve the minutes as printed. Motion carried.

**2. Public Comments**

Mrs. Porter wanted to know where her driveway was for 13 Bushey Street. She said the driveway for their vacant lot had been moved doing the sidewalk construction, adding that the driveway had recently been filled and smoothed off. Mr. Porter said that the cut with the sidewalk was down by the schoolyard, where it wasn't even usable. He passed out maps that show the location of the vacant lot and its road cut. He explained where the driveway should be. He added that his across-the-road neighbor had a water problem at 8 Bushey Street. Mr. St. Francis said that the pitch pushed the water back toward his property. Mrs. Porter said that that area was always filled with water and ice.

Mr. Clark said he would be glad to take a look at the area. Mr. Billado explained that the road repair was not done yet, and added that Mr. Clark put a lot into the road commissioner job. He assured the Porters and Mr. St. Francis that he would walk the property and listen to their concerns. Mr. Porter said that he was concerned, because no one had talked to him before work was begun.

Mr. Billado explained that the Robin Hood extension had to be completed by the end of 2017, and the drainage would be looked at in that area. He assured them that the Selectboard heard their concerns and they would be addressed. Mr. Lavoie was concerned about the material they spent on fill; he wanted to make sure that they did not lose their materials.

Mrs. Heather Buczkowski stated that the Swanton Enhancement Project and the Swanton Historical Society, and they were selling as many tickets as possible for the Dam Ducky Derby Community Event. She felt that a good place to sell raffle tickets would be at the Town Offices. She explained how the tickets could be sold, and all the money would benefit Swanton. Mr. Jescavage would look into the legality of it.

The Dam Ducky Derby would begin at the walking bridge, and 250 rubber ducks would begin there. People in kayaks would catch the ducks, and the first and last ducks would win prizes. There would be refreshments, music, and family activities. The plan was to bring people into Marble Mill and remind the citizens that that area existed.

Mr. Jescavage would look into the legality of it. The Selectboard supported the Swanton Enhancement Project. They thanked Mrs. Buczkowski for her work.

### **3. Economic Development – None.**

### **4. Old Business**

#### **a) Zoning Administrator Search Update**

Mr. Jescavage stated that the Planning Commission had interviewed three candidates for the zoning administrator position, and the Commission recommended Darlene Marrier, who was present. Mr. Billado said that he wanted to put a face with the applicant, and was happy that the Planning Commission picked her. He explained that the choosing of a Zoning Administrator was usually done by the JLB, but in the last year, they had received legal advice that the JLB did not make that appointment, but the Selectboard. However, he wanted to keep the trustees included. He therefore asked whether she could be available for the JLB meeting. She said she was available to be present at the JLB meeting. It was noted that Swanton zoning included both the town and the village.

#### **b) Franklin County Towns Letter of Support Update**

Mr. Jescavage said that he had contacted all the Franklin County towns after the last meeting about getting a letter of support, and so far, the only respondent had been St. Albans Town. Some of them were hesitant to show support. He would follow up. Mr. Thompson asked if he had spoken to any Selectboard members, and Mr. Jescavage said that he had mostly spoken to town clerks and requested the item to be placed on their Selectboard agendas. He felt that there was not a lot of interest in participating. Mr. Billado encouraged him to talk to a Selectboard member by phone in each town possible. Mr. Clark said he was willing to talk to a Selectboard member in each town.

Mr. Billado said that they could not sit and wait from one Selectboard meeting to the next. If there were no responses or results, then he wished Mr. Jescavage to “dig deeper.” Mr. Thompson summed up that, at the end of the day, there is only so much Swanton could do; he did not yet have an opinion on wind projects.

#### **c) Directed Patrol for Police**

Mr. Billado had sent Mr. Guilmette copies of the paperwork for the roads on which more directed patrols had been conducted.

#### **d) Town Hall Renovation Project**

Mr. Clark summarized that the structural renovation may add some extra cost, and showed a plan of the finished space, which allowed for a 100-person meeting room. He explained the process of Phase 1, which involved a site review and compilation of a design proposal. He did not feel that an energy audit was needed upstairs, since everything up there would

need to be replaced anyway. Even if this did not go through, due to cost, there were lots of renovations that could be done, as far as replacing windows and things like that.

#### **e) Wind Project**

Mr. Clark said he believed that Act 56 had allowed for the Planning Commission to have some control. To him, the Planning Commission was the entity with the most sway in the project, and he had urged them to look at the project and make sure that they commented on the proposed project. He understood that the Town had party status in a Section 248 hearing; Mr. Jescavage affirmed that. He added that abutting towns also got party status. When the party status was activated, the Town had to be able to back up their assertions with proof from experts. Mr. Thompson said that the state was going to do what they wanted to do, no matter what the Town did. "It would be a shame for us to spend \$50,000 on legal fees to go and testify in front of this 3 person board who are going to make a decision." Mr. Clark felt that if the majority of board members were opposed to the project, then he felt the Selectboard should at least present their material. The Selectboard should at least put their concerns on record. The other board members agreed.

There had been no response from the governor regarding the letter they had sent.

### **5. Community Development**

#### **a) Teen Center Grant – Letter of Support**

Mr. Jescavage said that the Teen Center had asked for a letter of support, and if the board approved it, they could authorize Mr. Jescavage to sign it. The Selectboard supported the letter. Mr. Clark made a motion, seconded by Mr. Lavoie, to authorize Mr. Jescavage to sign the support letter on the Selectboard's behalf. Motion carried.

### **6. Animal Control**

#### **a) SW Animal Control Officer Report**

Mr. Derick Billado reported that there had been no bites on people for the last two months, and the month of August had been fairly slow. The Selectboard thanked Mr. Derick Billado for his work.

### **7. Expenditures**

#### **a) General Orders (08/19/15 – 09/15/15)**

Mr. Thompson made a motion, seconded by Mr. Lavoie, to sign the general orders as printed. Motion carried.

#### **b) Highway Orders (08/19/15 – 09/15/15)**

Mr. Thompson made a motion, seconded by Mr. Lavoie, to sign the highway orders as printed. Discussion: Mr. Clark made a motion, seconded by Mr. Thompson, to amend the motion to remove item for \$34,000 for Messier's Concrete, which should not be paid until he had a chance to verify quantities. Mrs. Fournier was authorized to send payment as soon as it was approved. The amended total amount for the highway orders with that removal would be \$24,744.11. Motion carried.

#### **c) Payroll (08/19/15 – 09/15/15)**

Mr. Clark made a motion, seconded by Mr. Lavoie, to approve payroll as printed. Motion carried.

### **8. Highway Department**

#### **a) Bushey Street Update**

Mr. Clark said that the paver came, and he thanked the Village for their help with getting everything ready. He felt that Bushey Street and Robin Hood Drive were significantly improved; however, as had been discussed, some more details needed to be resolved (such

as the Porter driveway issue and the drainage at 8 Bushey Street). He felt that the paving could be finished as early as next week.

#### **b) Middle Road Culvert & Ditch Request**

Mr. Clark had met with the people who had requested the culvert and ditch. He felt that the culverts could be lowered a little, and the existing culverts, which belonged to the Town, were rusted out. He and Mr. Garrett felt that they could fit it into the schedule.

#### **c) Request by Frankie Maskell to Park Semi-Trailer on Town Drainage Easement near Cover Drive**

Mr. Jescavage said that Ms. Maskell's deed allowed for a drainage easement, but she requested to park a trailer along the easement area. Mr. Maskell explained that it would be more helpful to take the trailer out of the driveway into the easement area during the winter months. It would not block the whole right-of-way, and the adjoining tenant had no problem with the proposed arrangement. The landowner from whom he rented had informed him that he needed Town permission. He explained the exact location to the Selectboard members. Mr. Billado said that his concern was that the Covey Drive sewer weight limit might not allow for tractor trailer trucks. He asked Mr. Jescavage to check on that. He did not want to set a precedent by putting trucks on roads that could not allow for heavy trucks.

Mr. Maskell said that he understood, but noted that the trailer was currently in the driveway already and he wanted to move it onto the easement just for the winter. Mr. Thompson said that the easement was for the town to do maintenance. Mrs. Maskell said that Michael Cota, their landlord, thinks that the easement belongs on his land; the neighbors believe that the easement belongs to their land. The Selectboard stated that the Town did not own any property there; it was just a maintenance easement. The Selectboard agreed that the landowner could give permission, but that permission was not the Selectboard's to give. If Michael Cota was concerned about activity on the Town easement, the Selectboard was "okay" with the proposed arrangement.

#### **d) Proposed Revision of Stop Sign Ordinance**

Mr. Jescavage directed the board's attention to a proposed amendment to the stop sign ordinance. If the board approved this amendment, he would notice it as a hearing for the next meeting for adoption.

#### **e) Other Updates**

Mr. Clark reminded that the mowing season was nearly over, and he wanted to know if the Selectboard wanted to move forward with the same winter arrangement with part-time employee Brian Thompson. The Selectboard agreed.

#### **f) Lean-to**

Mr. Billado wanted to finish up the lean-to project, and Mr. Clark agreed to make sure that got done.

### **9. Correspondence**

Nothing.

### **10. Any Other Necessary Business**

A citizen asked to know why his name was published under delinquent taxes in the Town report. The citizen had noted that births and deaths were no longer reported in the town report, and it was embarrassing to have his name in that list. Mr. Clark had no interest in changing the Town's way of reporting. Mr. Lavoie said that it was always posted and public knowledge; why change it now? Mr. Billado was in agreement not to change anything.

Mr. Jescavage said that he had redone the schedule for budget hearings, and would be e-mailing that the board tomorrow.

**11. Public Comment** – None.

**12. Upcoming Events**

- a) Wednesday, September 16, 2015 Swanton Enhancement Meeting at the Village Complex @5:30 p.m.
- b) Wednesday, September 16, 2015 Municipal Plan Public Hearing #1, Village Complex @ 7 p.m.
- c) Wednesday, September 23, 2015 Municipal Plan Public Hearing #2, Village Complex @ 7 p.m. (to be postponed if changes were made on the town plan at the meeting of the 16<sup>th</sup>)
- d) Thursday, September 24, 2015 Next DRB Meeting @ 7 p.m. Town Offices
- e) Saturday, October 3, 2015 Dam Duck Derby
- f) Tuesday, October 6, 2015 Next SLB Meeting @ 7 p.m. Town Offices

**13. Executive Session** – None.

**14. Adjournment**

Mr. Thompson made a motion, seconded by Mr. Lavoie, to adjourn at 8:28 p.m. Motion carried.

Received and filed by:

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Cathy Fournier, Swanton Town Clerk

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Date