

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

Tuesday, October 6, 2015 @ 7:00 p.m.

Present: *Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; James Guilmette, John Lavoie, and William "Turk" Thompson, Selectmen; David Jescavage, Town Administrator; Cathy Fournier, Town Clerk; Yaasha Wheeler, Secretary; Chief Leonard "Joey" Stell, Swanton Village Police Department; Matthew Freedom, St. Albans Messenger; Liz Gamache, St. Albans City mayor; Dominic Cloud, St. Albans city mayor; Shawn Cheney; Katherine Messier, Paul Foisy, Michelle Beaulieu, and Rebecca Rupp, Swanton Public Library; Heather Buczkowski, 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. Clark requested executive session for personnel. Mr. Billado added (c) Swanton Wind under Old Business. Mr. Lavoie added (d) Bushey Road & Gamache Lane Pothole under Highway Department. Mr. Jescavage added (d) Sign Right-of-Way Applications under Highway Department, and noted that 5(d) Appoint Amy Giroux, 9(a) Governor Shumlin's Letter, and 12(b) Tax Payment Deadline had been added since posting of the agenda.

D. Meeting Topics

1. Minutes

- a) Selectboard Special Meeting of September 22, 2015**
- b) Selectboard Regular Meeting of September 23, 2015**

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the minutes as presented. Mr. Lavoie abstained, since he had attended neither meeting. Motion carried.

2. Public Comment – None.

3. Economic Development – None.

4. Old Business

a) St. Albans Water and Sewer Allocations Update

Mr. Dominic Cloud, St. Albans City Manager, and Ms. Liz Gamache, St. Albans City Mayor, came forward to discuss water and sewer allocations. Mr. Cloud explained that, years ago, Swanton had had an interested in accessing water and sewer from St. Albans as part of Swanton's growth center. The issue had been challenging, since it involved an agreement between St. Albans Town and City and directly involved development. There was an equity issue if water and sewer was run outside of St. Albans' borders but did not provide any extra tax base. The city was currently in the process of amending its water and sewer ordinances and allocation ordinances, and of lifting the moratorium. There would be plenty of capacity to serve Swanton as well, under an affiliation with the city, akin to an associate

membership. The base program costs were 28 cents per \$100 of appraised property value, a rate that had been created by aggregating the tax rates of all comparable municipal systems. The rates would be fixed for the first 5 years, and would not increase by an annual percentage that was greater than the annual increase in the city's tax rate. This would be a direct contract between St. Albans and the developer, and participating properties would pay the same wastewater rates as city users.

Mr. Dominic Cloud then went over the proposed plan, which discussed projects located within the city limits and outside of the city limits. He went through the eleven criteria that would be asked of potential developers who wanted to tie into city water and sewer. In some, there would be no money up front, no risk, and no investment; it would all be simply up to individual developers.

Ms. Gamache added that this was a way to move forward, to lift the moratorium, and to offer an opportunity that seems fair and equitable to all parties. Mr. Billado agreed that "this takes a big weight off our shoulders" for the Southern Growth District development. Mr. Lavoie asked to know how far the water connection went, and Mr. Cloud replied that he thought the line extended north as far as Warner's Snack Bar. Mr. Jescavage asked if this would apply only to new construction, and not existing, and Mr. Cloud replied that he believed this applied to any development in the area, both new and existing.

b) State Officials Future Meetings Update with ANR and Public Service Department

Mr. Jescavage said that representatives of the Public Service Department would come on October 20th, and representatives of ANR planned to attend a November meeting. The Selectboard planned to discuss the proposed Swanton wind project with them.

c) Swanton Wind

Mr. Billado said that he had been "bombarded" by e-mails from various opponents of the Swanton Wind Project, many who had sent letters to every agency and official that would be involved or have oversight of the project. He stated that the Selectboard "won't give up on this." Mr. Thompson reiterated the importance of holding a public vote on the matter, and Mr. Jescavage agreed to work with Mr. Brian Monaghan, Town Attorney, to create a schedule for the vote. The cost of a vote would be about \$1500, which the Selectboard felt was a worthwhile cost in determining the town's overall opinion of the proposed project. The Selectboard decided to include on the ballot questions of the following nature:

- (1) Do you support the Swanton Wind Project?
- (2) Do you support local control of renewable energy projects?

Mr. Clark read the developer's comments regarding the recent vote in Irasburg, noting that the developer expressed disappointment over the reasons that the citizens voted 297 to 9 against the proposed wind project in Irasburg, and adding, "We look forward to finalizing our proposal..." The developer also indicated that the town of Georgia was still behind its existing wind project, a claim which Mr. Clark wished to investigate to see if was true. He requested inviting Georgia's Selectboard members to one of Swanton's Selectboard meetings.

Mr. Billado mentioned that he had contacted 10 out of 12 Selectboard Chairmen in area towns, and none of them supported Swanton's project. He encouraged the public to check out the factual information on wind energy and development that was available on the town website.

5. Community Development

a) Proposed Stop Sign Ordinance Revisions

Mr. Guilmette made a motion, seconded by Mr. Lavoie, to approve and sign the stop sign ordinance, which had been amended to add a four-way stop at the junction of Robin Hood Drive and Bushey Street. Motion carried.

b) Reappoint Joel Clark to the Development Review Board for a 3-year term

Mr. Clark noted that he did not intend to finish his term and was looking to train his replacement. Mr. Thompson made a motion, seconded by Mr. Lavoie, to reappoint Mr. Clark to the Development Review Board for a 3-year term. Motion carried.

c) Reappoint Gabriel Liegey to the Development Review Board for a 3-year term

Mr. Clark made a motion, seconded by Mr. Guilmette, to reappoint Gabriel Liegey to the Development Review Board for a 3-year term. Motion carried.

d) Appoint Amy Giroux to the Development Review Board until June 30, 2017

Since Mrs. Giroux's appointment had already been approved at a previous meeting, the board signed and finalized Amy Giroux's appointment, to replace Janette Hoague.

6. Law Enforcement

Chief Stell came forward to present the police report, which noted 49 calls in the month of September, with 3 traffic tickets issued for a total of \$631. Mr. Billado informed the chief of two incidents of vandalism along the Rail Trail in the past month. Chief Stell replied that the police had "general suspects" regarding the first incident, with a witness to the vandalism. The second instance had been brought to his attention yesterday and involved juveniles, ages 12 to 15, some of whom he had spoken with but none of whom confessed. Mr. Billado thanked the police department for its quick response to Maquam Shore Road last night, on which trucks had been speeding.

7. 2016 Budget Review

a) 2016 Library Budget

Rebecca Rupp, Katherine Messier, Paul Foisy, and Michelle Beaulieu were present to discuss the library budget. Mrs. Rupp stated that Michelle Beaulieu, the library director, was doing a fantastic job getting new traffic to the library, which had just reached 1000 patrons. The library was now a community-centric place that offered many programs and opportunities, and had connected to other town organizations. The website had received 19,000 hits since January, and there were two active Facebook pages.

Mrs. Rupp explained that salary was an issue they wanted to address in the budget, since existing library staff were working on low salaries, and applicants for various library positions had backed out once they saw the salary. Ms. Messier added that the increase in salaries included the salary for the full-time director, as well as insurance costs and raises to existing employees. Ms. Beaulieu agreed that it was "a tough sell when people with Master's degrees get less than \$10 an hour." It was noted that the library has 5 full-time employees, and several part-time employees.

Mrs. Rupp explained that the budget also included a technology update, since computers were a huge draw to the library. The electricity also needed to be updated, since there were few outlets for people to charge their electronic devices. The basement needed to be re-floored because it flooded during wet weather, especially in the historical society.

The board noted that the budget had increased by 31% and agreed that, while the improvements suggested were important, the increase should be diminished. Mr. Thompson, while emphasizing that twice as much traffic should be supported by sufficient funds, suggested that the library board speak with the Swanton Recreation Department, which "fundraised like crazy" in order to represent the least increase to taxpayers. Mr. Billado suggested creating a two- or three-year action plan, to space out the improvements and relieve the tax burden of an increased budget. Mr. Clark added that the proceeds from

the sale of Park D might be applied to some of these costs. Mr. Billado said that the carryover should be used to offset the requested improvements.

The board noted that the library was a little ahead of its 2015 budget, although Mrs. Messier anticipated that the library would not go over-budget.

Mr. Jescavage informed the Selectboard and the library board members that the Village and the Methodist Church were currently working out an agreement regarding the church's parking lot. The Village planned to lease the lot for \$1 a year and the Town and the Village would take turns maintaining the parking lot in the winter. The parking lot would have to be redesigned, but it could be used for library purposes.

8. Highway Department

a) Bushey Street Update

Mr. Clark stated that the paving should begin this week. He had worked with the owners of 8 Bushey Street and would speak to the paving company about addressing the owners' water concerns. That area was very flat, so there may not be a good long-term water solution. Mr. Porter had discussed his driveway issue with Mr. Clark; that issue was still being considered.

b) VOSHA Update

Mr. Jescavage said that he had spoken with Mr. Lesperance, the VOSHA representative, and explained that the equipment that had resulted in a \$1000 fine from VOSHA had previously been inspected by all proper authorities and was not the town's choice. Mr. Lesperance had diminished the violation from serious to less serious, resulting in the total elimination of the fine. A number of small issues pointed out by VOSHA had been fixed. Mr. Lesperance had requested Swanton to make an appointment with WorkSafe by November 3rd.

c) Other Updates – None.

d) Bushey Road and Gamache Drive

Mr. Lavoie said that a resident of the area had asked the town to fix a pothole at the junction of Bushey Road and Gamache Drive. Mr. Garrett would look at it.

e) Right-of-Way Applications

Mr. Clark and Mr. Billado signed the most recent right-of-way applications.

9. Correspondence

a) Letter from Governor Shumlin Re: Drugs

Mr. Billado summed up that the letter was in regard to the FDA's recent decision to approve OxyContin for use by children as young as 11 years old. It was Mr. Billado's understanding from Chief Stell that this provision was for terminally ill patients. Mr. Billado felt that this was the doctor's call, not the government's.

10. Any Other Necessary Business – None.

11. Public Comment – None.

12. Upcoming Events

- a) Thursday, October 8, 2015 / Friday, October 9, 2015 Mark Fenton Visit @ Village Complex / 7:30 a.m.**
- b) Swanton Property Tax Payments MUST BE RECEIVED by 5 p.m. on Thursday, October 15, 2015 or they will be subject to delinquent penalties – No exceptions.**
- c) Tuesday, October 20, 2015 Next SLB Meeting @ 7 p.m. Town Offices**
- d) Thursday, October 22, 2015 Next DRB Meeting @ 7 p.m. Town Offices**

Mrs. Fournier noted that the mail deliveries were slow because some sorting stations had been closed. It was therefore crucial that people sent their property tax payments well in advance of the deadline.

13. Executive Session

Mr. Clark made a motion, seconded by Mr. Lavoie, to enter executive session for personnel at 8:47 p.m., stating that public discussion of the matter would put the town and individual at a disadvantage. Motion carried.

Mr. Lavoie made a motion, seconded by Mr. Guilmette, to exit executive session at 9:20 p.m. Motion carried. Action taken: None.

14. Adjournment

Mr. Thompson made a motion, seconded by Mr. Clark, to adjourn the meeting at 9:21 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date