

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

Tuesday, February 2, 2016 @ 7:00 p.m.

Present: Dan Billado, Selectboard Chair; Joel Clark, Selectboard Vice Chair; James Guilmette, Selectman; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Officer Eugene Rich, SVPD; Patricia Rainville; John A. Smith; Darlene Marrier, Zoning Administrator; Jim Hubbard, Andy LaRocque, Ross Lavoie, Sara Luneau-Swan, Ed Daniel, Planning Commission members; 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. Jescavage noted that, since publication of the notice, he had added the liquor control commission hearing, as well as the Act 64 discussion. Mr. Guilmette noted that the FCAR contract had been signed and copied, and suggested adding it under Old Business. Mr. Clark added Office Renovation Design as (e) under Old Business. The Selectboard would review the informational meeting slideshow after executive session.

D. Meeting Topics:

1. Minutes

- a) December 19, 2015 SLB Regular Meeting**
- b) December 22, 2015 SLB Emergency Meeting**

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

2. Public Comments – None.

3. Law Enforcement

- a) Swanton Police Monthly Report**

Mr. Eugene Rich stated that there had been 37 incidents, 14 traffic citations for a total of \$2338. Mr. Rich highlighted an identity theft and two verbal “family fight” calls.

Mr. Billado made a motion, seconded by Mr. Guilmette, to go into executive session at 7:12 p.m. because public discussion would put people at a disadvantage. Motion carried.

Mr. Guilmette made a motion, seconded by Mr. Clark, to exit executive session at 7:22 p.m. Motion carried. Mr. Billado stated that there had been a good discussion with Officer Rich. Action taken: none.

4. Old Business

a) Discuss Animal Cruelty Response Policy/Letter from Jennifer Wright/FCS

Jennifer Wright from the Franklin County Sheriff's Department informed the Selectboard that Swanton should have a policy in place that the town Animal Control Officer should accompany an officer on animal cruelty cases. Mr. Billado noted that enforcement officer would be Swanton PD during contract hours, and outside those hours, the state police were available but they would not get involved in such cases. Mr. Jescavage said he would check in to whether this policy was required. Mr. Clark agreed that a statement of how to handle animal cruelty cases was important.

b) Review & Sign CAI Technologies Contract for Mapping Corrections

Mr. Jescavage directed the board's attention to the CAI Technologies Contract. West Swanton was the area with the most discrepancies. The Selectboard reviewed the contract. Mr. Clark said that he would like the contract to mention that any other known corrections or discrepancies should be incorporated into the changes as well. Mr. Jescavage felt that they would be agreeable.

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the contract and to authorize Mr. Jescavage to sign the contract on behalf of the Selectboard, with the condition that (9) shall be added to incorporated known discrepancies into the overall changes.

c) Review and Sign Cross Engineering Contract for Additional Service for Robin Hood Drive Extension

Mr. Clark summarized that this was required for the permit to extend Robin Hood Drive to Route 7, and that the Selectboard had previously agreed that this work needed to be done.

Mr. Clark made a motion, seconded by Mr. Guilmette, to approve the contract as printed and to authorize Mr. Jescavage to sign the contract on behalf of the Selectboard. Discussion: The Selectboard discussed the details of the contract—the topographical study, the proposed road section, the permit application fees, and construction layout. Mr. Clark wanted Cross Consulting to do the centerline work and Mr. Guilmette agreed. Mr. Clark estimated that the work could be begun in 2016. Discussion concluded. Motion carried.

Mr. Clark suggested having an "Ongoing Projects" list as part of the agenda, for projects like the Robin Hood extension project.

d) Franklin County Animal Rescue Contract

Mr. Guilmette said that he had signed the contract and sent it off. He had not yet heard back from Rusty Posner, but she had been requested to send a copy of the contract to Mr. Jescavage once she had signed it.

e) Office Renovation

Mr. Clark said he had previously mentioned that he would look into renovations that should/could be done at the Town Office building. He gave Peter Cross the structural analysis done by the other firm, and Mr. Cross said he would like to investigate the second floor himself and give a more solid answer on loading capability. Mr. Clark felt that would be beneficial to the Town as a second opinion and more detailed analysis. The work would cost up to \$1000.

Mr. Guilmette made a motion, seconded by Mr. Billado, to spend up to \$1000 on a further analysis of the Town office building by Mr. Peter Cross. Motion carried.

5. Community Development

a) Discuss Annual Planning Goals with the Planning Commission

Mr. Billado asked Mrs. Fournier if the Planning Commission could be supported with money from Economic Development; Mrs. Fournier replied that “it depends on what it is.”

The Planning Commission was invited to enter. A number of public entered as well. Mr. Jim Hubbard, Planning Commission Chairman, came forward.

Mr. Hubbard stated that he requested at least six hardcopies of the municipal plan and bylaws to share with others. Mrs. Marrier explained that copies were printed up as requested. Mr. Jescavage explained that the bylaws were designed to be in binders, so that as revisions were made, only the new pages would need to be added; the whole document did not have to be reprinted. Mr. Ross Lavoie said that the binders were full of notes and might not be up to date; a clean copy would be nice. Mr. Clark preferred to go to a printer than to do printing in office if there was a need to do mass copying.

Mr. Hubbard said that Adam Paxman was suggesting the date of Monday, March 21st for a joint Planning Commission/Trustees/Selectboard/DRB meeting to review the Planning Commission’s annual action plan. It was up to the Planning Commission to be sure that the plan was reviewed and that the responsible parties were notified and kept up-to-date. The seven-page action plan was part of the new town plan. If the 21st didn’t work, the 29th could be a good substitute. Mr. Clark noted that a meeting toward the end of March allowed for new board members to come on board. Mr. Jescavage would send out an e-mail suggesting the 29th as an alternative, since Mr. Billado and Mr. Clark could not make it to the 21st.

Mr. Hubbard said that the Planning Commission had decided that they wanted to work on an amendment to their bylaws addressing renewable energy in Swanton. Regional Planning had told the town that local bylaws would mean nothing; “it may mean nothing today, but it may in the future.” If the town was given local control, then the town would have those bylaws ready. If the town was not given local control, the stance would at least send a message to the state. If given that approval by the Selectboard, the Planning Commission would like legal counsel. Mr. Jescavage was working on some language for the town plan that would comment on renewable energy, and the Planning Commission was prepared to work on bylaws for the Town of Swanton.

Mr. Hubbard said that there was a nearby municipality who had a nice set of solar regulations, and a town out of Maine that addressed wind energy, and the Planning Commission felt comfortable patterning language after theirs. The Planning Commission wanted to make sure that there was nothing wrong with using that language as templates. Mr. Billado asked how much the Planning Commission was looking for in terms of dollar amount for legal counsel and whether or not this direction could pull from Economic Development funds. Mr. Hubbard said that the community had voiced its opposition to Swanton Wind through the vote; the Planning Commission at least wanted the option to call Brian Monaghan for legal counsel. If more in-depth counsel was needed, they would inform the Selectboard of the need.

“Your board is very important to what happens to our community,” Mr. Billado said. “And you should get all the support you need from [the Selectboard].”

Mr. Guilmette made a motion, seconded by Mr. Clark, for the Planning Commission to have communications with the town lawyer, either the chair or through David Jescavage. Discussion: Mr. Clark thanked the Planning Commission for their work with this issue. He thought it was a little early to spend a lot of time and money, but the limitations on what the town could and could not do with the bylaws seemed clear. The only thing the PSB would look at was screening for industrial solar projects. Right now, the town plan was the only avenue that the PSB may consider. Mr. Clark said he had testified at a VLCT meeting, and recalled that one town’s industrial park had been converted into a solar farm. Anything beyond the solar screening would probably not gain the town anything. Mr. Hubbard agreed, but added that he felt putting a statement in the plan requiring conditional use for renewable energy was appropriate. “We’re trying to look at some sort of basic bylaw that says, ‘Hey, you’re project has got to be reviewed locally and gives adjacent landowners the ability to come in and discuss that.’” The Planning Commission wanted a bylaw revision that requires review of such projects. The state could consider the bylaw revision to be

meaningless, but there might come a day when those revisions would have teeth. Discussion concluded. Motion carried unanimously.

“You guys have always worked really hard for this community,” Mr. Billado said. He recommended continuing to stay ahead of the issues going on in the community, and thanked the Planning Commission members for their service to the town.

Mr. Daniel summed up that, while the ideas were fresh in the mind, they should be written down. Mr. Clark said that the Town would soon consider whether or not to go after party status, since it looked like the Swanton Wind project would go before the PSB shortly.

6. Economic Development

a) Liquor Control Commission

Mr. Clark made a motion, seconded by Mr. Guilmette, to exit the Selectboard meeting and enter the liquor control commission meeting at 8:12 p.m. The license renewals were from Maple City Market, Hog Island Market, Jolley Associates, Tim’s Shop Inc. (Swanton House of Pizza), R. L. Vallee, and Hannaford. These were all renewable with no violations. Mr. Guilmette made a motion, seconded by Mr. Clark, to approve the liquor license. Motion carried. The commission signed the licenses.

Mr. Clark made a motion, seconded by Mr. Guilmette, to exit the liquor control commission meeting and resume the Selectboard meeting at 8:15 p.m. Motion carried.

7. Highway Department

a) Street Updates – None.

b) Sign Annual Certificates of Mileage Forms

The Selectboard signed the mileage forms. Mr. Jescavage informed the board that there had been a 0.1 increase in mileage from adding Cedar Ledge Estates.

c) Other Updates

Mr. Clark said that this past Friday had been the kick-off for the sidewalk feasibility study. Mr. Clark wanted the sidewalk to go all the way up to the school. Cross Consulting was working on the project.

8. Correspondence

Mr. Jescavage presented a request to include SBC on any fuel bids. Mr. Billado stated that the town got its fuel through the Village and Bergers.

9. Any Other Necessary Business

a) Act 64 Agricultural Water Quality Act Info

Mr. Jescavage volunteered to serve on the new water quality committee. The Selectboard reviewed the act.

Mr. Clark made a motion, seconded by Mr. Guilmette, to appoint Mr. Jescavage as Swanton’s representative for the Act 64 Clean Water Advisory Committee. Motion carried.

Mr. Clark stated that, on January 25th, he had seen a number of lights behind the fire station as the Fire Department was doing extrication training with the new equipment. He said that the equipment was very impressive, since it was cordless.

Mr. Clark asked Mr. Jescavage to find out what was involved for Swanton to have party status in the Swanton Wind project.

10. Public Comments (Reprise) – None.

11. Upcoming Events

- a) Monday, February 15, 2016 Presidents Day, Town Offices Closed
- b) Tuesday, February 16, 2016 Next SLB Meeting @ 7 p.m. Town Offices
- c) Thursday, February 18, 2016 Celebrate Swanton Community, Swanton Central School, 5:30 p.m. to 7 p.m.
- d) Monday, February 22, 2016 Special SLB Info Meeting @ 7 p.m. Village Complex, 120 First Street, Swanton, VT
- e) Thursday, February 25, 2016 DRB Meeting @ 7 p.m. Town Offices
- f) Tuesday, March 1, 2016 Town Meeting @ 7 a.m. to 7 p.m. Village Complex, 120 First Street, Swanton, VT

12. Executive Session

Mr. Guilmette made a motion, seconded by Mr. Clark, to go into executive session at 8:24 p.m. for personnel, stating that if the item was discussed in public, it would put the individual at a disadvantage. Motion carried.

Mr. Guilmette made a motion, seconded by Mr. Clark, to exit executive session at 9:55 p.m. Motion carried. No action was taken. Mr. Guilmette made a motion, seconded by Mr. Clark, to adjourn the meeting at 9:56 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date