

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

Tuesday, March 15, 2016 @ 7:00 p.m.

Present: Joel Clark, Selectboard Chair; John Lavoie, Selectboard Vice Chair; Jeff Raleigh & Dan Billado, Selectmen; Cathy Fournier, Town Clerk; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Harold Garrett, Road Foreman; Derick Billado, Animal Control Officer; Heather Buczkowski, Ch. 16.

A. Call to Order

Mr. Clark called the meeting to order at 7:00 p.m.

B. Pledge of Allegiance

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

C. Agenda Review

4(c) Discuss Insurance for Recreation Department Caterer had been added after the agenda was posted.

D. Meeting Topics:

1. Minutes

a) March 4, 2016 SLB Special Organizational Meeting

Mr. Clark read out the highlights of the organizational meeting as follows:

Joel Clark – Chair
John Lavoie – Vice Chair
Yaasha Wheeler – Clerk

The board would follow Robert's Rules of Order and schedule their regular meetings for the first and third Tuesdays of each month at 7 p.m.

Joel Clark – Highway Commissioner
Dan Billado – Police Commissioner
Jeff Raleigh – Recreation Representative
David Jescavage – Economic Development Representative
John Lavoie – Personnel Representative
Joel Clark – Legal Representative
James Guilmette – Animal Control Representative
David Hamlen – Tree Warden
John Barrette – Fire Warden
Derick Billado – Animal Control Officer & First Constable
Harold Garrett & Ross Lavoie – Swanton's representatives on the Board of Directors for Northwest Regional Planning Commission
Harold Garrett – Swanton's representative on the Transportation Advisory Committee of the Northwest Regional Planning Commission, with Elisabeth Nance as alternate representative
Carlo Micheli – Swanton's representative to the Northwest Solid Waste District
David Jescavage – Town Service Officer

Betsy Fournier, Marka Cheney, Sara Maguire, Alicia Bourdeau, Linda Cross, Joseph Raleigh, and John Nielson – Recreation Commission

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to approve the March 4, 2016 Special Organizational Meeting minutes. Motion carried.

2. Public Comments – None.

3. Animal Control

a) SW Animal Control Officer Report

Mr. Derick Billado passed out copies of his February 2016 report. He stated that there had been three bites in the last month. One was a bite to the face and the Milton veterinarian reported that the dog had been euthanized, at the request of the owner and with the knowledge of Dr. Johnson from the state. The dog had been vaccinated. There had also been one cat bite. Mr. Dan Billado said that euthanizing a dog before the 10 day waiting period still put them at risk; an animal could still have rabies even after receiving vaccination. Mr. Derick Billado explained that, by the time he knew of the incident, the dog had already been euthanized.

4. Old Business

a) Review Cross Engineering Contract for Sand Shed

Cross Consulting Engineering had put together a proposal that covered both the repairs to the sand/salt shed and the construction documents for a lean-to, for a total cost of \$9340. Cross Consulting Engineers would need to work with the town regarding the fire safety permit afterward. The salt shed had to be fixed before it was safe to build the lean-to, because the bow in the shed walls was considered hazardous as it was currently. Mr. Billado was in favor of abutments similar to those that were put in bunker silos, so that there would be enough space to fill the shed with sand and would not lose much storage space. Mr. Lavoie suggesting that the buttresses could act as part of the lean-to support as well.

Mr. Clark explained that there was not enough money in economic development for this project because the Fourth Street property had not been sold. Mr. Billado reminded that they had 20 years to sell the Fourth Street property to pay off the loan on the garage, based on the \$600,000 cost bonded for 20 years for \$40,000 a year. Mrs. Fournier and Mr. Garrett stated that the payment was more than what they bonded for (\$56,000 versus \$40,000 from the bond). Mr. Garrett explained that they had not factored in various other costs, so the total bill came in at \$800,000. Mr. Billado added that there was still \$18,000 left over because the fence did not have to be built, and the \$150,000 from David Fosgate for the sale of property on Robin Hood Drive had been put toward paying down the loan.

Mr. Billado summarized that they had 11 years to sell off the property to pay off the difference of \$587,000, and recommended being more aggressive about selling the property.

The board discussed various options for taking money from the Highway budget. Mr. Garrett suggested designing the buttresses and then, if there was enough money leftover, they could consider the lean-to.

Mr. Clark was in favor of getting the design done and taking the money from the Highway budget. He wanted a separate price for the construction piece.

Mr. Billado made a motion, seconded by Mr. Lavoie, to approve the Cross Consulting Engineers proposal for \$9040 to repair the salt shed and to design the lean-to, with the addition that the construction costs will be broken off separately and paid in a different year.

b) Review Library Electrical Quotes

Bertrand Electric was hired to work on the library electrical system, approved by the Selectboard for up to \$20,000.

c) Discuss Insurance for Recreation Department Caterer

Mr. Raleigh said that the question had been posed to them: Should the caterer for the Recreation Department event be covered by insurance? Mr. Jescavage said that their liability policy should have a minimum coverage of \$1 million, with a workman's compensation program. Mr. Clark's question: Does the law say we have to do it? Is it the Town's job to police this for the state? Mr. Jescavage said that any injured caterer could claim to be working for the town as contractors at the time, so they would claim workman's comp. Mr. Clark recommended having a certificate of liability, since this was clearly a case when they were not employees of the Town.

5. Economic Development

The board agreed that the Fourth Street property should be sold. The asking price was \$250,000, but the Selectboard would be willing to accept a "reasonable offer."

6. Community Development

a) Liquor Control Commission – Licenses

Mr. Billado made a motion, seconded by Mr. Lavoie, to exit the regular Selectboard meeting at 7:34 p.m. and enter into the liquor board hearing. Both were renewals: North Side Beverage & Spirits and North Country Bait & Tackle. The board signed the renewals. Mr. Lavoie made a motion, seconded by Mr. Billado, to exit the liquor control board meeting and enter back into the regular Selectboard meeting at 7:36 p.m. Motion carried.

b) Street Naming Public Hearing

Mr. Billado made a motion, seconded by Mr. Lavoie, to exit the Selectboard regular meeting and enter into the public hearing for street naming at 7:37 p.m. Motion carried.

Mr. Clark read the following:

Notice is hereby given that the Town of Swanton Selectboard will conduct a public hearing for the purpose of naming two new private roads on Tuesday, March 15, 2016 at 7:15 p.m. in the Town Office Meeting Room at 1 Academy Street in Swanton, Vermont. The Board will discuss and act on naming two new subdivision roads.

The first is located on the northerly side of Bachand Road and is proposed to be named Ellsworth Drive. The second is located on the easterly side of Pine Street and is proposed to be named St. Francis Avenue.

The Selectboard will consider making Ellsworth Drive and St. Francis Avenue their permanent official names. The public hearing is being conducted pursuant to Section II and V of the Town of Swanton Ordinance Regarding Enhanced 911 Road Naming, Road Signs, and Addressing. Members of the public and owners of property abutting the road are welcome to attend the public hearing and offer input. A map of each subdivision is available for viewing at the Swanton Planning and Zoning Office at 1 Academy Street in Swanton, VT. Questions may be directed to Town Administrator David Jescavage at 868-7418.

The Selectboard unanimously voted to approve the new road names. Mr. Lavoie made a motion, seconded by Mr. Raleigh, to exit the public hearing and re-enter the Selectboard meeting at 7:38 p.m.

c) VT ANR Flooding Seminar Update

Mr. Jescavage said he had attended the seminar that day, and one thing that had been stressed was to document with pictures and the hours and equipment used to clean up. FEMA would not pay for the replacement structures, but only for the previous structures.

7. Expenditures

a) General Orders (February 17, 2016 to March 15, 2016)

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

b) Highway Orders (February 17, 2016 to March 15, 2016)

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to approve the Highway Orders as printed. Motion carried.

c) Payroll Orders (February 17, 2016 to March 15, 2016)

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

8. Highway Department

a) Street Updates

Mr. Clark said that he and Mr. Garrett had spoken about riding all the roads together to inspect any repairs that may be needed.

b) Other Updates

Mr. Billado said that they were still awaiting a weight ordinance, and they had “missed the bus” this year. The roads had not been posted two years in a road. Mr. Garrett said that none of their weight limit signs were legal because there was no ordinance, and, in the lack of weight limit signs, the roads were considered for 90,000 lbs. It had also been brought to the board’s attention in the past that Waugh Farm Road must stay at 90,000 lbs. Most truck drivers were friendly and respectful about requesting to be on the town roads. However, the main damage to the roads came from farming equipment, but they could not be prohibited from using their equipment.

Mr. Billado would check with Chief Stell, SVPD, on the road weight ordinance.

Mr. Garrett said he had an AED (defibrillator) in his truck, but he did not have one in the garage, and felt he should have a second one in the garage. Mr. Billado suggested that they could get one through MVR cheaper (the usual cost was \$2500), and said that the main truck and the town garage building should have the first aid kit and the AED.

Mr. Garrett said that, in a class he had attended recently, the instructor (an OSHA instructor) determined that no one had First Aid training in addition to CPR training. This training was mandatory for at least one person in the group. Mr. Jescavage would research the First Aid training with OSHA. Also MVR needed to recertify the town employees on CPR, since their training had expired.

Mr. Billado added that other public buildings, such as the library, should have AEDs available.

Mr. Garrett gave an update on the truck: The adjustor had looked at the truck and he had needed a representative HP Fairfield to look at the truck. Based on the pictures, the HP Fairfield representative said that his company would never authorize welding onto the hoist. He recommended junking the box, not fixing it. The insurance company would call later to report what they planned to do, and this was considered an open insurance claim. Mr. Clark said there was talk about prorating it. Mr. Billado’s question to the insurance company was: What is really covered? He wanted to ensure that the insurance was sufficient for the situation; was it replacement cost? “We want our truck fixed. If we need a box, they should get us one, and we shouldn’t have to pay for it.”

Mr. Clark added that they would get a permit for Woods Hill Road, where it met Route 207. Route 78 and Babbie Drive would be paved. There would also be some changes to the intersection on Hazard Road.

9. Correspondence

Nothing.

10. Any Other Necessary Business

None.

11. Topic Updates

The Board reviewed the updates on ongoing projects.

Mr. Clark reminded that towing insurance should be looked into, since that was not currently included in that Town's policy.

It was also noted that Cross Consulting Engineers had scheduled a public hearing for the sidewalk scoping study at 6 p.m. on April 7th at the Village Complex.

12. Public Comments – None.

13. Upcoming Events

- a) Wednesday, March 16, 2016 Community Celebration @ 5:30 p.m. to 7 p.m. @ Swanton Central School
- b) Wednesday, March 16, 2016 Planning Commission Meeting @ 7 p.m. in Town Offices, 1 Academy Street
- c) Wednesday, March 23, 2016 @ 5:30 p.m. Economic Development Task Force Meeting @ Swanton Village Complex, 120 First Street.
- d) Thursday, March 24, 2016 @ 7 p.m. DRB Meeting in Town Offices
- e) Friday, March 25, 2016 Good Friday, Town Offices Closed
- f) Tuesday, March 29, 2016 PC Multi-Board Meeting @ 7 p.m. @ Village Complex, 120 First Street

Also, a public hearing on renewable energy would be held at the statehouse on March 22, 2016.

14. Executive Session

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to enter executive session at 8:17 p.m. for personnel and medical, citing that the Town and individuals discussed would be at a disadvantage if those matters were discussed openly. Motion carried.

Mr. Billado made a motion, seconded by Mr. Lavoie, to exit executive session at 9:07 p.m. Motion carried. The Selectboard had prepared an employee evaluation.

15. Adjournment

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to adjourn at 9:08 p.m. Motion carried.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date