

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

Tuesday, August 16, 2016 @ 7:00 p.m.

Present: Joel Clark, Selectboard Chair; John Lavoie, Selectboard Vice Chair; Dan Billado, Selectman; Jeff Raleigh, Selectman; David Jescavage, Town Administrator; Yaasha Wheeler, Secretary; Cathy Fournier, Town Clerk; Dan Hazard; Mike Blouin; Derick Billado, Animal Control Officer; Mark and Christine Sweeney; Tom Benton, St. Albans Messenger; Ch. 16.

A. Call to Order

Mr. Clark called the meeting to order at 7:01 p.m.

B. Pledge of Allegiance

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

C. Agenda Review

Mr. Jescavage added (C) VLCT Delegate Appointment under Any Other Necessary Business. Mr. Clark added (A) Letter with Tax Bills regarding Zoning and Vandalism under Correspondence. Mr. Billado added (f) Update on Roof Bids and (g) Update on Permits for Robin Hood Drive under Old Business.

D. Meeting Topics

1. Minutes

a) August 3, 2016 SLB Special Meeting

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to accept the meeting minutes as written. Motion carried. Mr. Garrett noted that the day on the minutes should be Wednesday, not Tuesday.

2. Public Comments – None.

3. Animal Control

a) SW Animal Control Officer Report

Mr. Derick Billado came forward and presented his report. He had had three incidents in the month of July: a barking dog, a stray dog, and a possible animal cruelty case that he had determined was not the case. All of them had resolved satisfactorily.

4. Old Business

a) Missisquoi Valley Rescue Presentation

Mr. Clark stated that he had had discussions with the president of MVR. They would not be coming to make a presentation but would wait until later this fall to present their proposed budget for 2017 and any changes they would be making in how they do business. He encouraged board members to call the MVR president if they needed any questions answered. He felt comfortable that MVR would be in “a good place” when they presented their budget.

b) Mike Blouin – Real Estate Listing Contract Renewal

Mr. Blouin was not present. This was postponed until later.

c) Public Hearing for Road Naming

Mr. Billado made a motion, seconded by Mr. Lavoie, to exit the Selectboard meeting at 7:06 p.m. to go into a public hearing for road naming. Motion carried.

Notice is hereby given that the Town of Swanton Selectboard will conduct a public hearing for the purpose of naming a private drive on Tuesday, August 16, 2016 at 7:05 p.m. in the Town Office Meeting Room at 1 Academy Street in Swanton, Vermont. The drive is located on the northerly side of Woods Hill Road and is proposed to be named Construction Drive. The Selectboard will consider making Construction Drive its permanent official name. The public hearing is being conducted pursuant to Sections 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 drive are welcome to attend the public hearing and offer input. A map is available for viewing at the Swanton Planning & Zoning Office at 1 Academy Street in Swanton, VT. Questions may be directed to Town Administrator David Jescavage at 868-7418.

The Selectboard was in favor of naming the road. Mr. Billado made a motion, seconded by Mr. Lavoie, to come out of the hearing and go back into the regular Selectboard meeting at 7:10 p.m. Motion carried.

Mr. Billado made a motion, seconded by Mr. Lavoie, to name the aforementioned drive as Construction Drive. Motion carried.

d) Discuss Town Email Addresses for All Town Boards Members

Mr. Jescavage explained that, for 15 board members through GoDaddy, it would cost \$8 a month per member, which would be over \$1440 per year for every board member, which would be able to pass on the new member. He explained that if there was a public records request, personal and town business emails were co-mingled and people had to search through their emails. Mr. Billado said he had no interest in having another email.

Mr. Jescavage said that this could be done through Gmail, but they would be personal and not on the same server. Mr. Lavoie said, "We do public work for the Town of Swanton. We should not be bringing our own personal emails into our town business when we're here. My personal is personal, and my work is work. When I do this, it should be totally separate." He said he had to go through a ton of emails in his work and personal emails due to the public records request. "Separation is good." Mr. Raleigh and Mr. Billado would be comfortable either way.

Mr. Clark recommended switching to Swanton emails for Town business. He asked to shop around for better deals if they were out there. Mr. Jescavage explained that assigning a name to an email, the email would not be transferrable. He planned to create emails that should be transferrable.

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to approve spending up to \$1440 to create Town email addresses on a public domain for all Town Board members, the Selectboard, the DRB, and the Planning Commission. Motion carried.

e) Discuss Future Work in Covey Drive

Mr. Clark said that he had spoken with Bob Chevalier. They had discussed patching the road cut, and the waterline change would only apply to the one resident. The contractor who fixed the pipe felt that the pipe could fail again, so was encouraging the homeowner to change the pipe. Mr. Clark asked the board to approve repairing the road section and put a lien on the property for the cost of the repair plus whatever legal cost to record the lien. Mr. Jescavage said that he was told the owner was short on money and that is why there had been no response.

f) Robin Hood Drive

Mr. Billado asked if there was an update on the permit process for Robin Hood Drive. He recalled that everything was pretty much in place for the permits; it was just a matter of when the Town would get them. Mr. Jescavage would contact Mr. Cross and update the board on the status.

g) Roof Update

Mr. Jescavage said he had mailed out the RFPs to various roofers and he had not received any responses. He would send it out again. The board suggested extending the time and contacting Mr. Vallaincourt, since he had done the original inspection. Mr. Clark suggested contacting some painters who could sub out the roof work.

Mr. Lavoie said that he and Mr. Guilmette would get together and discuss the Town repairs.

4 (b) Mike Blouin – Real Estate

Mr. Blouin said that he was here to discuss the Fourth Street lot that the Town had been trying to sell. He said that he checked again and there were not a lot of comparable lots. He named a few and said that the configuration of the lot, its diamond shape, made it hard to develop because setbacks would have to be met, as well as limited environmental concerns. Over the past year, he had talked to a number of people, and no one was interested in the property at the current asking price. “There’s been no interest at this present price.” Mr. Lavoie: “Bottom line, our lot is too expensive.” Mr. Billado said that when they were looking at selling that property to help pay for the Town garage, they had looked at the Reed property, which was a similar size, and had hoped to sell the Fourth Street property for affordable housing.

Mr. Billado said, “Before we give it away, I’d rather sit on it for 10 years.”

Mr. Blouin said that, for the same amount of money, a different lot could offer more because of a better configuration, municipal water and sewer, and good zoning. He said they’d do well at \$150,000 for fair market value. He added that 13-15% of a project’s cost is raw land.

Mr. Lavoie recommended discussing more amongst the Selectboard. The contract with Mr. Blouin expired last week, though he was willing to renew. The Selectboard thanked Mr. Blouin.

5. Economic Development

Mr. Jescavage said that Suzie Poland from the USDA Office in Montpelier had said there was no word from Washington about the money available to provide \$30,000 grant for an Economic and Community Development coordinator. She suspected it would be about another month before they heard back.

6. Community Development

a) Vandalism Community Forum Update

Mr. Kilburn said that September 28th had been selected as a forum date, hosted at the Village Complex at 6 or 6:30 p.m. Mrs. Betsy Fournier recommended inviting people from other communities who had had similar issues with vandalism along their rec path. People needed to know they could call the police anonymously if they saw illegal activity.

Mr. Clark said that they were thinking of including with the tax bills letters that zoning permits are required for a number of structures and that citizens should be vigilant about vandalism along the rec path. Mr. Kilburn lamented the lack of public involvement and cited new instances of vandalism. He reminded that there was a reward for information about vandals.

Mr. Clark and Mr. Jescavage would work together to come up with the verbiage for the letter to go out with the tax bills.

b) Vandalism Update

Mr. Kilburn had spoken with the police chief at the Depot. The police were “very responsive and helpful,” and some plans were already being implemented.

7. Expenditures

a) General Orders (July 20, 2016 to August 16, 2016)

Mr. Billado made a motion, seconded by Mr. Lavoie, to accept the orders as printed. Discussion: Mr. Clark drew the board’s attention to the legal fees and recommended increasing the legal fees line item for 2017. Mr. Jescavage said that the depot roof looked excellent. Discussion concluded. Motion carried.

b) Highway Orders (July 20, 2016 to August 16, 2016)

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to accept the highway orders as printed. Discussion: Mr. Garrett said that Champlain Doors had been called in again on the same issue (doors wouldn’t close). Mr. Billado felt that this should be covered under warranty because the problem started during the warranty period. Mr. Lavoie and Mr. Garrett felt that the problems were because the optics did not react well to water when the floor was washed. Discussion concluded. Motion carried.

c) Payroll Orders (July 20, 2016 to August 16, 2016)

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

Mr. Jescavage distributed copies of Vermont’s Open Meeting Law Guide to each of the board members.

8. Highway Department

a) Update on Mac Truck

Mr. Garrett said that the Mac truck had been in an accident. One of the tires needed to be replaced. The bumper had been straightened. Mr. Jescavage added that the insurance company of the other party would pay for the Town’s damages.

b) Question on Maquam Shore Road Widening

Mr. Lavoie said that he had received an email from one of his neighbors, expressing that it would be nice to widen Maquam Shore Road. Mark and Chris Sweeney were present. Mrs. Sweeney said that, when Maquam Shore Road had last been paved, there had been discussion about widening the road as well. Mr. Lavoie said he did not recall the conversation but deferred to her memory. He agreed that the traffic was busy and said that the conversation had “not been put on the table.” Mrs. Sweeney said that the road was “very busy” and “like an obstacle” at times; “it seems really dangerous, there’s no shoulders,” and there were many pedestrians, bikers, and even baby strollers in the traveled lane. The road “seems increasingly unsafe for recreational use.”

Mr. Clark said that he fully agreed that the road should be widened. The main problem would be “what about the other roads that should be widened?” He wanted to see it widened from River Street to the St. Albans town line. The question was “with a very limited road maintenance budget, what do the townspeople want?” He admitted that a number of the people walking there is “significant.” He recommended putting a line item on the ballot.

Mrs. Sweeney asked how the fact that it was State Route 36 weighed into its maintenance. Mr. Clark said that it was the responsibility of the town even though it was a state road, and they could seek grants to help work on town roads.

Mrs. Sweeney noted that VTrans had had a public survey recently about roads that the public wanted to improve for biking, and Maquam Shore Road was on the survey. She wondered if anyone knew anything about the outcome of that survey and was there grant money behind that. Mr. Jescavage would look into those results. Mr. Clark said he would speak with Mr. Jim Cota from the state.

Mrs. Sweeney said that most of the locals tried to stick to the speed limit, but there were always drivers who sped or did not give enough room to pedestrians.

c) Discuss Road Discontinuance Process

Mr. Jescavage had done some research on Babbie Boulevard. Instead of letting the strip revert to the abutting property owner, he recommended declaring the road a trail so that the Town would not have to buy it back if, in future, the Town needed it again. There would be no obligation to maintain a trail. The Selectboard discussed filling and seeding the road, and giving the land to the Village to maintain. Mr. Jescavage said that the hooked piece of Babbie Boulevard (0.25 mile) was not on the state map, so Swanton was not getting credit for it.

The Selectboard agreed to set up a public hearing on September 20th to turn Babbie Boulevard into a trail.

d) Paving Projects & Street Updates

Mr. Garrett said that they were 90-95% prepped to pave Tabor Road and the industrial park. The starting date would be September 12th. Mr. Clark and Mr. Garrett had driven the roads and felt comfortable with the improvements: "We are getting a decent road for the amount of dollars we have."

Mr. Garrett added that Hazard Road had been graded, with a little stone added. Mr. Clark asked the board's permission to spend \$3500 to repair the intersection of Woods Hill Road and Route 207, where they had done some work earlier this year. Mr. Billado made a motion, seconded by Mr. Raleigh, to approve up to \$3500 to fix the intersection of Route 207 and Woods Hill Road. Motion carried.

e) Other Updates

Mr. Garrett said that the training of the new road crew member was ongoing, including a four-hour class for roadside mowing. He added that H.P. Fairfield in Morrisville would have an equipment show in September and he would like to go just to see what the tractors were selling for. Mr. Clark said he would go too.

9. Correspondence

a) Letter with Tax Bills

The Selectboard members were in favor of adding with the tax bills reminders that highlighted the need for zoning permits and for vigilance about vandalism.

10. Any Other Necessary Business

a) USDA Grant Update

Already discussed.

b) Planning Commission Open Meeting Response

Mr. Jescavage distributed copies of the Vermont Open Meeting Law Guide to the Selectboard for review. As part of the proposed "cure," the Planning Commission would also be restarting the discussion of green energy provisions for the municipal plan. Another cure was getting additional training for new members on open meeting law. The Planning Commission had disagreed with the Belisles' request that Sara Luneau-Swan should be recused from the discussion because of her strong opposition to their

project. The reason for this was that she was entitled to have her own opinions and it was up to individuals to recuse themselves if they believed they had a significant conflict of interest. There had been no response back yet from Anthony Iarrapino, the attorney for the Belisles and Swanton Wind LLC. Mr. Clark encouraged the board members to read through the open meeting law guide.

c) VLCT Delegate Appointment

Mr. Lavoie made a motion, seconded by Mr. Raleigh, to appoint Mr. Jescavage as Swanton's delegate for the VLCT Town Fair for another year. Motion carried.

11. Public Comments (Reprise) – None.

12. Upcoming Events

- a) **Wednesday, August 17, 2016 PC Meeting @ 7 p.m. in Town Offices, 1 Academy Street**
- b) **Thursday, August 25, 2016 DRB Meeting @ 7 p.m. in Town Offices, 1 Academy Street**
- c) **Monday, September 5, 2016 Labor Day Holiday, Town Offices Closed**
- d) **Tuesday, September 6, 2016 SLB Meeting @ 7 p.m. in Town Offices, 1 Academy Street**
- e) **Community Forum on Vandalism, September 28, 2016 @ 6 or 6:30 p.m. at the Village Complex**

13. Executive Session

Mr. Raleigh made a motion, seconded by Mr. Lavoie, to go into executive session at 8:38 p.m. for personnel and real estate, citing that it would be a disadvantage to the individual if the matter was discussed in open meeting. Motion carried.

E. Adjournment

Mr. Raleigh made a motion, seconded by Mr. Lavoie, to exit executive session at 9:23 p.m. Motion approved. Action taken: Guidance was given on the Town's real estate parcel on 4th Street. Mr. Billado made a motion, seconded by Mr. Lavoie, to exit executive session at 9:25 p.m. Motion approved.

Received and filed by:

Cathy Fournier, Swanton Town Clerk

Date