

**MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
In-Person & By Zoom
Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, March 21, 2023 @ 7:00 p.m.**

Present: Earl Fournier, Chair; Ed White, Vice Chair; Nicole Draper, Steve Bourgeois, Cody Hemenway, Members; Brian Savage, Town Administrator; Cathy Fournier, Town Clerk; Joseph Cava, Administrative Assistant; Matthew Sullivan, Swanton Chief of Police; Nick Michaud; Sophie Vibert; Joe Raleigh; Betsy Fournier; Chevon Cooper; Ed Daniel, Planning Commission Chair; Jacques LaRose; Brad McAvoy; James Guilmette (ZOOM User); Joel Clark (ZOOM User)

*All motions carried unanimously unless specified otherwise.

- A. Call to Order – Mr. Fournier called the meeting to order at 7:12 p.m.
- B. Pledge of Allegiance – Mr. Fournier led those present in the Pledge of Allegiance.
- C. Agenda Review
- D. Meeting Topics:

- 1. Minutes

- a) March 8, 2023, Special Organizational and Zoom Selectboard Meeting

- Ms. Draper made a motion to approve the Draft Minutes from the 3/8/23 Special Organizational and Zoom Selectboard meeting, seconded by Mr. Bourgeois. Motion carried.

- 2. Public Comments - None

- 3. Law Enforcement

- a) Swanton Animal Control Report

- Members of the Selectboard briefly reviewed the Animal Control Officer's monthly report.

- b) Swanton Police Chief Report

- Mr. Sullivan came forward to give a report on the occurrences around Swanton to members of the Selectboard. Top incidents included traffic violations, citizen assists, welfare checks, juvenile issues, DUI, and conspiracy to distribute cocaine.

- Mr. White asked why many of these traffic violations weren't ticketed offenses? Mr. Sullivan responded that he would take a deeper look at the data. Mr. Sullivan added that the transitional speed limit by the entrance to MVU makes it difficult to ticket offenses on a State Highway where the speed limit rapidly increases. Mr. Fournier asked if a request needed to be made to the State regarding these frequent speed violations. Mr. Sullivan responded that a request can be made to the State. Mr. Fournier recommended a joint effort between the Swanton Selectboard and Highgate Selectboard to address this since the bordering town lines are so close to this speed change zone.

- c) Swanton Health Officer Monthly Report

Members of the Selectboard briefly reviewed the Health Officer's monthly report.

4. Old Town Business

- a) Appointment of 2 Representatives to the Board of Directors of the NRPC – tabled from Organizational meeting of March 8, 2023

MOTION TO APPOINT **NICOLE DRAPER AND HAROLD GARRETT AS THE TOWN OF SWANTON'S REPRESENTATIVES ON THE BOARD OF DIRECTORS FOR THE NORTHWEST REGIONAL PLANNING COMMISSION FOR THE YEAR MARCH 8, 2023 TO MARCH 5, 2024.**

Mr. White made a motion that the Swanton Selectboard appoint Nicole Draper as the Town of Swanton's Representative on the Board of Directors for the Northwest Regional Planning Commission for the year March 8, 2023 to March 5, 2024, seconded by Mr. Hemenway. Motion carried.

Mr. White made a motion that the Swanton Selectboard appoint Harold Garrett as the Town of Swanton's Representative on the Board of Directors for the Northwest Regional Planning Commission for the year March 8, 2023 to March 5, 2024, seconded by Ms. Draper. Motion carried.

- b) VTrans representative to present revised plans for New Garage on Sholan Road

Mr. LaRose started by presenting a plan from VTrans to develop a road with an easement from Sholan Rd. to VT Route 207. The presented plan includes acceptable sight distances and could propose the elimination of the end of Sholan Rd. where it intersects with Highgate Rd. and Bushey Rd. This also highlights the dangers of the existing intersection which is why VTrans is proposing to draw traffic away from this intersection. Mr. Bourgeois asked if the "S" curve was the new driveway access. Mr. LaRose answered yes.

Mr. Fournier said the concern for the Town is the development potential for the rest of the surrounding land and said that the proposed driveway would not address this development. Mr. LaRose asked how this does not address future development? Mr. Fournier said the more driveway cuts that are created, the more dangerous this intersection becomes. Mr. LaRose said the proposed driveway is the safest possible outcome without redoing all the roads in this area. Mr. McAvoy added that the proposed road can be upgraded for public access in the future, but at this time it would be a private access road constructed to A-76 road standards. Mr. LaRose said that these plans are based upon Swanton's recommendations to create a safer intersection while utilizing State resources to implement.

Continuing, Mr. LaRose added that there are other constraints including neighboring property owners which would require drafted legal agreements concerning any easements established. Mr. Fournier expressed concerns that this easement as currently proposed is private with no agreement in place to allow for public traffic. Mr. Bourgeois said additional negotiations are needed to ensure that any agreement settled upon doesn't lead to restrictive easements. Mr. Guilmette reminded members of the Selectboard about issues relating to a lease with Robin Hood Dr. and recommended that the Selectboard exercise caution.

Mr. Fournier again expressed disappointment in the State's plan which still doesn't address the intersection with Highgate Rd., Bushey Rd.,

Sholan Rd., and VT Route 207. Mr. LaRose asked for clarification on what the Town was looking for? Mr. Fournier said that the intersection needs to be redesigned to address the concerns for future development. Mr. McAvoy said that traffic studies would need to be completed which can take years before anyone can develop this area. Mr. LaRose added that without a full development plan in place for this area, a traffic study can't adequately address the level of traffic that the Town is predicting.

Mr. McAvoy said that funding is in place now for the construction of the road and garage, but if this project is delayed, the funding would be lost and this area will not be developed. Mr. Bourgeois asked if the proposed "S" curve could be a deeded access versus an easement access? Mr. LaRose said it could any type of deeded access as part of the negotiation process. Taking this input into consideration, Mr. LaRose recommended that he and Mr. McAvoy come back with an alternative solution.

c) Update on MVU/First Street Sidewalk Project

Mr. Savage gave the Selectboard an update from the engineer on the estimated construction cost of implementing this project. Mr. Hemenway asked if the Town had factored in long-term maintenance of implementing a sidewalk in this location citing winter sidewalk plowing and a position to support it. Mr. Savage's understanding was that the Village would maintain a portion of the sidewalk. Mr. Hemenway added that this would require the Town to purchase a sidewalk plow and create a position to maintain it. Other factors of consideration were falling snow from the overpass and lighting to address safety concerns. Mr. Fournier recommended pushing this to a future meeting for additional discussion.

d) Update on Swanton Rec/Community Center

Ms. Fournier came forward with a presentation and designs on the community facility. This presentation included demographic data to support the community center initiative. Other data included the Town's appropriation which is low in comparison against the data showing a growth in Swanton Recreation activities. Mr. Bourgeois asked about figures concerning participation? Ms. Fournier said that revenue and participation is tracked through a virtual MyRec system. This initiative is being driven by the Vermont Council on Rural Development's community visit in 2015.

Continuing, Ms. Fournier added to the future development for program offerings and activities which would help to support the establishment of a community center. At this time, the existing facilities are sufficient to support these programming gaps, but the facility would bridge the gap and promote future program development. Mr. Bourgeois added that a bond vote would be needed with support from the taxpayers to cover any financial shortfalls to implement this project. Mr. Hemenway said that discussions with community members have shown support for this type of project. Mr. Bourgeois asked about the contribution for the average homestead valued at \$200,000.00 to \$300,000.00? Ms. Fournier answered saying it would be about \$14.00 per every \$100,000.00 of household grand list value.

Mr. Clark said it would take two to five years to accumulate enough data to evaluate the activity charges against the development costs. At this time, the activity fees and charges are only anticipating the annual operational costs of the proposed facility. Mr. Bourgeois said the rate would be 4% for the municipality to obtain a bond to fund the remainder of this project. To put this in perspective, this would cost around \$225,000.00 to secure the bond after amortization. Ms. Fournier responded that the Swanton Recreation staff has been working towards

ways to offset the costs beyond recreation opportunities. Mr. Bourgeois asked if it will be enough to offset the deficit? Mr. Raleigh responded yes citing that students utilize facilities outside Swanton in Chittenden County to have access to the same resources that this facility could provide.

Mr. Clark recommended revisiting these figures in a different format at another meeting to address the debt to income ratios and the full impact to the taxpayers. Mr. Fournier agreed recommending Mr. Savage add it to the second Selectboard meeting agenda on April 18, 2023 at 6:00 p.m.

e) Update on LVRT

Mr. Clark gave a brief update saying VHB would have additional updates about the design of this project later on this week. Mr. Savage added that there are other factors including environmental concerns to address as part of this project.

f) Atlas Proposal on Fourth Street Property

Mr. Savage gave a brief update from Atlas on their proposal to remediate the hazardous chemicals within the soil at the Fourth Street property. Further analysis is being conducted to determine if there are additional hazards/contaminants within the soil. To summarize, Mr. Savage said the development of the plan would cost \$18,937.00. This is almost \$7,000.00 more expensive than the previous proposal of \$12,000.00. Mr. Bourgeois recommended putting the project out to bid to save money.

Mr. White made a motion to put this plan out to bid for the remediation of the Fourth Street property, seconded by Mr. Bourgeois. Motion carried.

5. New Town Business

a) Open bids for exterior painting on Swanton Town Offices and Swanton Public Library

Mr. Savage said that two bids were submitted. One arrived after the deadline. Mr. Savage asked if any members of the Selectboard had an issue with reviewing the late bid? After taking a consensus, Mr. Fournier responded that the Selectboard does not have an issue with considering the late bid. Mr. Fournier asked for clarification on the amounts budgeted for the Town's portion of maintenance on these buildings? Ms. Fournier responded that \$10,000.00 is budgeted for library maintenance and \$20,000.00 for the town office building's maintenance. Mr. White asked Mr. Guilmette about the warranty for peeling paint. Mr. Guilmette responded that the warranty would cover full rot repair/replacement plus priming and double coats of paint, with touch ups on all other portions. Ms. Draper asked about the scope of when the project would commence? Mr. Guilmette responded late summer 2023.

The following bids were submitted:

Vermont Painting Company: \$16,800.00
Guilmette Handyman Services: \$19,450.00

Mr. White made a motion to award the contract to Guilmette's Handyman Services for the bid of \$19,450.00, seconded by Mr. Bourgeois. Motion carried.

b) Discussion of future town projects and activities

Mr. Fournier recommended pushing this item to the next regularly scheduled Selectboard meeting on April 4, 2023 at 6:00 p.m.

c) Sign contract for Police Services from the Village of Swanton for 2023

Mr. Savage gave a brief update on the contract for police services from the Village of Swanton for 2023. Ms. Draper expressed a need for greater police presence in outlying areas of the community like West Swanton.

Mr. Hemenway made a motion authorizing Mr. White to sign the contract, seconded by Ms. Draper. Motion carried.

6. Community & Economic Development

Mr. Savage said the grant writing process for Leader Evaporator is taking longer than expected, but has been given assurance through the State about the revolving loan fund. Mr. Savage added other community development initiatives including the establishment of a bakery in Swanton.

7. Highway Department

Mr. Savage said more money may be available to purchase the hay mulcher, but would require authorization to sign documents from the State. Other updates include bids for paving as nicer weather returns to commence these projects.

Mr. Hemenway made a motion to authorize Mr. Savage to sign any documents affiliated with the purchase of the hay mulcher, seconded by Ms. Draper. Motion carried.

8. Expenditures

a) General Orders (2/17/2023 through 3/21/2023)

Ms. Draper made a motion to approve the General Orders of 2/17/2023 through 3/21/2023 amounting to \$49,372.12, seconded by Mr. Hemenway. Motion carried.

b) Highway Orders (2/17/2023 through 3/21/2023)

Ms. Draper made a motion to approve the Highway Orders of 2/17/2023 through 3/21/2023 amounting to \$46,562.02, seconded by Mr. White. Motion carried.

c) Library Orders (2/17/2023 through 3/21/2023)

Members of the Selectboard including Mr. Hemenway and Mr. Fournier expressed concern over parts for mechanical equipment being replaced without consultation with the Selectboard before initiating these expenditures.

Ms. Fournier made a motion to approve the Library Orders of 2/17/2023 through 3/21/2023 amounting to \$4,641.00, seconded by Mr. White. Motion carried.

d) Payroll Orders (2/17/2023 through 3/21/2023)

Ms. Draper made a motion to approve the Payroll Orders of 2/17/2023 through 3/21/2023 amounting to \$52,764.64, seconded by Mr. White. Motion carries.

e) ARPA Orders (2/17/2023 through 3/21/2023)

Ms. Draper made a motion to approve the ARPA Orders of 2/17/2023 through 3/21/2023 amounting to \$5,729.75, seconded by Mr. Hemenway. Motion carried.

RECESS REGULAR MEETING AND ENTER INTO LIQUOR AND TOBACCO CONTROL BOARD

Ms. Draper made a motion to recess the regular meeting and enter into the liquor and control board at 9:20 p.m., seconded by Mr. Hemenway. Motion carried.

1. Renewal of the following licenses:
 - a) Campbell's Bay Campground
 - b) Martin's Foods d/b/a/ Hannaford's
 - c) Badermann Enterprises (Northside Beverage and Spirit's)
 - d) Hog Island Market
 - e) A & A Brothers, LLC (Ste. Marie's)
 - f) North Country Bait and Tackle

Ms. Draper made a motion to approve the license renewals as applied for, for Campbell's Bay Campground, Martin's Foods d/b/a Hannaford's, Badermann Enterprises, Hog Island Market, A & A Brothers, and North Country Bait and Tackle, seconded by Mr. Hemenway. Motion carried.

ADJOURN LIQUOR AND TOBACCO CONTROL BOARD AND RE-ENTER REGULAR MEETING

Ms. Draper made a motion to adjourn the liquor and tobacco control board and re-enter the regular meeting at 9:26 p.m., seconded by Mr. White. Motion carried.

9. Any Other Necessary Business - None

10. Correspondence - None

11. Public Comments (Reprise) - None

12. Upcoming Events

- a) DRB Meeting – Thursday, March 23, 2023 at 6:00 p.m. – Town Office Building, 1 Academy Street
- b) Planning Commission Meeting – Wednesday, March 29, 2023 at 6:30 p.m. – Town Office Building, 1 Academy Street
- c) Regular and Zoom Selectboard Meeting – Tuesday, April 4, 2023 at 6:00 p.m. – Town Office Building, 1 Academy Street – ***Please note new starting times of meeting***
- d) Town Offices & Operations are CLOSED – Friday, April 7, 2023 in observance of Good Friday
- e) Regular and Zoom Selectboard Meeting – Tuesday, April 18, 2023 at 6:00 p.m. – Town Office Building, 1 Academy Street

13. Executive Session (Legal, Personnel)

Ms. Draper made a motion to enter executive session at 9:28 p.m., seconded by Mr. Bourgeois. Motion carried.

Ms. Draper made a motion to exit executive session at 9:55 p.m., seconded by Mr. Hemenway. Motion carried.

No motions taken.

- E. Adjournment – Mr. White made a motion to adjourn the meeting at 9:57 p.m., seconded by Mr. Bourgeois. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Received and filed by:

Cathy Fournier, Town Clerk

Date