

DRAFT
MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
Town Office Building
1 Academy Street, Swanton, VT 05488
In-Person & By Zoom
TUESDAY
September 17, 2024 - 5:30 pm

Present: Joel Clark-Chair, Steve Bourgeois, Nicole Draper, Brian Savage-Town Administrator,
Cathy Fournier, Town Clerk, Betty Cheney

Zoom: Linn

Absent: Earl Fournier

A. Call to Order

Mr. Clark called the meeting to order at 5:30 pm.

1. Motion was made by Ms. Draper to enter Executive Session to discuss real estate, seconded by Mr. Bourgeois. Roll call vote, motion passed unanimously. Mr. Fournier joined the meeting by telephone and the meeting entered into executive session at 5:33 pm.

Mr. Fournier left the meeting at 6:05 pm.

Motion was made by Ms. Draper to exit Executive Session, seconded by Mr. Bourgeois,, motion carried. Exited executive session at 6:07 pm

No action taken

B. Pledge of Allegiance

Mr. Clark led those in attendance in the Pledge of Allegiance

C. Agenda Review

The agenda was reviewed and there were no changes

D. Meeting Topics

1. Minutes

a) Regular Selectboard meeting of September 3, 2024

Mr. Bourgeois made a motion to approve the September 3, 2024 Selectboard Meeting as written, seconded by Ms. Draper. Motion carried.

2. Public Comments

None

3. Law Enforcement.

a) Swanton Animal Control

Mr. Savage shared Mr. Benson's report for August, 2024. Mr. Savage reported he spoke to Mr. Benson this morning to get further details on the first two complaints on the report. The first one at 31 Foundry Street the owner of the dogs are in the process having an underground fence installed on the property. Mr. Benson will send the owner a letter instructing her to get the dogs licensed that is now required before issuing a ticket. He will follow up after the letter has been sent. On the call at 250 St. Albans Road, this is the second time that he has been called and the dogs are still unlicensed. Mr. Savage confirmed with Ms. Fournier that the dogs are still unlicensed. A letter will be sent and will be followed up on. The third complaint dealt with a loud rooster on Stanley Lane. He did speak with the owner who was apologetic as he did not realize it was disturbing the neighbors. The Town does not have any ordinance for rooster or any other animal other than dogs but Mr. Benson would rather take a few minutes to talk with people than have negative publicity on social media. Mr. Clark asked how we are doing with licensing this year. Ms. Fournier we are at about 500 at this time. Mr. Clark asked how many that have not been relicensed, Ms. Fournier said she did not know without reviewing the licenses.

4. Expenditures

a) General Orders

Mr. Bourgeois made a motion to approve General Orders for 8/22/2024 to 9/17/2024 in the amount of \$56,028.92 seconded by Ms. Draper. Motion carried.

Mr. Clark asked Ms. Fournier about multiple deposits to Peoples Trust Company. She replied that they represented each payroll.

b) Highway Orders

Ms. Draper made a motion to approve the Highway Orders for 8/22/2024 to 9/17/2024 in the amount of \$65,462.52, seconded by Mr. Bourgeois. Motion carried.

c) Library Orders

Ms. Draper made a motion to approve the Library Orders for 8/22/2024 to 9/17/2024 in the amount of \$2,919.63, seconded by Mr. Bourgeois. Motion carried.

Mr. Bourgeois just had a question as to why for the library the detail stated Bushey Road Culvert. Ms. Draper state it was on one invoice and it included stone that was used at the library.

d) Highway/General Payroll

Mr. Draper made a motion to approve the Highway/General Payroll Orders for 8/22/2024 to 9/17/2024 in the amount of \$27,010.91, seconded by Mr. Bourgeois. Motion carried.

e) Library Payroll Orders

Mr. Bourgeois made a motion to approve the Library Payroll Orders for 8/22/2024 to 9/17/2024 in the amount of \$8,148.94, seconded by Ms. Draper. Motion carried.

f) Special Orders

Ms. Draper made a motion to approve the Special Orders for 8/22/2024 to 9/17/2024 in the amount of \$478.52, seconded by Mr. Bourgeois. Motion carried.

5. Highway Department

a) Monthly Update

Mr. Clark shared his monthly highway update.

Mr. Fournier had told Mr. Clark that he had something to discuss but he has not signed into the Zoom session yet. As far as Swanton Hill Road, the road is falling apart and there has been four and a half tons of hot mix laid down as a patch. If the big project is done next year, in addition to the newly lowered portion being repaved the section from the culvert to the turn around will also be repaved. We have had two employees out, one for vacation and the other out with Covid. They have been busy dealing still with the beavers on Swanton Hill Road, will be hauling sand to prepare for the winter season. The shed is about half full at this time. There will also be some shoulder work and tree cutting to be done. On Swanton Hill Road, Mr. Clark along with the engineer, Tyler Billingsley will be meeting with the Town Attorney, Brian Monaghan to review the proposed project to obtain a legal opinion to dropping the grade to 14% rather than 10% to have it documented in our records. This meeting will take place tomorrow, Wednesday the 18th.

On Brooklyn Street, the survey shows the ditch is also on the property of an additional property owner. There is time to meet with the owner to see if they are agreeable to having a permanent easement. This would be done next year and will keep the project in house.

On Maple Grove Estates the engineer that has been hired by the developer reports that the way to handle taking over the road without having the Town involved with the stormwater permit was to agree with the HOA to maintain the road and we will not take over the road or the stormwater permit. Ms. Draper asked if we would have a contractual agreement to maintain the road. Mr. Clark replied yes that we will look for a good sample of a Memorandum of Agreement that would have a clause that either part may exit the agreement with a certain amount of notice. Mr. Bourgeois asked how long would the agreement be good for, would it be for a term of say 10 years or be in perpetuity. Mr. Clark thought that it could be in perpetuity with a review of every 10 years. Mr. Bourgeois stated that we often can have good intentions at the time but later on find out that maybe we shouldn't have it locked in perpetuity. Why he would favor a term of 10 years. Mr. Bourgeois wanted to confirm that we would not be responsible for the stormwater permit. Mr. Clark stated that the Town will not be connected with the stormwater permit.

6. Old Town Business

a) Speed Limit Reduction on Highgate Road - Mr. Clark asked Mr. Savage to give report on the hearing that both he and Mr. Clark attended with this request. Mr. Savage stated that last Wednesday, September 11th, he and Mr. Clark met via Teams with the

Traffic Safety Committee comprised of the Secretary of the Agency of Transportation, Joe Flynn, the Commissioner of Motor Vehicles, Wanda Minoli, and the Commissioner of Public Safety being represented by Lt. Paul Ravelin of the Vermont State Police. The discussion started with the reports being reviewed that showed that the speeds were in the 85 percentiles. Further discussion continued. Secretary Flynn stated that perhaps the speed limit could be reduced from the Swanton/St. Albans town line to just south of the Hazard Road. This would address sight distances, the new development taking place in the area as well as the intersection with Bushey Road, that the Secretary did mention that funds have been appropriated to the NRPC to scope improvement to the Bushey Rd. intersection. There will be improved signage along the route as well.

In further discussion it was brought up that the speed limit was also 50 MPH from the intersection with Route 7 to the town line in the Town of St. Albans. Though they will need to review this with the Town of St. Albans, the Committee feels that the speed limit should be 40 MPH from the intersection with Route 7 all the way to just south of the Hazard Road. The Committee took a vote and this was approved with the final details to be worked out by the Vtrans engineers. Mr. Savage reported though we did not get what we wanted, it was a good compromise and a start in the right direction.

Mr. Clark said that as we all know there are many accidents at Woods Hill intersection and if this situation continues with the addition of the new signs in that area, we will make a request in the future to lower the speed limit in that area.

b) Local Option Tax - Mr. Savage reported that he had a meeting with Village Manager Bill Sheets and Heidi Britch Valenta of the Village staff to discuss the fact that the Village Board of Trustees wishes to pursue the Local Option Tax and have a vote on Town Meeting Day. There was a discussion as to how the LOT will work with a Town/Village structure. Mr. Savage stated as he understands it the Village and the Town will have to put the question of the tax to their voters individually. Mr. Clark stated in his mind it would be less confusing if there was one tax and a formula used to split the tax receipts between the town and village. Mr. Savage said in his opinion having a separate LOT would be very cumbersome to administer. The Selectboard does wish to pursue the LOT but to have an opinion obtained from an attorney on how it will have to be structured with the expense shared by the Village. Mr. Savage said he will speak to Mr. Sheets with this and report back. The goal is to have as many questions answered so that proper direction can be taken when it is discussed at a Joint Selectboard/Trustee meeting.

c) Southern Growth District - Mr. Clark reported that he originally wanted to set up a time to meet with Mr. Fournier so that they can review numerous issues as it relates to the Growth District such as wet lands as well as what might be able to be located in the areas within the Southern Growth District. Mr. Clark will get in touch with Mr. Fournier to set up a time for a work meeting.

d) Boundary Line Adjustment Update - Mr. Savage stated that the boundary line adjustments on the surplus land acquired through a tax sale adjacent to Missisquoi Valley Union High School is on the agenda for the DRB meeting on Thursday, September 26th at

6:00 pm.

- e) Selectboard Vacancy - Mr. Clark said that this is a pitch that there is an opening and letters of intent are accepted until next Thursday, September 26 with the hope to make an appointment to the Board for the unexpired term at the Selectboard meeting of October 1st. It is an opportunity for someone to apply and if appointed, try it and see if they wish to run for the seat on Town Meeting Day next March. Anyone interested must be a registered voter and a resident of either the Town or Village.

At the present time, we have only one letter of intent that has been received with a second individual expressing some interest. Joel mentioned he also has had two people talk to him about it. Mr. Bourgeois asked if we can get the local access channel run an announcement that we are looking for a qualified individual for the position.

Ms. Draper noted that at the last meeting someone mentioned that it would be great to have the duties and responsibilities listed. Mr. Savage will check into and see that it will be posted.

7. New Town Business

a) Proposed Joint Planning Commission Resolution - Mr. Savage reported that this was discussed in his meeting with Mr. Sheet and Ms. Britch-Valenta. As the Town and Village has the one Planning Commission; this affects grants that the Village may want to apply for that the Town may already have applied for in the same cycle. Even though we are two separate entities by having only one Planning Commission only one grant application for a particular program will be accepted. Mr. Savage pointed out that the Town of Enosburgh and the Village of Enosburg Falls have a similar situation. Mr. Savage provided copies of the Enosburg Resolutions as template. Mr. Clark pointed out that the Village could set up their own zoning by-laws. This would not be favorable in the situation for Swanton. Mr. Clark ask why the Village couldn't have the Town apply for a grant and have it as a pass thru. Mr. Savage said this was for discussion purposes to be decided at the joint meeting with the Village Trustees.

8. Community and Economic Development

None

9. Any Other Necessary Business

None

10. Correspondence

None

11. Public Comment (Reprise)

None

12. Upcoming Events

- a) Tuesday, Sept. 24, 2024 - Planning Commission - 5:00 pm Town Offices

- b) Thursday, Sept. 26, 2024 - DRB - 5:00 pm Site Visit - Donaldson Road with meeting at 6:00 pm at Town Offices
- c) Tuesday, October 1, 2024 - Selectboard - 6:00 pm - Town Offices

13. Executive session

Ms. Draper made a motion to enter executive session at 6:52 pm, seconded by Mr. Bourgeois. Motion carried.

Mr. Fournier joined the meeting at 6:54 pm.

Ms. Draper made a motion to exit the executive session at 7:03 pm, seconded by Mr. Bourgeois. Motion carried.

Mr. Bourgeois made a motion to approve the letter composed to Mrs. Briggs to be signed by the Chair of the Board. Ms. Draper seconded. Motion carried

14. Other Business (reprise)

Mr. Fournier mentioned he had great difficulty signing in on Zoom and if we had 5 or 10 minutes he can quickly cover what he wanted.

He asked if we had heard anything back from anyone on the letter sent regarding Route 78. Mr. Savage replied no, we have not. Mr. Fournier said even from Northwest Planning? Mr. Savage said yes he did receive a very brief email from Kyle that repairs would be done. Mr. Savage said that he will be forwarding the email in the morning, Mr. Fournier did mention that the TAC would send a member to the same individuals we did. The other matter was the speed limit reduction on the Highgate Road. Mr. Clark stated that was discussed and Mr. Fournier said he understood but they are concerned with the school bus issue and that there should be a speed study issue for that. Mr. Clark said that the speed study that was done included the areas of the school bus issues.

Mr. Fournier also mentioned that the funds for the scoping study of the Bushey/Highgate Road intersection has been given to Northwest Regional Planning and they are in the process of getting consultants on board to get the study done.

Mr. Fournier also reported that Rick Cummings has been approved for a tie in to the St. Albans city water line in his development.

14. Adjourn

Mr. Bourgeois made a motion to adjourn at 7:04 pm, seconded by Ms. Draper. Motion carried.

Respectfully submitted by
Brian Savage
Town Administrator

Received and filed by:

Cathy Fournier, Town Clerk

Date