

**DRAFT MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
Town Office Building
1 Academy Street, Swanton, VT 05488
In-Person & By Zoom
TUESDAY, May 2, 2023 @ 6:00 p.m.**

Present: Earl Fournier-Chair, Ed White-Vice Chair, Nicole Draper, Steve Bourgeois, Cody Hemenway, Members Brian Savage- Town Administrator, Christina Candels, Administrative Assistant, Cathy Montagne, Matt Sullivan-Police Chief, Jeff Blanchard-VTRANS, Brad McAroy-VTRANS, Bethany Remmers- Northwest RPC, Mathew Arancio -VTRANS, Roger Dickinson- Trudeau Consulting Engineer, Bill Tessier, Carly Tessier, Jim Benson- Swanton ACO, Kyle Grenier-Zoom, Linda-Zoom, Phil D-Zoom, Chris Galipeau-Zoom, AJ LaRosa-Zoom, Chris Galipeau-Zoom

*All motions carried unanimously unless specified otherwise

A. Call to Order Mr. Fournier called meeting to order at 6:00pm

B. Pledge of Allegiance

C. Agenda Review: Police Chief's Report, Liquor License renewal, Mr. Bourgeois asked to speak about sources of funding for Town building, Rec building.

D. Meeting Topics

1. Minutes

- a) April 18, 2023 - Regular and Zoom Selectboard Meeting
- b) April 24, 2023 - Special Selectboard Meeting

Mr. White made a motion to approve the Draft Minutes from the 4/18/23 & 4/24/23 Regular & Special SLB Meeting Minutes seconded by Mr. Hemenway. Motion carried.

2. Public Comments-None

3. Law Enforcement

- a) Swanton Health Officer Report- Mr. Hemenway asked if future Health Officer Reports could have photographs to go with report? Mr. Savage stated property discussed in Health Officers Report is not in "Protected Wetland", property is showing some improvement.

- b) Swanton Police Chief Report- Chief Sullivan gave updated on April 2023 traffic stops, Report states 63 Incidents of those 16-traffic stop, 6 tickets issued, 12 warnings, 2 arrests, 5 arrest charges.

19 Direct Patrol, 16 Traffic Stop, 3 Suspicious Person/Circumstance, 3 Citizen Dispute, 3 Agency Assistance, 3 Threatening, 2 Community Outreach, 2 Crash w/ Damage, 2 Driving- License Suspended

In response to Mr. Hemenway question at previous meeting, Chief. Sullivan did speak with officers about documented patrol to punch card to document where they are patrolling.

Chief Sullivan stated the Ticketing Report does not show if the Officer gave a Ticket & Warning, Chief Sullivan did dig into this and give the board better clarity.

Mr. Savage asked about out of State listed on Violation City. Chief Sullivan stated that was the operator's City of residence/Home address.

Chief Sullivan stated they are aggressively working on drug activity, the connections from State to State from more urban cities, how broad spread the drug activity is across rural Vermont.

Mr. Bourgeois asked Chief Sullivan how extradition works when defendants are from another State. Chief Sullivan explain how Vermont compares charges for extradition.

4. Old Town Business

- a) Representatives from VTRANS -Executive Session (Real Estate)

Ms. Draper made a motion to enter executive session at 6:15 p.m., seconded by Mr. Hemenway. Motion carried.

Ms. Draper made a motion to exit executive session at 6:37 p.m., seconded by Mr. Bourgeois. Motion carried.

Mr. Fournier stated the Town would like a Scoping Study performed at the intersection of VT 207& Bushey Road. Ms. Remmers with NWRPC stated they are always willing to partner with Towns & VTRANS to do Scoping Studies.

Ms. Remmers asked Mr. Arancio if there was any VTRANS funds for the study.

Mr. Arancio stated there is additional funds for this, yes.

Mr. Fournier asked how to start this process?

Ms. Remmers addressed Mr. Arancio how? Mr. Arancio stated something in writing from the Town requesting a Scoping Study for VT 207 & Bushey Road.

Ms. Remmers explained this can happen pretty quickly once request is sent out. They have engineers prequalified to do this Scoping study. This will quicken the process. Mr. Arancio stated the processes will come thru him and he can facilitate this as well.

Mr. White made motion that Swanton would like to request that NWRPC work with VTRANS for Scoping Study on this intersection seconded by Mr. Bourgeois. Motion carried.

Mr. Bourgeois made motion that town consult with Town Attorney on pros/cons of direct ownership vs. easement of this road for new Stage Garage, seconded by Mr. White. Motion carried

- b) Update on MVU/First Street Sidewalk Project from Mr. Dickinson & Ms. Remmers

Ms. Remmers & Mr. Dickinson have comments back from VTRANS. Mr. Dickinson stated this was distributed all thru VTRANS so everyone could comment giving him the plan back.

Biggest comment relates to access management, noted town garage improvement as well as some residential driveways, commercial driveways being too wide.

Biggest comment back was in regards to Maplefields Driveway / corner radius, VTRANS would like this tightened up.

Mr. Bourgeois asked when Maplefields went in was it in writing how big driveways could be? Mr. Dickinson stated Maplefields driveways are both around 50' wide, standard is 40'.

Mr. Dickinson stated they will request copy of original approved site plan, if they were approved the way it is, should not be Town's responsibility to fix the issue.

Mr. Fournier asked about individual land owners very little change with those sizes.

Interstate access ramp southbound is wider, they suggested additional signage to make safer. No comments made about northbound.

Mr. Dickinson updated estimates, states increase is estimated at \$4,000 increase from original estimate. Ms. Remmers stated these are average cost of last 3 years, can vary for actual construction.

Mr. Bourgeois asked if plan for construction is still 2025? Ms. Remmers stated yes, but hope to start in 2024, Mr. Dickinson stated it is based on right of ways which can drag the project out. We do not have VTRANS approval or right of ways yet. Mr. Bourgeois stated asking large properties to reduce their driveway is not easy.

Ms. Remmers states Town Attorney is involved in the review of easement deeds, which must first be approved by VTRANS. Mr. Dickinson stated they would provide a draft for the easements. The Town Attorney will adjust the easements for the Town. (Town Attorney fees, land owner compensation is refundable thru grant) the grant is 25k.

Mr. White asked how many property owners involved? Mr. Dickinson stated about 10.

Discuss timeline for right of ways, VTRANS is presently backed up it could take 1-2 months.

Mr. Bourgeois asked if Town was to “pull the pin” how much is Town responsible to reimburse? Ms. Remmers stated billed to date \$53,000. (Trudell thru February 22nd & NWRP thru March 31st) Town is liable for this amount.

Mr. Bourgeois stated the Town needs to account for cost of keeping the sidewalk open, needing equipment / staff for snow removal.

Ms. Remmers did locate/ bring 2017 feasibility study for the project.

Mr. Bourgeois made motion for Town to discontinue interest in project, seconded by Mr. White.

Discussion,

Mr. Hemenway asked about information on further growth in the area? Airport, field across from H G Bergers Fuels. Concern for ongoing cost.

Ms. Draper stated seeing multiple people using the trail going to Missisquoi Valley, Town growth, Town walkability. Believes the Board needs to look at the Scoping Study, Feasibility Study, Projections for Community growth.

Mr. Fournier is not in agreement with pulling the plug. Mr. Fournier feels we need Community input.

Mr. Bourgeois ask if Town owns the rights to plans if Town pulled the plug? Ms. Remmers said “Yes there is things/cost/ VTRANS /Federal Highway requirements which can be resurrected in future. Mr. Dickinson stated the \$25,000 Grant will be lost.

Mr. Fournier asked about Grant money if project does go over budget, Ms. Remmers recommended the Town apply for Vermont Bicycle & Pedestrian Grant (due June 6,2023) to help close budget gap, VTRANS believes lack of funding is not a reason to back away from a project.

Mr. Fournier asked how much will the Town have to pay if they go to the bidding process? Project Management, Design Contracts, Grant is refundable, right of way process. Ms. Remmers the Town will owe \$94,644 this is all the way to the bidding the construction cost.

Mr. Hemenway suggest Town owes due diligence to taxpayers.
Mr. Savage suggests no action tonight.
Public Hearing June 6, 2023 at first Selectboard meeting in June,
School Board, MVU, Rec Dept, Business, Land Owners

Ms. Draper questions should the Town prepare to file for Vermont Bicycle & Pedestrian Grant (due June 6, 2023) Ms. Remmers agree.
NWRPC (Ms. Remmers) can prepare application and apply for the Grant at no charge to the Town.
Notification of grant approval will come in August.

Mr. Bourgeois withdrew his motion for the Town to discontinue interest in project.

Mr. Savage will make notice of Public Hearing on project **June 6, 2023 6 p.m. to be held at the Swanton Village Auditorium**

Ms. Remmers is the Project Manager for Town, asked what would you like her roll to be at this Public Hearing.
Mr. Fournier stated he would like her to present and explain what started this process, define where Town is at that point. Then open up to public comment-Mr. Fournier will facilitate this with public

Ms. Remmers stated the Town can also apply for Transportation Alternative Grant in November she will look into this.

5. New Town Business

a) Hearing on vicious dog complaint

Mr. Benson reviewed a complaint from Mr. & Mrs. William Tessier, April 6, 2023 that their neighbor's dog (Mr. Brad St. Francis) killed 10 chickens and scratched 2 vehicles. This is a repeat offence last year same dog killed 1 chicken & 1 duck (they did not pursue the Selectboard at that time).

Mr. Benson did speak with Mr. St. Francis the dog's name is Spartan.
Spartan is not licensed with Town or provided proof of rabies vaccination
Spartan broke out of his enclosure by breaking bungie cord.

Mr. Benson read Tessiers official complaint birds were locked in coop not free when the dog killed them, this is not the first time. They had previously called the police about the dog.

Mr. Benson stated laws broken are unlicensed (\$100 Fine), dog at large (\$100)

Mr. Bourgeois asked about compensation for animals, Mr. Fournier explained to Mr. & Mrs. William Tessier that they have the right to take Mr. Brad St. Francis to small claims court for value of animals.

Mr. Fournier & Board agreed to send letter to Mr. St. Francis to state the dog needs to be properly restrained. As well as issue tickets for unlicensed (\$100 Fine), dog at large (\$100) include in letter future course of actions.

Mr. Savage & Mr. Benson will draft a letter together and send to Board for review once reviewed, letter will be sent Certified mail to Mr. Brad St. Francis.

Mr. White made a motion to send certified letter to Mr. Brad St. Francis to state the dog needs to be properly restrained, as well as issue tickets for unlicensed (\$100 Fine), dog at large (\$100) include in letter future course of actions, dog has to be confined, if another incident board will consider euthanasian Seconded by Mr. Hemenway. Motion carried.

b) AJ. Larosa regarding possible conveyance of real estate for conservation

Mr. Larosa is attorney for RL Vallee Inc owners of Maplefields & Hometown Sunoco Vallee has a lot of land they would like to donate located behind Hometown Sunoco, 75% of it is essentially wetlands, protected land.

RL Vallee will take care of subdivision & permitting plans.

What's the formal process & is the Town interested in the property?

Mr. Larosa stated this would be Town owned conserved land.

Mr. Bourgeois asked how this would affect adjoining land owners would this restrict them?

Mr. Larosa stated "No".

Mr. Larosa stated the Rail trail is not connected to the property.

Mr. Hemenway asked what is the benefits of the Town taking ownership?

Mr. Larosa stated just conservation some towns are interested in owning and preserving these wetlands some are not.

Mr. Fournier asked for map of proposed land, Mr. Larosa said he would be happy to send a sketch. It is basically about 5 acres between Robinhood Drive/Interstate 89/Precision Drive/Hometown Sunoco.

Mr. Bourgeois stated to settle the issue, the board should decide if they're interested in valueless swamp land to assume the liability of the land as well.

Mr. Larosa asked board if they know of an organization whom might be interested in the property?

Mr. Fournier stated Swanton has preserved a lot of land for wetlands. Roughly 4000 acres

Mr. Bourgeois made motion to pass on land from RL Vallee Inc. motion failed for lack of second motion.

6. Old Town Business-Continued

- c) Update on LVRT- No update
- d) Update on new website- Mr. Savage showed the board the printed screen shot of the new website printed on paper
- e) Update on outstanding issues-Brian gave updates
- f) Update on new website.

Mr. Savage gave updates with the description of home page with links/dropdowns/services/community.

Below is the **tentative** timeline of completion

- May 11, 11am - 12:30pm: review the website
- May 18, 11am - 12:30pm: training session
- May 25, 11am - 12:30pm: final review and questions
- Launch on 5/31/23

Mr. Fournier signed form to apply for SwantonVT.gov

.Gov is regulated and needs to be approved, this can take about 3 weeks

Mr. Savage has meeting to discuss things to determine town vs village for designer

Mr. Savage will also provide some photos for website of Swanton

Mr. Fournier asked to ensure the website has ability for mass notice emails if resident signs up for this feature, Mr. Savage will speak with Mr. Hansen in next zoom, it has been previously mentioned with him.

7. Mr. Savage update on Outstanding Issues – Economic Development

ARPA Funds:

As of 4/30/2023 a total of \$763,593.05 has been obligated with a remaining \$485,913.32 unobligated and available. This information has been reported by the Town Treasurer to the Federal Government.

Library Elevator:

The contract with Otis Elevator has been terminated effective May 1, 2023. A new contract with Alpha Elevator of Montpelier has been placed.

Will be scheduling an appointment with Alliance to discuss the float on the sump pump then schedule the work to be done with an elevator tech on standby. (Mr. Savage is going to ask about electronic sensor for this).

Barry Road Culvert:

A request for a Hydraulic Study to assess just what is needed at the location has been submitted to VTRANS. They are somewhat backed up but it is in the cue.

Revolving Loan Fund:

We are still awaiting final confirmation from the Vermont Community Development Program that the grant is closed prior to being allowed to begin using the RLF. We have received interest from a local start up business about using this as a possible part of the financing package for their business.

E-911 Compliance:

The addresses on the Swanton end of French Hill Road have been brought into compliance, with one minor change still needed that should be completed by the end of this week.

Notices of change of address have been sent out to all residents of Rocky Ridge Lane stating what their new address will be effective July 1, 2023.

M.O.U. – Swanton Historical Society:

The President of the Historical Society, Jason Barney wanted to confer with other individuals in the Historical Society. I also would like to set up a time to visit with him at the Museum to review what the building may need in the way of repairs. The decking will need a power wash and should have some stain or preservative applied.

Mr. Savage also brought up idea of having Kiosk boards to post notices/announcements for the town (example locations would be Mother Hubbard's & Hog Island Marker)

Mr. Fournier agreed to spreading the word.

Ms. Draper suggested it might be something the building trades community could assist with the construction.

Mr. Fournier asked about furnaces being installed at Swanton Library, to ensure once they are installed, Efficiency Vermont should be contacted to review the building for efficiently. Hopefully before the next Winter.

Mr. Savage has that on list as well as rebates.

Ms. Draper stated Library still has non-working toilet in basement- part has been ordered

8. Community and Economic Development

Mr. Bourgeois has had conversation with Mr. Tim Smith form Franklin County Economic Development in regards to Southern Growth District, Industrial Land for Development, Conversation about land on Jonergin Drive being deemed wetland can some of it be used for industrial developments, VPT has parcel land can this be used for Industrial Development.

9. Highway Department-Mr. Fournier

Highway Dept is preparing for Spring, no serious water issues, septic issue is resolved at Town Garage.

CONTROL BOARD

1. Liquor License renewal – Outside Consumption – Fiddler on the Green, LLC

ADJOURN LIQUOR CONTROL BOARD AND RE-ENTER SELECTBOARD MEETING 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 tobacco control board., seconded by Mr. Hemenway. Motion carried.

- Liquor License renewal – Outside Consumption – Fiddler on the Green, LLC

Ms. Hemenway made a motion to approve the license renewals as applied for Fiddler on the Green LLC seconded by Mr. White. Motion carried.

Ms. Draper made a motion to adjourn the Liquor and Tobacco Control Board and enter back into regular selectboard meeting, seconded by Mr. Hemenway. Motion carried.

10. Any Other Necessary Business

Mr. Bourgeois would like Mr. Savage focus on funding together with local, state, and federal representatives to see what funding is available for the construction of New Rec Community Building.

Mr. Savage will reach out to Michelle Monroe- (Previous Reported for St. Albans Messenger currently works for Peter Welch's Office).

Mr. Fournier stated to also make sure the Rec Committee informed and involved in this process

Ms. Draper stated they have started research options, Rec Dept will work thru Mr. Brian Savage and Mr. Brain Savage work with Ms. Betsy Fournier on this.

Mr. Bourgeois, Mr. Hemenway offer assistance as well.

Mr. Fournier questioned if the project should include something to do with daycare also? Are there federal & state moneys for this if included. Childcare is a real issue.

Mr. Bourgeois asked should we talk with Abenaki to partners as well?

11. Correspondence

a) Email received with comments from Mr. Roger George on April 19, 2023

Mr. Fournier had a conversation with him.

Mr. Fournier will meet with him in Town Administrators office with Mr. George 5/11/23 time TBD. This will be a warned meeting in the event 3 or more Selectboard may attend.

10. Upcoming Events

a) Wednesday, May 3, 2023 – Special Planning Commission Meeting – Town Offices – 6:30 pm

b) Tuesday, May 16, 2023 – Regular Selectboard Meeting – Town Offices and Zoom – 6:00 pm

Adjournment: Mr. White made motion to adjourn the meeting at 8:20 p.m. seconded by Mr. Hemenway. Motion carried.

Respectfully Submitted,

Christina Candels, Administrative Assistant
