

**DRAFT MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
Town Office Building
1 Academy Street, Swanton, VT 05488
In-Person & By Zoom
Tuesday,
July 2, 2024 @ 6:00 p.m.**

Present: Joel Clark-Chair, Earl Fournier. Nicole Draper, Cody Hemenway-Members, Cathy Fournier-Town Clerk, Briann Savage-Town Administrator, Christina Candels-Administrative Assistant, Andy LaRocque, Chief Matthew Sullivan, William Thompson
Zoom: Lin, Chelsea Lumbr

A. Call to Order

Mr. Clark called the meeting to order at 6:00 pm.

B. Pledge of Allegiance

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

C. Agenda Review

Ms. Draper asked for an update on the library roof repairs. Mr. Savage said he did not have any update from Las Scangas. Mr. Fournier asked when the last contact with him was. About 6 weeks ago. Mr. Savage will contact him to set up an in-person meeting, then share that date with Mr. Clark & Mr. Fournier.

Mr. Fournier requested to add Promoting Swanton update under Old Town Business.

Mr. Clark requested to add Brooklyn Street Proposal under Old Town Business.

D. Meeting Topics

1. Minutes

a) Special Joint Selectboard and Village Trustees meeting of June 17, 2024

Ms. Draper made a motion to approve June 17, 2024, Special Joint Selectboard and Village Trustees Meeting Minutes as written, seconded by Mr. Hemenway. Motion carried.

Mr. Fournier asked for the minutes to be corrected for his motion to include the use of in-house resources for Promoting Swanton.

2. Public Comments

None

3. Law Enforcement

a) Swanton Police Department

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Chief Sullivan shared Swanton Village Police responded to 99 incidents in June 2024. Those incidents were as follows:

36 directed patrols, 13 traffic stops, 6 suspicious person/circumstance, 4 motor vehicle complaints, 4 citizen assist, 3 agency assist, 3 found property, 3 community outreaches, 2 phone problem/harassment & 2 mental health.

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Mr. Fournier said the committee also discussed having a mural painted on the side of Merchants Row, there was also discussion about the Boy Scouts participating.

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c) Brooklyn Street stormwater proposal update-Joel Clark.

Mr. Clark said he received the proposal from Tyler at East Engineering will the costs. Mr. Clark said they have money budgeted for this, but if they don’t get the wetlands permit, they’re not doing anything.

Mr. Fournier made a motion to appropriate \$6,000 to East Engineering to get the wetlands permit & boundary survey done, seconded by Ms. Draper. Motion carried.

6. New Town Business

a) Request of Franklin County Field Days – Andy LaRocque

Mr. LaRocque came before the board as a director of Franklin County Field Days. They are looking for a letter of support from all the towns. They have been told this is the last year they can have the Field Days. The State of Vermont says they have plans for the land. They have been actively looking for other sites around the county, without luck. All the towns love Field Days, but none want to host them. The property needs to be sandy. They would like to pursue buying land from the State of Vermont. They have received letters of support from other towns already. Mr. LaRocque shared a letter of support for example. When the talks about moving first started the State agreed to help move all the building and with new land, none of it will happen.

Mr. Fournier asked what other uses they have for Field Days? Winter storage, weddings, big rig days, tree sales. Ms. Draper said they opened space to the school during covid. They could not offer weddings this year due to the State.

Mr. Clark said they will draft a letter. Mr. Fournier asked what the land is worth.

Mr. LaRoque said they should have pursued purchase of the land years ago.

Mr. Fournier asked how many acres they have? 35 acres, which is enough.

Mr. Clark asked when he would need the letter by? Mr. Savage will draft a letter, and everyone will stop and sign.

Mr. Hemenway made a motion to draft a letter of support for the Franklin County Field Days to remain at their existing location, seconded by Ms. Draper. Motion carried.

Mr. LaRocque said they are also seeking sponsors to make “save our field days” t-shirts to give away. If anyone knows of anyone let him know. They have been there 49 years.

b) Discussion of handling calls relative to injured cats

Mr. Savage said they received a call last week from a resident saying there was an injured cat in the roadway. The Town does not currently have a policy for cats. The Village referred him to the AOC. Mr. Benson, the AOC called Mr. Savage and they determined no one knew who owned the cat, but they didn't want it to suffer. Mr. Benson took the cat to Champlain Veterinary. The following morning the cat had to be euthanized. Mr. Savage said this is not a problem that happens very often. The Town wants to ensure that the public knows they don't want any animal to suffer but they need to have a policy, so the AOC knows what to do. Mr. Clark agreed this will make it easier with directions for what to do. The board will review the policy and finalize to sign at the next meeting. Mr. Fournier asked what they would do if the opinion of the vet was to spend 5K to save the animal. The animal would have been abandoned by owners then and have to be euthanized. Ms. Draper asked if the cost to euthanize be the responsibility of the Town? It would be yes, last week's case was at no cost, the vet said he was not going to let an animal suffer. This clarity will be added to the policy. Mr. Hemenway said there should be a discussion about the future of cats. Ms. Draper said there are pockets of feral cats. Mr. Hemenway said you don't want that to get out of control. Ms. Cathy Fournier said there is an organization who helps with feral cats. Mr. Savage will get more information.

c) Discussion of new state statutes relative to electronic access to public meetings

Mr. Clark said this is in regard to DRB & Planning Commission boards. Mr. Savage said yes as well as BCA. Mr. Savage said this is regarding Act 133 mandating any board that is non advisory be available for people to attend electronically via zoom. You can also hold meetings virtually. Mr. Savage said they will need to make changes to establish other zoom links for meetings to have their own link. This law was effective July 1, 2024. There is some discussion about if this is optional because it says or. They need to offer electronic or in person meetings to people. Mr. Savage said there is some training that goes with this 6 hour of training on open meeting law. The full text of Open Meeting Law needs to be available. This has been added to the website already. Mr. Clark reads it as the meetings need to be recorded, and electronic access if requested. Mr. Clark said he reads that as they don't have to until requested. If they request to zoom in, they need to allow it. Mr. Fournier asked if they had anything from the Vermont League of Cities and Towns. The notice provided was from them. Mr. Clark asked if there is a desire for this? Yes, people have called and asked. Ms. Draper said for ease of access as well as recording zoom records to the cloud. Mr. Fournier asked if they would need separate access or use the same one. Ms. Draper said they will be able to have their own schedule & link, id for meetings.

Mr. Fournier made a motion that all meetings that are required to be in compliance with the new State law be on Zoom, seconded by Mr. Hemenway. Motion carried. This will include the Planning Commission, Development

Review Board, Board of Civil Authority, Recreation Commission. All boards now and in the future.

The Library Trustees and Cemetery Committee will need to make their own decisions.

d) Discussion of proposed OSHA Rules relative to Fire Departments

Mr. Savage said there has been information in the news recently regarding these proposed new rules. These rules and guidelines are drafted by the NFPA. What OSHA is doing is considering adopting the NFPA regulations as OSHA regulations. This is not a one size fits all, this could put small fire departments out of business. Mr. Savage had a conversation with the fire chief today. A lot of the things required the fire department is already doing, but there are some they are not and will be costly.

Mr. Savage said the congressional delegations are fine with these changes. Mr. Clark asked if there is a push from Towns or Fire Departments to push back with letters? Mr. Savage said they will take comments until July 22nd. Mr. Savage is going to check with the Village Manager to see what they will be sending to ensure they align. Mr. Clark said they would do a letter of pushback for the next Selectboard meeting.

7. Community and Economic Development

None

8. Any Other Necessary Business

- a) Reschedule Selectboard meeting of August 6, 2024, due to conflict with National Night Out

The board agreed to change the meeting to August 5, 2024

9. Correspondence

None

10. Public Comment (Reprise)

Mr. Thompson came before the board in regard to a neighbor whose sewer line is failing. Mr. Thompson said he has spoken with the Health Officer, and she told him she no longer works for the Town. Mr. Thompson said the smell is unbearable. His wife has breathing issues and cannot go out back. Mr. Thompson said the health officer did visit and could smell it. Mr. Savage has spoken with the landowner, and he is working on getting finances to fix the problem. It is a village sewer. The line needs to be replaced.

Mr. Fournier thought Lake Champlain Housing has a program to help with this? Mr. Savage said yes and that's why he wanted to speak with the homeowner to share that as well if there is a mortgage to reach out to them. Mr. Savage will look for information, resources and additional contractors who could help the homeowner.

Ms. Draper shared information for Mr. Savage to share with the homeowner from ANR website.

Mr. Clark will reach out to the Village Public Works also.

11. Upcoming Events

- a) Wednesday, July 3, 2024 – Iron Sights, 40th Army Rock Band – Village Green – 5:00 pm to 6:00 pm
- b) Thursday, July 4, 2024 & Friday July 5, 2024 – Independence Day Holiday – Office and Operations CLOSED
- c) Wednesday, July 10, 2024 – Vietnam Veterans Bridge CLOSURE starts
- d) Tuesday, July 18, 2024-Regular Selectboard Meeting- 6pm Town Office
- e) Tuesday, July 23, 2024 – Planning Commission – 5:00 pm – Town Offices
- f) Thursday, July 25, 2024 – DRB – 6:00 pm – Town Offices
- g) Friday, July 26, 2024 – Swanton Block Party – 5:00 to 8:00 pm – In the Square
- h) Saturday, July 27, 2024 – 14th Annual Swanton Chamber of Commerce Car Show – 9:00 am – Village Green

12. Executive session (Personnel)

Ms. Draper made a motion to enter into executive session at 7:32 pm, seconded by Mr. Hemenway. Motion carried.

Mr. Fournier made a motion to exit executive session at 7:40 pm, seconded by Mr. Hemenway. Motion carried.

No actions taken

13. Adjourn

Ms. Draper. made a motion to adjourn the meeting at 7:40 pm, seconded by Mr. Fournier. Motion carried.

Respectfully Submitted by
Christina Candels-Administrative Assistant

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Mr. LaRocque said they are also seeking sponsors to make “save our field days” t-shirts to give away. If anyone knows of anyone let him know. They have been there 49 years.

b) Discussion of handling calls relative to injured cats

Mr. Savage said they received a call last week from a resident saying there was an injured cat in the roadway. The Town does not currently have a policy for cats. The Village referred him to the AOC. Mr. Benson, the AOC called Mr. Savage and they determined no one knew who owned the cat, but they didn't want it to suffer. Mr. Benson took the cat to Champlain Veterinary. The following morning the cat had to be euthanized. Mr. Savage said this is not a problem that happens very often. The Town wants to ensure that the public knows they don't want any animal to suffer but they need to have a policy, so the AOC knows what to do. Mr. Clark agreed this will make it easier with directions for what to do. The board will review the policy and finalize to sign at the next meeting. Mr. Fournier asked what they would do if the opinion of the vet was to spend 5K to save the animal. The animal would have been abandoned by owners then and have to be euthanized. Ms. Draper asked if the cost to euthanize be the responsibility of the Town? It would be yes, last week's case was at no cost, the vet said he was not going to let an animal suffer. This clarity will be added to the policy. Mr. Hemenway said there should be a discussion about the future of cats. Ms. Draper said there are pockets of feral cats. Mr. Hemenway said you don't want that to get out of control. Ms. Cathy Fournier said there is an organization who helps with feral cats. Mr. Savage will get more information.

c) Discussion of new state statutes relative to electronic access to public meetings

Mr. Clark said this is in regard to DRB & Planning Commission boards. Mr. Savage said yes as well as BCA. Mr. Savage said this is regarding Act 133 mandating any board that is non advisory be available for people to attend electronically via zoom. You can also hold meetings virtually. Mr. Savage said they will need to make changes to establish other zoom links for meetings to have their own link. This law was effective July 1, 2024. There is some discussion about if this is optional because it says or. They need to offer electronic or in person meetings to people. Mr. Savage said there is some training that goes with this 6 hour of training on open meeting law. The full text of Open Meeting Law needs to be available. This has been added to the website already. Mr. Clark reads it as the meetings need to be recorded, and electronic access if requested. Mr. Clark said he reads that as they don't have to until requested. If they request to zoom in, they need to allow it. Mr. Fournier asked if they had anything from the Vermont League of Cities and Towns. The notice provided was from them. Mr. Clark asked if there is a desire for this? Yes, people have called and asked. Ms. Draper said for ease of access as well as recording zoom records to the cloud. Mr. Fournier asked if they would need separate access or use the same one. Ms. Draper said they will be able to have their own schedule & link, id for meetings.

Mr. Fournier made a motion that all meetings that are required to be in compliance with the new State law be on Zoom, seconded by Mr. Hemenway. Motion carried. This will include the Planning Commission, Development

Review Board, Board of Civil Authority, Recreation Commission. All boards now and in the future.

The Library Trustees and Cemetery Committee will need to make their own decisions.

d) Discussion of proposed OSHA Rules relative to Fire Departments

Mr. Savage said there has been information in the news recently regarding these proposed new rules. These rules and guidelines are drafted by the NFPA. What OSHA is doing is considering adopting the NFPA regulations as OSHA regulations. This is not a one size fits all, this could put small fire departments out of business. Mr. Savage had a conversation with the fire chief today. A lot of the things required the fire department is already doing, but there are some they are not and will be costly.

Mr. Savage said the congressional delegations are fine with these changes. Mr. Clark asked if there is a push from Towns or Fire Departments to push back with letters? Mr. Savage said they will take comments until July 22nd. Mr. Savage is going to check with the Village Manager to see what they will be sending to ensure they align. Mr. Clark said they would do a letter of pushback for the next Selectboard meeting.

7. Community and Economic Development

None

8. Any Other Necessary Business

- a) Reschedule Selectboard meeting of August 6, 2024, due to conflict with National Night Out

The board agreed to change the meeting to August 5, 2024

9. Correspondence

None

10. Public Comment (Reprise)

Mr. Thompson came before the board in regard to a neighbor whose sewer line is failing. Mr. Thompson said he has spoken with the Health Officer, and she told him she no longer works for the Town. Mr. Thompson said the smell is unbearable. His wife has breathing issues and cannot go out back. Mr. Thompson said the health officer did visit and could smell it. Mr. Savage has spoken with the landowner, and he is working on getting finances to fix the problem. It is a village sewer. The line needs to be replaced.

Mr. Fournier thought Lake Champlain Housing has a program to help with this? Mr. Savage said yes and that's why he wanted to speak with the homeowner to share that as well if there is a mortgage to reach out to them. Mr. Savage will look for information, resources and additional contractors who could help the homeowner.

Ms. Draper shared information for Mr. Savage to share with the homeowner from ANR website.

Mr. Clark will reach out to the Village Public Works also.

11. Upcoming Events

- a) Wednesday, July 3, 2024 – Iron Sights, 40th Army Rock Band – Village Green – 5:00 pm to 6:00 pm
- b) Thursday, July 4, 2024 & Friday July 5, 2024 – Independence Day Holiday – Office and Operations CLOSED
- c) Wednesday, July 10, 2024 – Vietnam Veterans Bridge CLOSURE starts
- d) Tuesday, July 18, 2024-Regular Selectboard Meeting- 6pm Town Office
- e) Tuesday, July 23, 2024 – Planning Commission – 5:00 pm – Town Offices
- f) Thursday, July 25, 2024 – DRB – 6:00 pm – Town Offices
- g) Friday, July 26, 2024 – Swanton Block Party – 5:00 to 8:00 pm – In the Square
- h) Saturday, July 27, 2024 – 14th Annual Swanton Chamber of Commerce Car Show – 9:00 am – Village Green

12. Executive session (Personnel)

Ms. Draper made a motion to enter into executive session at 7:32 pm, seconded by Mr. Hemenway. Motion carried.

Mr. Fournier made a motion to exit executive session at 7:40 pm, seconded by Mr. Hemenway. Motion carried.

No actions taken

13. Adjourn

Ms. Draper. made a motion to adjourn the meeting at 7:40 pm, seconded by Mr. Fournier. Motion carried.

Respectfully Submitted by
Christina Candels-Administrative Assistant