

**DRAFT MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
JOINT MEETING
WITH THE SWANTON VILLAGE TRUSTEES
Town Office Building
1 Academy Street, Swanton, VT 05488
In-Person & By Zoom
TUESDAY, November 19, 2024 - 6:00 pm**

Present: Joel Clark-Chair, Nicole Draper, Earl Fournier, Brendan Long, Steve Bourgeois-Members, Brian Savage-Town Administrator, Cathy Fournier- Town Clerk, Christina Candels-Administrative Assistant, Dave Winchester-Village President, Suzie Kelleher, Adam Paxman, Eugene LaBombard-Village Trustee's, Bill Sheets-Village Manager, Heather Lavoie, Matthew Walker-State Representative,

Zoom: No Attendance

A. Call to Order

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

Mr. Winchester called the Village Trustee's meeting to order at 6:00 pm.

B. Pledge of Allegiance

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

C. Call Joint Session with Village Trustees to Order

1. Joint Session Agenda Review

Requests to add under Any Necessary Business the following:

Mr. Clark requested to add Welcome to Swanton Signs

Mr. Paxman requested to add Hometown Heros Banners

Mr. Fournier requested to add Promoting Swanton

Mr. Bourgeois requested to add Property Conditions

2. Public Comment for Joint Session

Mr. Clark wanted to thank the Fire Department for the assistance they provide both Saturdays with the set up & take down of the Flags for Veterans Day. They were a huge help Thank You.

3. Meeting Topics

a) Local Option Tax

Mr. Clark shared the legal opinion the Town has received from the Town attorney on the legalities of the having a Local Option Tax. Mr. Clark said the way the current law is written at the State level if the Town adopted this and the Village separately, Village residents would pay 2 cents. (1 cent to the Town & 1 cent to the Village) This is not what the Town or Village boards want. The law does not

allow the Town to pass and share proceeds with the Village, this is why we have invited their delegates tonight so they can assist in the change of this law.

Mr. Bourgeois asked if we had the amount projected income stream from this?

Mr. Savage said collectively roughly 300K. Ms. Candels will find the information gathered previously.

Mr. Paxman asked if it could be dispersed based on the Grand List roughly 75/25?

Mr. Savage said under the present law no, Mr. Savage said the Legislator could fix that and put a formula in the new bill on how it could be split.

Ms. Kelleher said if they were to enact it the way it's currently written the best way to use the revenue would something that is jointly funded, recreation or library for example. Mr. Savage said yes, that is how another Town/Village uses it.

Mr. Paxman asked if the project/item they want to use the revenue for has to be decided ahead of time? Yes

Mr. Clark asked how when you don't know the amount? It goes into a fund to be used separately. For example, St. Albans Town used it to build a new Town Office and Highway Garage.

Mr. Long said you still have flexibility then you can say capital improvements without saying the exact building. Mr. Savage said when you go to spend the funds it goes on the ballot. "The proceeds go to fund XXX"

Mr. Savage said the biggest source is mail orders.

Mr. Paxman said the State has fees too. Yes, of the 1 cent the State keeps .30 of it that goes to administer the program and what's left goes into a fund that pays Towns the PILOT funds. (Payment In Lieu of Taxes) Mr. Fournier asked if what was left comes back to Swanton? No it goes back into the State fund.

Mr. Clark asked if the Village Trustees had questions, they wanted researched?

Mr. Paxman said they want to know more about how it's administered back into the community. Mr. Savage said they need to have a plan of what to use it for, but ultimately the voters would decide. Mr. Long said the funds would continue to be built until a project was agreed upon. Mr. Fournier said it doesn't sound like they could take small amounts of money for things as needed? No, the voters have to agree. For example, capital improvements.

Mr. Clark said we need to get as much information as possible before having a public hearing. Mr. Clark proposed a couple of them visit a community who has implemented this and or go down to the tax department.

Mr. LaBombard said if this was approved would someone have to administer the program, will that add another person to the Town staff? Mr. Clark said no the funds would come from the State and whatever they identified the funds for it essentially would be paid for with that. Ms. Cathy Fournier agreed. Mr. Clark said the money is collected at the State level, that's why they keep a percentage of it. Mr. Sheets said its straightforward goes into a dedicated interest-bearing account. You have four designated options you must identify where you intend to fund with these. Once you want to spend these funds you put them on the ballot. The most often used one is Capital Improvements. Mr. Sheets said the bigger question is do we take our time and get the legislator to fix the language this year, then take

it to the voters in 2026. Not rushing the process. Everyone agreed that it's a better pace.

Mr. Clark asked Rep. Walker if he thought they could get this moved through.

Rep. Walker said nothing moves quickly or new taxes but pursuing change in the language is something they can work on this session. This has been successful in many Towns including other 20+ Towns in Vermont.

Rep. Walker, it would be nice to have this in place if there are future developments near Tractor Supply as well. Senator Brock was not able to attend but he has some ideas to share as well. If a charter change is needed there is time.

Mr. Savage said having one tax for the Town & Village would be easier for the State as well.

Mr. Clark said it would be more of a Tax law change vs. charter; the Town does not have a charter. Ms. Kelleher said that is what they are looking for, the legislation to change the law for everyone, not just Swanton.

Mr. Clark said they move forward to have the law changed and to agree as two organizations to move forward in 2026.

Mr. Fournier asked who would draft the language? Mr. Clark said Mr. Sheets & Mr. Savage can take the lead on that. They agreed, they can draft the outline and share with the legislators to proceed.

Ms. Lavoie asked if this would set precedence on things that come in the future?

Mr. Clark said they have some pretty defined lanes, but where they can work together, they do. Mr. Paxman said with cooperation and collaboration, then we all succeed.

b) Early Discussion of possible 2029 Bridge rebuild/replacement.

Mr. Sheets said the Trustees are trying to decide when to start asking the Village voters to set aside money for 2029. These are the total cost scenarios for Village voters:

2.5%- just replace the decking, full closure

5%- just replace the decking, keep one lane open to traffic

7.5%- add another lane

10%- damage is worse and need to replace columns.

A lot of it depends on the closure options and more information from the engineers. The minimum share the Village will pay is 250k-300k.

Mr. Sheets said the Trustees need to decide when to start asking the taxpayer to set aside money for it. Mr. Fournier said you need that local option tax money.

Mr. Sheets said you cannot rush it but that is what they want to do.

Mr. Fournier said shutting the bridge down was a short time, last time this would be much longer, 45-60 days in 2029. Mr. Long asked if that timeline changes with each option. Yes.

Mr. Winchester said there is another possibility people keep forgetting. Mr. Winchester was under the bridge with the company that did the repair, they did not think the bridge was as bad off as the State thinks.

Mr. Fournier asked when they would come back to know more? Mr. Sheets said this winter and the Selectboard will be invited.

Mr. Winchester said the work finished this summer sooner is because it was not as bad as they expected. The new abutment joints do not allow water to leak through causing further decay.

Mr. Bourgeois said the downtown area is flourishing with new businesses. Mr. Bourgeois said his concern is closing the bridge should include funds to help these businesses. This is something necessary to keep the discussion going on.

Ms. Kelleher asked about the revolving load fund? Mr. Sheets explained the limitations on those, but they don't need more loans, they need cash.

Mr. Paxman said once they know the plan they can adjust. Mr. Long said they need to keep that in mind if a full closure is a shorter window of time this will affect the business. Mr. Paxman said that the cost to the Village taxpayers will how they decide.

Mr. Paxman said if it is a 45–60-day full closure AOT may not even allow them to shut it down because it's such an artery.

Mr. Fournier said 78 is not taken care of well, and they should voice their concern at the meeting.

c) Hometown Hero's Banner's

Mr. Paxman said Trustee Kelleher has been spearheading the Hometown Hero Banners that will be going up in the spring, they are still searching for sponsors for the KIA on the monument. Mr. Paxman said the hope is the Town and Village will each contribute \$175 to cover two of them. That is their request. Mr. Clark said he would like to up that to \$350 each, there are 19 names on the monument, and 2 names on the bridge. Ms. Kelleher said there's 1 left to sponsor on the bridge and 11 on the monument left to get sponsors for. Mr. Bourgeois asked what is the cost to do them all? \$2,100. That is a small amount of money to say thank you. Mr. Sheets said they have \$7,000 left in ARPA funds they can make a motion to cover half. Mr. Clark said they could do the same.

Ms. Draper made a motion to take \$1,000 out of Special Funds for Hometown Hero Banners, seconded by Mr. Long. Motion carried.

d) Promoting Swanton

Mr. Fournier said they are looking to add Promoting Swanton to the website. This can give people links to things going on in Swanton. Mr. Fournier said it will be work to get this stuff together and send it to Ms. Candels. Ms. Candels has checked with the designer and the cost is \$50. Mr. Long asked if they are looking for an integrated calendar? Yes.

Ms. Kelleher said they discussed at the last Promoting Swanton meeting was creating a flyer for people. They also agreed that adding it to the calendar would be helpful.

Ms. Candels said the website has a link currently for people to submit. Ms. Draper said a lot of these businesses have a lot going on and how do we simplify the process? Ms. Kelleher said she mentions upcoming events at the end of there meetings and she could send them to Ms. Candels.

They will work as a committee to get a list of websites to add to Ms. Candels.

e) Welcome to Swanton Signs

Mr. Clark said the Town has set aside special funds to purchase 4 new signs. Mr. Clark has pictures of the example to share. The current signs are 20-25 years old and need to be replaced.

f) Property Conditions

Mr. Bourgeois said the Swanton Beautification committee has done an amazing job in Swanton, but some properties seem to have lost their enthusiasm for maintaining their property. Mr. Bourgeois said in his search with Lister's a lot of these properties are not locally owned. Mr. Bourgeois said his concern is the is it time the Planning Commission and two governing bodies can enforce and get these properties cleaned up. Promoting Swanton for the beautiful community is a blight in our progress.

Ms. Kelleher would that fall under an ordinance that can be enforced* by the Police Department? Health Officer?

Mr. Clark said a facade that is falling apart is not a health issue. If it's not a safety issue its tough. A safety inspection for rentals maybe.

Ms. Kelleher said maybe an ordinance is the way to go.

Ms. Draper said the Planning Commission is updating bylaws now as well.

Mr. Long said you bring up an excellent point with out-of-town owners of rentals, you're not going to invest your money outside. There are some responsible landlords who take care of things as informed.

D. Adjourn Joint Session with Village Trustees – Reenter Regular Selectboard Meeting

Rep. Walker thanked everyone for voting to send him and Rep. Oliver back to Montpelier. There has been some leadership change. Rep Walker said the Senate is much closer to even the first time in a quarter century. If there is anything Rep. Walker hopes, it's that you will see they will try to do less of ramming things though and substantially more consideration on what they do. There has been a massive push to push thought everything last session.

Mr. Savage asked if they have had a reorganization meeting yet? Rep. Walker said next Monday. Mr. Savage said they would like to have a legislative breakfast in Swanton. Rep. Walker asked if February would work? Mr. Sheets said the Village would be happy to host.

Mr. Savage asked if Governor Scott cannot attend can the newly elected Lieutenant Governor Rogers? Rep. Walker will work on one or the other attending.

Mr. Paxman made a motion to adjourn the meeting at 6:59 pm, seconded by Ms. Kelleher. Motion carried.

E. Agenda Review

Ms. Cathy Fournier requested to add under order MVUSD under Expenditures

Mr. Bourgeois requested to add Audit Report conversation under New Town Business

F. Meeting Topics

1. Minutes

a) Special Selectboard Meeting of November 4, 2024

Ms. Draper made a motion to approve the Special Selectboard Meeting minutes of November 4, 2024, seconded by Mr. Bourgeois. Motion carried.

2. Public Comments

None

3. Law Enforcement.

a) Swanton Animal Control

Mr. Savage included and update from ACO in the packet.

Mr. Long asked if the public should call ACO for a problem with skunks or the Game Wardens? The Game Warden because ACO is strictly dogs or an injured cat.

4. Expenditures

a) General Orders

Mr. Bourgeois made a motion to approve General Orders for 10/16/24 to 11/19/24 in the amount of \$278,099.84, seconded by Mr. Long. Motion carried.

Ms. Draper had previously asked Ms. Cathy Fournier about a check listed twice. Ms. Cathy Fournier will find out why because only once check was printed.

b) Highway Orders

Mr. Long made a motion to approve the Highway Orders for 10/16/24 to 11/19/24 in the amount of \$419,385.72, seconded by Ms. Draper. Motion carried.

Mr. Clark said the number is high but its not all Highway items its Fire Protection and things that are budgeted under Highway.

c) Library Orders

Ms. Draper made a motion to approve the Library Orders for 10/16/24 to 11/19/24 in the amount of \$1,377.09, seconded by Mr. Bourgeois. Motion carried.

d) Highway & General Payroll Orders

Ms. Draper made a motion to approve the Highway/General Payroll Orders for 10/16/24 to 11/19/24 in the amount of \$42,560.43, seconded by Mr. Long. Motion carried.

e) Library Payroll Orders

Mr. Bourgeois made a motion to approve the Library Payroll Orders for 10/16/24 to 11/19/24 in the amount of \$8,488.00, seconded by Mr. Long. Motion carried.

f) Special Orders

Ms. Draper made a motion to approve the Special Orders for 10/16/24 to 11/19/24 in the amount of \$9,417.41, seconded by Mr. Bourgeois. Motion carried.

Mr. Clark asked about the payment for the liner for the swan pond, they had already paid for it. Ms. Cathy Fournier said yes but she had made the check out to the Chamber of Commerce and had to change it to Branon's Pools. The other check was voided.

g) MVUSD Order

Ms. Draper made a motion to approve the MVUSD Order in the amount of \$9,610,852.10, seconded by Mr. Bourgeois. Motion carried.

Mr. Bourgeois asked if that is an annual payment? Yes, it is once a year. Mr. Long asked if there is a breakout of the school budget what they spend it on? Ms. Draper said yes, you can find it on their website, and they are working on the budget now and they need public comment.

Mr. Fournier asked if people don't pay their taxes and if their delinquent does, she still pays the school? Yes. Mr. Fournier asked if that costs a lot of our budget? No because a lot of it gets paid for in the first 60 days.

5. Highway Department

a) Monthly Report on Highway Department Matters - Mr. Joel Clark

Mr. Clark said the vehicles are all running well. The new truck is almost ready.

The highway crew has been working on ditch work and leaves. Out of the 358 tons of salt anticipated they'll need for winter they have 319 tons on hand. The shed is full, and they will store the remainder outside.

The insurance company did an inspection of the garage, and they were very pleased with the conditions. Mr. Savage was present for the inspection. The Inspector took pictures to use as examples to share. The team does a great job.

Mr. Clark said the work plan for the next 4 weeks is tree removal, a little bit of vehicle maintenance, stone work at the Rec center.

Mr. Clark has contacted the affected homeowners on Brooklyn St. They are all for the project to fix the storm water issue. The Town will need a utility easement, and East Engineering is working on this and the wetlands permit so this project can be completed in the spring. Swanton Hill Road is still moving forward. Mr. Clark said they are still waiting for the memo from the attorney in regard to the proposed grade. Tyler from East Engineering was going to follow up on that.

Mr. Clark received communication from the attorney about a development and they are not in the place to move forward yet, and the Town is considering changes to the Road Takeover Policy they currently have.

Mr. Long said he may have misunderstood at the last meeting, but he thought they were agreeing to the plowing of the road not the paving and maintenance. Mr. Clark said that they need to talk about it because of the stormwater permits. Mr. Long said this could be an issue in developments where they own the road. Mr. Clark said that's what makes each one different.

b) Road Takeover Policy

Mr. Clark said after the discussion about storm water permits, he has suggested changes to the current policy. These will be reviewed by everyone and adopted at another meeting.

Mr. Bourgeois requested verbiage be added that requests be sent prior to 30 days of the meeting so there is review time of new town roads.

6. Old Town Business

a) Town Office Repairs

Mr. Savage said the repairs were completed and the insurance approved the total less the \$1,000 deductible. The check for \$14,425.15 has been received. The Town still has not received a bill for the IT work but once that comes the insurance company will pay that as well.

b) Employee Appraisal program

Mr. Clark said they reviewed examples at the last meeting. Mr. Clark asked thoughts on who should review the Road Foreman? Highway Commissioner or Selectboard. Mr. Fournier said we could use any of the forms, but they don't see the highway employees the Road Foreman should do there's and the Highway Commissioner would do the Road Foreman. Mr. Fournier said the only people they should do evaluations on are the Town Administrator or Administrative Assistant because there they only people we see. Mr. Clark said the Zoning Administrator works for the Selectboard also. Mr. Fournier said he doesn't see her unless he needs something. The Town Administrator does not oversee the Zoning Administrator. Mr. Bourgeois asked about the Listers and Town Clerk. They are elected and the Selectboard does not oversee them.

Mr. Clark said as Selectboard members they should stop by once and a while and check in. Ms. Draper asked if in the past they all filled out papers and collected findings. Mr. Clark said yes, and they could appoint a member to oversee Zoning at the next reorganization meeting.

Mr. Bourgeois asked Ms. Cathy Fournier who does her review? Mr. Fournier said the voters.

7. New Town Business

a) Discussion of 2025 Budget schedule

Ms. Cathy Fournier gave each member copies of the year-to-date budget and the start of the next budget for them to review. Mr. Clark said he will start working with Mr. Lapan soon on the Highway budget.

Mr. Clark asked Ms. Cathy Fournier that she cannot do personnel part of the budget until they agree on pay increased for next year or insurance? Correct. Mr. Fournier asked about health insurance increases? Ms. Cathy Fournier said it's roughly 9% increase.

Ms. Draper asked how FICA and Medicare increased are factored? It's based on payroll a percentage.

Mr. Clark said they have 23-24 appropriations in the budget, previously they had discussed every so many years bringing them back out to be voted on. That's an option, say vote on a 1/3 each year so every 3 years they can vote on it.

b) Approve new street/road name

Mr. Savage said the development at 3 Bachand Rd. The developer has given three choices for his street to be named.

Mr. Fournier made a motion to approve Reeves Road as the street name, seconded by Ms. Draper. Motion carried.

c) 2022 Audit Report Questions

Mr. Bourgeois requested to add this conversation to clarify who does what. The report did not find anything concerning. Mr. Bourgeois asked for information on who orders the audit and the procedures along the way. Mr. Bourgeois said he believes at the end of the day the Selectboard is responsible for the financial findings. Mr. Bourgeois would like to send his questions to Mr. Savage, he would like to answer that he could ask the auditor to answer. Mr. Clark said, trying to understand the process makes sense. If the Selectboard would like to speak with the auditor prior to beginning, they should have them come. In the past this has happened. Mr. Long said they should follow on how they are completed. They have begun the 2023 audit.

Ms. Cathy Fournier answered how the audit is ordered and what it entails. Mr. Bourgeois said the process explained was exactly what he was why he asked. Mr. Bourgeois asked if they should meet with them even though they had already started.

8. Community and Economic Development

Mr. Savage said there is a new flower shop coming and John Barrette has rented his building.

9. Any Other Necessary Business

Mr. Clark said half of the cost of the Hometown Hero Banners is \$1,050 as previously discussed. Mr. Bourgeois asked if they should do extra for any additional expenses?

Ms. Draper made a motion to increase up to \$1,200 from Special Funds for Hometown Hero Banners, seconded by Mr. Bourgeois. Motion carried.

10. Correspondence

None

11. Public Comment (Reprise)

None

12. Upcoming Events

- a) Monday – November 25, 2024 – 5:00 pm – Planning Commission Meeting – Town Offices and Zoom
- b) Thursday – November 28, 2024, and Friday – November 29, 2024 – Thanksgiving Holiday – Town Offices and Operations CLOSED
- c) Tuesday – December 3, 2024 – 6:00 pm - Regular Selectboard Meeting – Town Offices and Zoom

13. Executive session (Personnel)

Ms. Draper made a motion to enter executive session at 7: 50 pm, Roll Call Mr. Bourgeois, Mr. Long, Mr. Clark, Mr. Fournier & Ms. Draper all voted Iye.

Mrs. Draper made a motion to exit executive session at 7:59 pm, seconded by Mr. Long. Motion carried. Mr. Fournier left prior to exiting executive session.

Action:

Mr. Bourgeois made a motion to authorize an additional administrative assistant the Town Administrator for up to 20 hours a week at \$24.00 per hour, seconded by Mr. Lng. Motion carried. Ms. Draper said this is an interim position.

14. Adjourn

Mr. Bourgeois made a motion to adjourn at 8:00 pm, seconded by Ms. Draper. Motion carried.

Respectfully Submitted by
Christina Candels-Administrative Assistant