

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

Present: James Guilmette, Chair; Earl Fournier, Vice Chair; Nicole Draper, Ed White, Steve Bourgeois, Members; Brian Savage, Town Administrator; Cathy Fournier, Town Clerk; Amy Giroux, Zoning Administrator; Joseph Cava, Administrative Assistant; Matthew Sullivan, Swanton Chief of Police; Jacques Larose; Patrick Parah; Cody Hemenway; Kent Henderson; Jacques Larose; Jordan Quilliam; Kerrie Garvey (ZOOM User); Brad McAvoy (ZOOM User); Josh Ellerbrock (ZOOM User); Perker Eversoll (ZOOM User); 18028683161 (ZOOM User)

*All motions carried unanimously unless specified otherwise.

- A. Call to Order – Mr. Guilmette called the meeting to order at 7:00 p.m.
- B. Pledge of Allegiance – Mr. Guilmette led those present in the Pledge of Allegiance.
- C. Agenda Review
- D. Meeting Topics:
 - 1. Minutes
 - a) January 17, 2023, Regular and Zoom Selectboard Meeting
 - b) January 31, 2023, Special Selectboard Meeting

Mr. White made a motion to approve the Draft Minutes from the 1/6/23 and 1/31/23 Selectboard meetings, seconded by Ms. Draper. Motion carried.

- 2. Public Comments - None

- 3. Law Enforcement

- a) Swanton Police Chief Report

Chief Sullivan summarized the 57 incidents around Swanton including neighboring disputes, citizen assists, traffic stops with six ticketed violations and seven warnings. Chief Sullivan continued speaking on the discrepancies in the reporting system often pulling the address of the officer versus the location of the incident. Other incidents included drug crackdowns, money, and stolen possessions which led Swanton law enforcement to Enosburg. Mr. Bourgeois asked about the nucleus of these issues? Chief Sullivan responded that he would have to work on the mapping software to summarize this data by location. So far the data suggests that drug activities are linked with out of state traffic residing at local Airbnb's.

The Swanton Village Police answered over 2,000 calls 2022 which is an 18% decrease from 2021. Chief Sullivan believes this is due to the reporting system that centralizes the call volume. Other data of note is the number of ticketed violations that occurs in a single incident rather than on separate occasions. There were 10-16 DUI arrests made in 2022 for a total of 33 traffic stops made in 2022 between the Town and the Village, This data leads to about 25% receiving ticketed violations with the remaining 75% received written warnings. Cities like Burlington use this data to report on racial disparities in the reporting to track biases. Almost 95% of

Swanton's population is white, but it doesn't make this data any less important for tracking disparities towards marginalized minorities.

Crash data from 2022 doesn't suggest that disparities exist among officers and marginalized groups in Swanton. Of the arrests and citations, the use of force is limited to handcuffing, which still requires a report. The context of these incidents is important to separate the difference of DUI incidents and citizen reporting. Other discretionary tactics include un-holstered weapons should the reports include threats of violence. Most incidents that occurred that led to force or injury was committed by those under the influence and tried to run from arresting officers. A final note was the homicide that occurred on First Street in the Village. The altercation that occurred was fueled by drugs, weapons, and money. This incident is still under investigation by the Vermont State Police and the US District Court.

b) Swanton Health Officer Monthly Report

Members of the Selectboard briefly reviewed the health officer's report through January 28, 2023. Mr. Savage provided clarification on the thoroughness of the materials.

4. Old Town Business

a) Update on LVRT and Swanton Recreation/Community Center

Mr. Savage gave an update from an email sent from Joel Clark. Grant discussions will occur if not later this week, then early next week. Mr. Bourgeois asked about design specs. Ms. Draper responded that the information was based upon community meetings and input.

b) ATV Ordinance

Mr. Guilmette recommended expanding the ATV Ordinance year-round like many other municipalities.

Mr. White made a motion to amend and adopt a year-round ATV ordinance following the same hours of operation and conditions, second by Mr. Fournier. Motion carried.

c) Community Center Feasibility Study

Mr. Bourgeois expressed the importance of the feasibility of this project and recommended a full source of incomes and impact on the taxpayers. Further explaining, Mr. Bourgeois expressed the need for underwriting to evaluate the demographics, design, engineering, and what type of bond the Town might be requesting to fund this project. An RFP should be conducted to solidify the numbers before major spending occurs. Mr. Fournier asked where the process was currently. Ms. Draper responded that Cross Consulting Engineers has done their preliminary review and will be reporting on the cost of a design. To conclude, Mr. Bourgeois asked whether the Town would keep spending money and should a feasibility study be conducted. Mr. Guilmette recommended wrapping up where Cross Consulting Engineers are at currently, and deciding on the best way to proceed moving forward. As a follow up, discussions with also be had with Joel who has been spearheading the project.

Mr. Bourgeois made a motion to solicit firms for a feasibility study, seconded by Mr. White. Ms. Draper was recused. Motion carried.

5. New Town Business

a) Appointment of Amy Giroux as Zoning Administrator for 3 years

Mr. Fournier made a motion to appoint Amy Giroux for the Zoning Administrator position for the next three years, seconded by Mr. White. Motion carried.

b) Friends of Northern Lake Champlain – Presentation of Swanton Beach Stormwater Project

Mr. Henderson came forward to present the Swanton Beach Stormwater Project. Mr. Fournier asked about the dues that the Friends of Northern Lake Champlain charges and how this membership helps to support things like the Clean Water Act. The Town of Swanton allocates \$2,000.00 from the General Fund to the Friends of Northern Lake Champlain. This Friends group not only impacts the State of Vermont, but local municipalities like Swanton experiencing water quality issues. Mr. Henderson continued saying that emphasis is placed on the lake itself, but improvements could be made on the shorelines which is a huge impact on water quality. Projects like a rain garden and sand garden could help capture phosphorus that otherwise enters the lake. This will lead to operation and maintenance contracts for continued improvement.

\$44,000.00 will be used to implement a design with construction starting as soon as summer 2024. Mr. Eversoll added that a bio drain environmental system combined with a sand filter would strain contaminants from roadways to prevent them from entering the lake. Water uses impervious surfaces like roadways that act as a catalyst for spreading environmental contaminants. The hope is to have a plan together by September 2023 so implementation may begin in 2024. These systems should drain within the first 24 hours with continuous maintenance to keep out new vegetation and other environmental hazards. Nature based solutions like this are good for minimizing impact with low maintenance requirements moving forward.

Ms. Garvey added that the conceptual design is at 30% capacity. This excludes final designs and maintenance requirements. The final design phase will address maintenance requirements. Mr. Bourgeois asked if a motion needs to be taken? Mr. Guilmette responded that the session this evening is informational only. Mr. Henderson added that Friends group is analyzing the indirect sources of phosphorus that feeds the algae blooms. This is an educational component to educate private property owners which accounts for a majority of toxic runoff.

c) Mr. Jacques Larose to discuss proposed project of State of Vermont on Highgate Rd.

Mr. Larose explained that VTrans would like to relocate their District 8 Garage from Lower Newton Road in St. Albans and construct a new building on Highgate Road in Swanton. The biggest concern from Swanton's standpoint would be improving the access road and intersection to handle the additional load. Mr. McAvoy from VTrans asked about the hours of operation. Mr. Quilliam expressed the hours from 7:00 AM to 7:00 PM with additional operational hours during icy and inclement conditions.

Mr. Quilliam recommended talking with Mr. McAvoy about the engineering of the road moving forward. Mr. Larose is not a traffic engineer, but recommended a traffic study to address the increased load on the road. Mr. Guilmette said that the Southern Growth District is a good area for development, and stated that the road would need to be upgraded one way or the other. Mr. Fournier echoed Mr. Guilmette's point and questioned the need for a traffic study when the data supports the treacherousness of the existing road.

Mr. Savage asked about the improvements that will be made and who will maintain it. Mr. McAvoy added that the State would maintain the access, but Swanton would retain ownership of the road. Jordon mentioned that traffic engineers would need to resolve the traffic access before any development could occur. Mr. Larose summarized that VTrans would be creating the access and could provide maintenance service with an easement to the existing road. The solutions are still early in the process and identification of wetlands needs to be confirmed before an access is decided.

d) Painting needs of the Swanton Library and of the Town Office Building

Mr. Guilmette said the white painted elements of these two buildings needed to be touched up with including light repairs along eaves. Mr. Guilmette recommended drafting separate RFP's to address each building's financial concerns.

e) Authorizing the Town Administrator to sign contract with CAI Technologies

Mr. White made a motion to authorize Mr. Savage to sign contract with CAI Technologies, seconded by Ms. Draper. Motion carried.

f) Review of Job Description for new position of Administrative Assistant

Mr. Savage said this is a work in progress and recommended pushing to a later meeting to discuss.

6. Community & Economic Development

a) Report on status of website conversation

Mr. Savage said he has the contracts to sign digitally, and will be putting together a memorandum of understanding. The contract will go through the General Fund with an additional bill sent to the Village for their contribution.

b) Report on meeting of 2/3/23 meeting with Senator Welch's staff member

Mr. Savage mentioned the possibility of zero interest loan funding through USDA. Ms. Nance has communicated on what is left to be done with the Town and which gaps would need to be filled.

7. Highway Department

a) Discussion of New Truck

There was confusion in the truck replacement fund, which was previously quoted at \$140,000.00, but is \$50,000.00. If a new truck was ordered, the Town wouldn't see it until mid-2024. The difficulty is that any new truck will cost over \$150,000.00. Mr. White asked how this would be covered. Mr. Guilmette recommended utilizing roll over funds to assist with the bill. Mr. Guilmette said he would come to the next meeting with more specific quotes on a new truck.

b) Hay Mulcher NRPC

Mr. Guilmette is working on gathering estimates and trying to stay within a range of \$6300.00. Mr. Bourgeois recommended gathering more bids to limit the burden on the taxpayers.

Mr. White made a motion to approve a bid through Franklin Rental if Fournier's doesn't provide a better bid, seconded by Mr. Bourgeois. Mr. Fournier abstained. Motion carried.

c) State Weight Limits Letter

Mr. Savage said VTrans is posing a weight limit on roads with the exception of farming equipment like tractors and dairy trucks.

8. Any Other Necessary Business

a) Recess Selectboard Meeting and Convene Liquor Control Board

Ms. Fournier made a motion to recess the Selectboard meeting to convene the Liquor Control Board meeting at 8:53 p.m., seconded by Ms. Draper. Motion carried.

1. Liquor License Renewals for 2023

- Caitlin Creations – 19 Bushey Road
- Wesco – 186 First Street and 2 Canada Street
- Jolley Associates – 97 First Street

Mr. White made a motion to approve the four liquor license renewals for 2023, seconded by Ms. Draper. Motion carried.

b) Adjourn Liquor Control Board and Re-enter Selectboard Meeting

Mr. Fournier made a motion to adjourn the Liquor Control Board and re-enter the Selectboard meeting at 8:55 p.m., seconded by Ms. Draper. Motion carried.

9. Correspondence

a) Email of 2/1/23 from Mr. Roger George

Mr. Guilmette made a note that the email was acknowledged and is included below:



Correspondence.pdf

The email primarily pertained to environmental issues on Maquam Bay causing low water quality. This has led to a reduction in the quality of life for residents along Maquam Shore Rd who enjoy seasonal activities afforded by Lake Champlain. The email went on to request funding from the Town to help address and reduce the low water quality levels moving forward.

b) Notch Request

The Notch made an after-the-fact proposal to the Selectboard for an Article authorizing \$2,000.00 for the Swanton Day Camp. Mr. Savage specified that the warning for Town Meeting Day has already been sent out. Ms. Draper concurred that this program supports over 140 youth and is a valuable asset to the community.

Mr. White made a motion to approve an allocation of \$2,000.00 from ARPA funds, seconded by Mr. Bourgeois. Motion carried.

10. Public Comments (Reprise) - None

11. Upcoming Events

- a) Planning Commission Meeting – Wednesday, February 15, 2023 at 6:30 p.m. – Town Office Building, 1 Academy Street
- b) Regular and Zoom Selectboard Meeting – Thursday, February 16, 2023 at 7:00 p.m. – Town Office Building, 1 Academy Street
- c) President’s Day Holiday – Monday, February 20, 2023 – Town Office and Operations – CLOSED

12. Executive Session (If Needed) - None

- E. Adjournment – Mr. Fournier made a motion to adjourn the meeting at 9:06 p.m., seconded by Mr. White. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Received and filed by:

Cathy Fournier, Town Clerk

Date