

**MINUTES
TOWN OF SWANTON
SELECTBOARD MEETING
In-Person & By Zoom
Town Office Building
1 Academy Street, Swanton, VT 05488
Tuesday, April 4, 2023 @ 6:00 p.m.
*PLEASE NOTE NEW MEETING TIME***

Present: Earl Fournier, Chair; Nicole Draper, Steve Bourgeois, , Cody Hemenway, Members; Brian Savage, Town Administrator; Cathy Fournier, Town Clerk; Amy Giroux, Zoning Administrator; Joseph Cava, Administrative Assistant; Chevon Cooper; Joel Clark; Betsy Fournier; Richard Cummings; William Hancy; Bethany Remmers, Northwest Regional Planning Commission; Roger Dickinson, Trudell Consulting Engineers (TCE); Matthew Sullivan, Swanton Chief of Police; Liz Curry (ZOOM User)

*All motions carried unanimously unless specified otherwise.

- A. Call to Order – Mr. Fournier called the meeting to order at 6:00 p.m.
- B. Pledge of Allegiance – Mr. Fournier led those present in the Pledge of Allegiance.
- C. Agenda Review
- D. Meeting Topics:

1. Minutes

- a) March 21, 2023, Joint Selectboard/Village Trustees Meeting

Mr. Bourgeois made a motion to approve the draft minutes from the 3/21/23 Joint Selectboard/Village Trustees meeting, seconded by Ms. Draper. Motion carried.

- b) March 21, 2023, Regular and Zoom Selectboard Meeting

Mr. Hemenway made a motion to approve the Draft Minutes from the 3/21/23 Selectboard meeting, seconded by Ms. Draper. Motion carried.

2. Public Comments

Ms. Fournier asked what the Selectboard would be looking to review in regard to the proposed community center at the next meeting on 4/18/23. Ms. Fournier continued saying that they'd have a breakdown of revenue and expenditures for a three to five year period. Mr. Bourgeois recommended having a letter of interest to support this initiative. Mr. Fournier asked about details for covering the costs of heating and electricity? Ms. Fournier responded that they are still exploring a wide variety of heating types and Ideas like solar panels to subsidize the costs.

Mr. Fournier asked about the details of the proposed bond? Mr. Bourgeois asked about what the interest rate would look like? Ms. Fournier responded that they have the bond paperwork together to present and the bond rate currently would be 3.70%. Mr. Bourgeois recommended a feasibility study prepared by a third party participant to address the long-term costs of this project. Ms. Fournier responded that she is exploring firms with Mr. Savage because the costs of a feasibility study could easily exceed \$20,000.00. Mr. Bourgeois expressed that the feasibility study is an essential part of this project to assist with the underwriting process for securing a bond.

Mr. Clark added that the bond is key for funding the project without placing the cost burden on taxpayers. This was the reasoning for using the projections of a five year period so the activity costs cover the operational costs. Ms. Fournier said the community center won't ever be self sufficient, and will still require support from the taxpayers. Mr. Bourgeois said these numbers are essential for calculating the bond to understand the long-term costs to taxpayers. Mr. Fournier summarized that this is the purpose of having an unbiased third party agency to confirm this information. An official motion will be made at the next meeting to create an RPF to put a bid out for a firm to create a visibility study.

3. Law Enforcement

a) Swanton Health Officer Monthly Report

Mr. Savage said no report was submitted as there were no issues to report.

b) Swanton Police Chief Monthly Report

Mr. Sullivan gave a update saying that there were 46 recorded incidents including eleven traffic stops, ten ticketed offenses, five warnings, and thirteen arrests. Other incidents included citizen assists and welfare checks. Mr. Fournier asked for clarification on discrepancies in the data. Mr. Savage said he will be checking in with Highgate to discuss these discrepancies.

4. Old Town Business

a) Update on MVU/First Street Sidewalk Project

Ms. Remmers from the Northwest Regional Planning Commission came forward in conjunction with Mr. Dickinson to discuss the project including proposed construction costs. Mr. Fournier asked for clarification on the right-of-way in addition to construction. Mr. Dickinson drew the board's attention to preliminary plans submitted to VTrans highlighting the grant application budget of \$790,000.00. Up to 3/31/23, \$60,486.00 has been billed reducing the balance to \$729,514.00. The probable construction costs are estimated at \$622,556.00. Of this, over \$100,000.00 would relate to stormwater and drainage.

Continuing, Ms. Remmers mentioned that inflation would also impact these figures as the project gets closer to implementation. Mr. Dickinson said that an 8% contingency is added to reflect this, but recommended adding an additional 10% to reflect engineering previously mentioned. This would add an additional \$60,000.00 - \$70,000.00 to the project for a resident engineer. Ms. Remmers said that the proposed plan is scraping the bare minimum for projects that impact the right-of-way. Mr. Dickinson added that it not just the sidewalk itself impacting these costs, its also stormwater, drainage, right-of-ways, and other factors to bring this area of the road up to compliant standards.

Ms. Fournier asked for clarification concerning the costs. Ms. Remmers responded that these costs were already factored into the cost proposals. Mr. Dickinson said that drainage easements are needed in addition to the right-of-way easements from property owner's along this stretch of road leading up to the high school on Thunderbird Dr. Mr. Bourgeois asked how close this sidewalk will be coming towards residences close to the road? Mr. Dickinson responded that it would be about eleven feet to address the sidewalk width and a five foot buffer between the road and proposed sidewalk.

Ms. Remmers said the next steps would be coordinating with property owners to secure the necessary right-of-way easements. What makes the

project easier is that the State owns these right-of-ways with temporary easements from area landowners to implement the sidewalk. Mr. Bourgeois asked about the litigation for this? Ms. Remmers responded that the litigation per parcel would not exceed a couple hundred dollars. Mr. Dickinson added that replacement of existing property features including fencing and landscaping like trees would be included in their negotiations for compensation to landowners.

Mr. Fournier asked about the responsibility of lead costs? Ms. Remmers responded that this is factored into the \$25,000.00 line item. Mr. Fournier expressed concerns of pushback from property owners impacted by this project. Mr. Bourgeois asked how many students might be using the sidewalk once built? Ms. Remmers mentioned the scoping study completed by Cross Consulting Engineers concerning foot traffic. Ms. Remmers also recommended the Town instituting a strategy for working with property owners. In addition to this strategy, Mr. Remmers mentioned the shortfall outlined in the budget mentioning grants that could be used to help subsidize this process.

Mr. Bourgeois recommended folding these contingencies in to reduce the shortfall. Ms. Fournier added that there is a \$58,000.00 in the Town's budget. Mr. Fournier mentioned that there is an estimated shortfall of over \$100,000.00 on the Town's end. He recommended using a \$200,000.00 short fall to account for unanticipated expenses as the project progresses. Mr. Fournier would like an update on any outstanding balances at the next meeting with NRPC and TCE to understand what the Town will need to pay for. Ms. Remmers recommended working with a Selectboard member in addition to Mr. Savage before coming to the board meetings. Mr. Fournier recommended Mr. Hemenway as the Selectboard member. Ms. Remmers recommended coming back for the 5/2/23 Selectboard meeting to continue this discussion on numbers.

b) Update on LVRT

Mr. Clark said the contract was received and signed today, and reassured the board that this project is underway according to plan. Mr. Clark recommended speaking with the Highway Department to offset costs for this project that may otherwise be covered by existing maintenance. Mr. Fournier asked about who the contract was through and the associated costs? Mr. Clark responded that the contract is with VHB and is just over \$50,225.00.

c) Update on New Website

Mr. Savage gave an update on existing components of the website noting areas that could be combined with the Village for mutual Swanton community services.

d) Discussion of Swanton Public Library
Heating/Insulation/Sprinkler/Elevator Issues

Mr. Savage gave an update citing issues with the elevator. Mr. Savage said the issues stem from the sump pump in the base of the elevator shaft where sediment keeps accumulating clogging the pump. Mr. Savage expressed that the long-term solution will be costly because it would require the services of an elevator technician with an undetermined amount of hours to resolve. This led into other issues involving the accumulation of rust on the I-beams and cables supporting the elevator cart.

Other unresolved issues include the heating and insulation that has created ice buildup damaging the exterior envelope of the building. The prolonged

damage to the building's exterior will lead to interior damage if left unresolved. Ms. Draper asked about the timeline for furnaces to resolve this issue. Mr. Fournier expressed that the furnaces are being replaced but the connector between the older section of the library and newer section is poorly insulated. Mr. Savage recommended contacting Efficiency Vermont to help resolve the issues.

Ms. Draper asked about the plumbing issues. Mr. Savage gave a brief update saying a plumber has been contracted, but is finding recurring issues between the bathroom upstairs and the bathroom in the basement. Ms. Draper expressed a need for a timeline to adequately address these recurring issues. Mr. Hemenway said a solution will be needed soon to address the high levels of traffic that the library experiences, otherwise these issues will keep recurring.

Mr. Fournier asked the Selectboard how they'd like to proceed. Mr. Hemenway recommended contacting reputable plumbers to get the ball rolling. Ms. Draper asked about putting the project out to bid, but this would create a longer process that may not resolve the issues by next winter. Mr. Savage will move forward with contacting master plumbers to help resolve the issues.

5. New Town Business

a) Richard Cummings – Discussion of Potential Development

Mr. Cummings came forward to discuss the potential development off of Bushey Rd. near Mother Hubbard's and the Mormon Church. Before discussing the development, Mr. Cummings mentioned a discrepancy in the language contained within the land use and development regulations concerning uses in the R1/Agricultural Residential district. Mr. Fournier asked Ms. Giroux about the status of the Municipal Plan? Ms. Giroux responded that most of the edits are complete, and the Planning Commission will be doing a run through at their next meeting to fine tune details in preparation for a public hearing to present the changes. Ms. Giroux followed up by saying the issues raised by Mr. Cummings have nothing to do with the Municipal Plan. Following the Municipal Plan rewrite, there will be revisions to the land use and development regulation bylaws.

Continuing, Mr. Cummings said the development plan calls for 1,300-1,600 sq. ft. affordable dwelling units. This development would be located in the R1/Agricultural Residential district abutting up against the Southern Growth district. Mr. Cummings' plan would involve implementing a water line to service the proposed residences. Mr. Bourgeois asked about the relationship of this development with the State's proposed garage development? Mr. Cummings said the success of his development is dependent on the State implementing their development.

Mr. Fournier asked about the allocation of water from St. Albans City whom also have water accesses in this area. Mr. Bourgeois asked whether this would require a zoning revision? Ms. Giroux responded no, that the area is already part of the Southern Growth district. Ms. Giroux continued saying that there is potential for this development, but it relies on the relationship with the State to institute the infrastructure. Mr. Bourgeois asked if other parties were interested in bringing water to this area? Mr. Cummings responded no, not at this time.

b) Municipal Policies & Codes (Form MP-1) of VCDP Grant – Liz Curry

Ms. Curry came forward representing the Maquam Bay of Missisquoi saying that she needed the Selectboard's consideration for the grant

application. The overview of Ms. Curry's role is the relationship with the Town Administrator to stay in compliance with the grant's guidelines. In addition to working with the Town Administrator, Ms. Curry would act as the liaison. Mr. Bourgeois asked about the policy of no texting and driving as part of the grant agreement? Mr. Savage said this is redundant compared to State law which also texting while driving illegal.

Ms. Draper made a motion to sign the municipal policies and codes (Form MP-1) of VCDP grant, seconded by Mr. Hemenway. Motion carried.

c) Discussion of Town Plans & Activities for 2023

Mr. Savage said things are moving accordingly with the paving projects for the upcoming season. Mr. Savage also cited that the new administrative assistant will be starting on April 17, 2023. Mr. Savage has also been working on the stormwater permitting for Robin Hood Dr., and County Club Estates. Robin Hood Dr. does not have a homeowners association, and Country Club Estates has two homeowners associations. Mr. Fournier recommended formulating a master plan for the Southern Growth district in regard to the mixed use capabilities of this area. Mr. Bourgeois recommended outlining all land with development potential in this district excluding wetlands and buffer zones.

Ms. Draper also cited smaller issues of significance for the community including repairing the pedestrian bridge spanning over the Missisquoi River. Ms. Draper cited long term maintenance for this and the connecting recreation walking path. This raised another important issue for implementing a long-term maintenance plan for community resources and highway equipment. Mr. Hemenway echoed this need for a long-term maintenance plan included contracted individuals to implement the plan. Mr. Bourgeois asked about a reserve fund? Mr. Fournier said a reserved fund hasn't been established yet.

Mr. Beliveau had previously mentioned that the Village has a maintenance team, and Mr. Savage highlighted this key partnership with the Village. Mr. Fournier asked if Selectboard members could receive the information concerning the Selectboard meetings the Fridays before the regularly scheduled Tuesday meetings. Ms. Draper expanded that this would allow members of the Selectboard to act proactively instead of reactively.

6. Community & Economic Development

Mr. Savage said that there is nothing new to report beyond the website updates. As part of the updates, Mr. Savage will be exploring the statute of limitations concerning the old email addresses compared to the new proposed email addresses.

7. Highway Department

a) Mulcher Grant Update

Mr. Savage said more money is available for the hay mulcher. The grant has been submitted, and Mr. Savage is just waiting to hear back.

**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 at 9:04 p.m., seconded by Mr. Hemenway. Motion carried.

1. Renewal fo the following licenses:
 - a) Fiddler on the Green

Mr. Bougeois made a motion to approve the license renewals as applied for Fiddler on the Green, seconded by Ms. Draper. Motion carried.

**Adjourn Liquor and Tobacco Control Board and
Re-Enter Regular Meeting**

Ms. Draper made a motion to adjourn the liquor and tobacco control board and re-enter the regular meeting at 9:05 p.m., seconded by Mr. Hemenway. Motion carried.

8. Any Other Necessary Business – None

9. Correspondence - None

10. Public Comments (Reprise) - None

11. Upcoming Events

- a) Town Offices & Operations are CLOSED – Friday, April 7, 2023 in observances of Good Friday
- b) Regular and Zoom Selectboard Meeting – Tuesday, April 18, 2023 at 6:00 p.m. – Town Office Building, 1 Academy Street
- c) Planning Commission Meeting – Wednesday, April 19, 2023 at 6:30 p.m. – Town Office Building, 1 Academy Street
- d) DRB Meeting – Thursday, April 20, 2023 at 6:00 p.m. – Town Office Building, 1 Academy Street

12. Executive Session (Legal, Personnel)

Ms. Draper made a motion to enter executive session at 9:08 p.m., seconded by Mr. Hemenway. Motion carried.

Ms. Draper made a motion to exit executive session at 9:33 p.m., seconded by Mr. Hemenway. Motion carried.

No motions taken.

E. Adjournment – Mr. Hemenway made a motion to adjourn the meeting at 9:33 p.m., seconded by Ms. Draper. Motion carried.

Respectfully Submitted,

Joseph Cava
Administrative Assistant

Received and filed by:

Cathy Fournier, Town Clerk

Date