**DRAFT MINUTES**

**TOWN OF SWANTON**

**SPECIAL SELECTBOARD MEETING**

**Town Office Building**

**1 Academy Street, Swanton, VT 05488**

**In-Person & By Zoom**

***Wednesday, August 2, 2023 @ 6:00 p.m.***

Present: Earl Fournier, Chair; Ed White, Vice-Chair; Nicole Draper, Steve Bourgeois, Cody Hemenway, Selectboard Members; Brian Savage, Town Administrator; Cathy Fournier, Town Clerk; Amy Giroux, Zoning Administrator; Joseph Cava, Interim Administrative Assistant; Bill Sheets, Swanton Village Manager; Reg Beliveau, Emergency Response Manager; Joel Clark; Betsy Fournier; Jon Nielson; Jason Guyette; Josh Ellerbrook; Matthew Sullivan, Swanton Chief of Police; Bruce Spaulding; Jason Barney, Swanton Historical Society President; Nicholas Brosseau, Glen Gurwit, Swanton Historical Society Members; Abigail Gaudette; Rebecca Rupp; Taber Gagne; Jen Gagne; Heather Lavoie; Stephanie Smith, State of Vermont (Zoom User)

1. Call to Order – Mr. Fournier called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance – Mr. Fournier led those present in the Pledge of Allegiance.
3. Agenda Review
4. Meeting Topics
5. Minutes
6. July 18, 2023 Regular & Zoom Selectboard Meeting
7. July 19, 2023 Special Joint Meeting with Village Trustees

**Mr. White made a motion to approve the draft minutes from the 7/18/23 Selectboard meeting and 7/19/23 Special Joint meeting with Village Trustees as written, seconded by Mr. Bourgeois. Motion carried.**

1. Public Comments – None
2. Law Enforcement
3. Swanton Health Officer Report

Mr. Savage informed members of the Town Selectboard that no report was submitted.

1. Swanton Police Chief Report

Chief Sullivan gave a summary of the occurrences around Swanton including 101 incidents. Some of these incidents included directed patrols, over 20 traffic stops, property/home watches, reports of suspicious persons, welfare checks, search warrants and agency assists. Chief Sullivan specified that there are discrepancies in the data that need to be manually corrected. Chief Sullivan also mentioned the success of the National Night Out on 8/1/23 in Village Green.

Mr. White reported that he received a call about people using South River Street as a drag race strip and recommended that the Swanton Police Department install a temporary speed monitor. Mr. Sullivan agreed saying that beyond clocking the speed at any given point and time, it will generate a report to track the occurances.

1. Old Town Business
2. Flood Hazard Mitigation Program – Stephanie Smith, State of Vermont

Ms. Smith gave a summary of the program specifying that the Town would be responsible for the land acquired in active flood zones. This land would be maintained as open space, but the state would assist with planting, or the Town could let the grass grow wild. Moving forward, this removes private property owners away from the flood plain, which would ultimately reduce the liability. Mr. Beliveau added that the flood of 2018 blew out foundations which displaced many individuals. Mr. Beliveau specified that this is not a force out movement, but an option to consider for public safety.

Ms. Smith continued saying that the value placed on properties is the current assessed market value including buildings and land the day before disaster occurred. Mr. Bourgeois asked about the sale of these properties and the disappearance of real estate signs. Ms. Smith specified that this is a volunteer program, and the goal is not to subject future property owners to the same trauma as existing homeowners experienced during disaster. Mr. Bourgeois asked about the program deadline. Ms. Smith responded that the application deadline is set for December 2023 for those who wish to participate in the program. Mr. Beliveau mentioned the housing shortage and disasters like floods reduce the available housing stock.

Mr. Bourgeois shared this concern. Mentioning the 2018 flood, Mr. Beliveau said that in twenty minutes, the flood water was chest high. Ms. Gagne lives on Foundry Steet and mentioned that the flood of 2018 decimated their home built twenty years ago. The flood of 2018 was a perfect storm, and she fears for their current property as well as future occupants of this property on Foundry Street. Ms. Gagne views this option as a safe and viable but specified that letters like the one community members received appeared like a scam. Mr. Beliveau cited that there is a lack of education and stressed the importance of a public forum to address neighboring concerns. Mr. Clark specified that this issue is human life, and a housing shortage is not an excuse to protect community members.

**Mr. Hemenway made a motion to participate in the flood mitigation program through the State of Vermont, seconded by Ms. Draper. Motion carried.**

**Mr. Hemenway made a motion to appoint Jason Butler as the Emergency Response Manager, seconded by Mr. White. Motion carried.**

1. Library Icing Issue

Mr. Fournier recommended consulting with Neal Speer about the icing issues. It is Mr. Speer’s belief that the ice damage to the existing gutters led to the immediate water issues. Mr. Savage said that the Town will be contacting Laz Scangus, architect, to work on a viable solution to protect Swanton’s historical public library resource. Mr. Fournier recommended that Mr. Savage contact Laz Scangus to get an estimate on what a plan would cost, and contact Champlain Gutters in the interim to resolve the gutter issue. Mr. White mentioned organizing a meeting with a basement specialist to further evaluate the issues in the basement.

1. Discussion of draft MOU between Library, Historical Society, and Town

Under item number 2, Ms. Rupp recommended removing daily activities because the list of activities is endless. Continuing, Ms. Rupp mentioned a conflict with the openness of the agreement under item 3. Ms. Rupp has no qualms with the Historical Society being in the basement, but the expansion of programs and activities at the library has led to a need for this space that the Historical Society currently occupies. Ms. Gaudette mentioned this openness and recommended annual review versus a two-year review. Mr. Fournier stressed the importance of being accommodating to all parties.

Mr. Bourgeois asked Ms. Rupp what her recommendations were for making the agreement less open-ended. Ms. Rupp recommended more participation in meetings to keep the process moving. Mr. Barney mentioned the 90-day eviction memo, but mentioned he’d be willing to sign an MOU this evening in the name of conflict resolution. Ms. Lavoie mentioned other routes to pursue to guarantee when the Historical Society collections are moved, that the new location is guaranteed long-term storage.

Ms. Fournier recommended doing property research like the Recreation Commission did to evaluate starting points. Mr. Fournier recommended a quarterly process to keep the line of communication open and keep interested parties informed. Ms. Gaudette recommended quarterly changes to the MOU to address changing circumstances as the process moves along. Mr. Gurwit said that the Historical Society appreciates their relationship with the library and the “gentleman’s agreement” stems from the Winters’ gift in 1999 for the expansion of the library which included the storage for the Historical Society.

Mr. Fournier reminded Mr. Gurwit the Town is committed to supporting the Historical Society and all parties should be grateful. Mr. Bourgeois mentioned that the Railroad Depot Museum is a gem to the community and asked about storing items in the basement of the museum. Mr. Gurwit mentioned that the basement is not a suitable location for long-term storage of sensitive artifacts. Mr. Savage reviewed and summarized the proposed changes. Ms. Draper added that the MOU would be reviewed annually.

**Mr. White made a motion to adopt the proposed changes to the MOU and authorize Earl Fournier to sign the MOU on behalf of the Selectboard, seconded by Ms. Draper. Mr. Fournier, Mr. White, Ms. Draper, and Mr. Bourgeois voted aye. Mr. Hemenway abstained. Motion carried.**

1. Update Site Selection for Recreation/Community Center

Ms. Draper recommended saving this item for executive session because of sensitive real estate information. Mr. Clark disagreed, stating that if the numbers are excluded then it wouldn’t place any member of the community at a significant disadvantage. Mr. Savage summarized the results of the request for proposals (RFP) concerning real estate. Mr. Goss on Lafar Dr. has 23 acres acquired through a foreclosure sale and recommended this as a potential site. Mr. Savage continued saying that issues with the property include a ledge and wetlands which make this an undesirable site to develop. The advantages are the proximity to the LVRT system and access to natural gas. Other properties were considered, but issues arose for permitted uses of those locations.

Ms. Lavoie mentioned the old railroad bed as an access point to the Lafar Dr. property, but Mr. Savage outlined the issues stemming from existing wetlands. Ms. Lavoie asked about the Lavoie Ave. site. Mr. Savage expressed concerns about access and parking requirements. Mr. Fournier added that there are not a lot of lands available that meet the requirements to support a recreation/community center. Mr. Clark mentioned that a previous project to construct an industrial park was not be viable location because of the mitigation measures that were needed. Ms. Fournier asserted that the existing site at the base of the recreation fields near Shelburne Limestone is still the most viable option. Mr. Bourgeois recommended the possibility of expanding this area.

Mr. Fournier recommended speaking with Shelburne Limestone about the use of Jewett Street as truck access and using an alternative route. Mr. Savage mentioned the movement of scales closer to John’s Bridge to accommodate this, but no recent discussions have been had. Mr. Fournier asked about the status of the feasibility study. Mr. Savage said he didn’t have any updates. Mr. Sheets mentioned the goal of identifying a site and recommended illustrating the results of other real estate inquiries to confirm the compatibility of the existing site as the best location to construct a recreation/community center. Mr. Clark reminded members of the Selectboard that in September 2022 a joint decision was made between the Town Selectboard and Board of Village Trustees to contract with Cross Consulting Engineers to design a plan for the recreation site.

Mr. Fournier recommended putting a joint effort into answering the questions that the community has been raising regarding this process. Mr. Fournier also mentioned that the results of the feasibility study would help to resolve conflicts between narrowing down a site. Mr. Clark agreed with this consensus mentioning the flexibility that is needed as the process moves forward. Mr. Sheets echoed this point and expressed the due diligence to push this process forward. Ms. Fournier recommended incorporating the recreation department in the special selectboard meeting scheduled for Tuesday, August 22, 2023 at 6:00 p.m.

1. Update on Parks and Recreation Master Plan

Mr. Fournier asked for an update. Mr. Savage said a master plan has been filed and the consensus is a recreation/community center site needs to be chosen before the plan can be solidified. Ms. Fournier expressed thanks for the support as this initiative moves forward.

1. New Town Business
2. Appointment to fill vacancy – Trustees of Public Money

**Mr. White made a motion to appoint Nicholas Brosseau as Trustee of Public Money, seconded by Ms. Draper. Motion carried.**

1. Report from Northwest Regional Planning

Ms. Draper gave an update on the report that was adopted. A Maquam Bay of Missisquoi grant was approved in conjunction with brownfield review and assessment. Ms. Lavoie had a question about the ramp moving forward. Mr. Savage responded that they are working with the state to get this resolved.

1. Community and Economic Development - None
2. Highway Department
3. VTrans Grant Authorization

Mr. Savage has been in communication with the Highway Department concerning the emergency culvert repairs and the impacts of runoff into Lake Champlain.

**Mr. Hemenway made a motion to authorize Mr. Savage to sign the grant agreement with VTrans, seconded by Mr. Bourgeois. Motion carried.**

1. Any Other Necessary Business - None
2. Correspondence
3. Letter from Mr. Ed Daniel

Members of the Town Selectboard reviewed the letter from Mr. Daniel’s.

1. Public Comment (Reprise) - None
2. Upcoming Events
3. 1st Annual Cornfest – Saturday, August 12, 2023 from 2:00 p.m. to 8:00 p.m. – John Raleigh Field
4. Selectboard Meeting – Tuesday, August 15, 2023 @ 6:00 p.m. – Town Offices & Zoom, 1 Academy Street, Swanton, VT 05488
5. Planning Commission Meeting – Wednesday, August 16, 2023 @ 6:30 p.m. – Town Offices, 1 Academy Street, Swanton, VT 05488
6. Special Selectboard Meeting – Tuesday, August 22, 2023 @ 6:00 – Town Offices, 1 Academy Street, Swanton, VT 05488
7. DRB Meeting – Thursday, August 24, 2023 @ 6:00 p.m. – Town Offices, 1 Academy Street, Swanton, VT 05488
8. Executive Session (If needed)

**Ms. Draper made a motion to enter executive session at 7:56 p.m., seconded by Mr. Hemenway. Motion carried.**

**Mr. White made a motion to exit executive session at 8:02 p.m., seconded by Ms. Draper. Motion carried.**

No motions taken.

1. Adjournment

**Mr. White made a motion to adjourn the Selectboard meeting at 8:02 p.m., seconded by Mr. Hemenway. Motion carried.**

Respectfully Submitted,

Joseph Cava, Interim Administrative Assistant