

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

Present: Joel Clark-Chair, Steve Bourgeois, Nicole Draper, Cody Hemenway, Earl Fournier-Members, Brian Savage-Town Administrator, Cathy Fournier-Town Clerk, Christina Candels-Administrative Assistant, Reg Beliveau Jr, Matthew Sullivan-Swanton Village Police Chief, Damon Broderick, Allen Letourneau, Jason Butler, Nate Munday, Glenna Munday
Zoom: Lin

A. Call to Order

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

B. Pledge of Allegiance

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

C. Agenda Review

Mr. Clark reviewed the agenda.

Ms. Cathy Fournier requested under New Town Business that Mr. Clark sign a new resolution for the bank.

Mr. Clark requested to move up on the agenda Town Emergency Plan discussion with Mr. Reg Beliveau Jr.

Mr. Hemenway requested to add under New Town Business discussion on the Tribal Council.

Mr. Savage requested to table under Old Town Business Draft of letter of Secretary of AOT. Mr. Savage is still waiting for information to complete this letter.

D. Meeting Topics

1. Minutes

a) Regular Selectboard Meeting of March 19, 2024

Mr. Bourgeois made a motion to approve March 19, 2024, regular Selectboard draft minutes as written, seconded by Ms. Draper. Motion carried.

2. Public Comments

None

3. Law Enforcement

a) Swanton Police Chief Report

Chief Sullivan came before the board to share March 2024 Incident Analysis. March of 2024 Swanton Village Police responded to 163 incidents.

Of the 18 traffic stops 6 tickets were issued, 13 warnings, 2 arrests out of traffic stops, 5 arrest charges of 4 individuals.

The top 10 incidents were as follows: 103 directed patrols, 18 traffic stops, 5 suspicious person/circumstance, 4 motor vehicle complaints, 3 crashes/property damage, 3 community outreach, 2 thefts (one was actually in the Village), 2 citizen assists, 2 noise complaints & 2 agency assists.

Mr. Bourgeois asked if the arrest charges were locals or people passing through? Chief Sullivan said there were local individuals. Mr. Fournier asked they were arrested in the Town? Chief Sullivan stated yes.

Mr. Clark asked how vehicles with paper license plates is complicating stops? Chief Sullivan said they have been an issue because they were not able to get information on them, this has been fixed by the DMV and the Police now can get information from the DMV. Mr. Fournier asked about the lack of stickers on plates now? Chief Sullivan said officers used to be able to see outdated stickers but now they have to run the plates at other traffic violations or on their terminals to see if they are valid.

Chief Sullivan updated the Selectboard of upcoming meeting on Fair & Impartial Policing.

Chief Sullivan said they have had a meeting today with Village Manager Sheets, Town Administrator Savage and himself and they plan to the best of their ability to provide Swanton Town with Police coverage Monday April 8, 2024 for the expected increase of people at no cost to the Town of Swanton.

Mr. Clark asked for clarification on a ticketed location on Chief Sullivan's report. Chief Sullivan said the program sometimes pulls residential addresses.

Mr. Hemenway asked if tickets are issued at officers' discretion, due to a warning being issued for 20 mph over the speed limit.

b) Health Officer Report

Mr. Savage shared the March 2024 Health Officer Report. The report included one call to the Swanton Health Office that was requesting information on laws surrounding lead paint for rental properties.

4. New Town Business

a) 2024 Town Emergency Plan – Mr. Reg Beliveau

Mr. Beliveau shared the 2024 Town Emergency Plan with the board.

Mr. Beliveau said every year the plan needs to be reviewed and approved by May 1st. The plan has been updated with the change of Selectboard and Village Trustees. Mr. Clark needs to sign the Plan as Selectboard Chair.

Mr. Beliveau said all new Selectboard members should take an online course through FEMA ICS 100 & ICS 700. This will certify them in these emergency trainings, the certification should then be kept with the Town Administrator.

Mr. Beliveau said they have had a conversation for emergency management for the eclipse as well. Mr. Savage said AOT will also have a drone flying for traffic information.

Mr. Beliveau has requested to purchase a laptop for emergency management use.

Mr. Bourgeois made a motion to approve Mr. Beliveau to spend up to \$500 for new laptop, seconded by Ms. Draper. Motion carried.

5. Liquor Control Board

Mr. Fournier made a motion to exit the regular Selectboard meeting and enter the Liquor Control Board at 6: 28 pm, seconded by Ms. Draper. Motion carried.

BADERMANN ENTERPRISES: Second Class, Tobacco, Tobacco Substitute-No Violations

GREEN MOUNTAIN BISTRO: Nate & Glenna Munday: First Class, Third Class, Outside Consumption Permit-New Permit

Mr. & Ms. Munday came before the board they are the owners opening Green Mountain Bistro. They plan to have seating for 20-24 outside & 55-60 inside. July 12th, they have a soft opening planned.

Ms. Draper made a motion to approve Liquor Control requests, seconded by Mr. Hemenway. Motion carried.

Mr. Hemenway made a motion to exit the Liquor Control Board Meeting and enter the Regular Selectboard meeting at 6:31 pm, seconded by Ms. Draper. Motion carried.

6. Highway Department – Mr. Joel Clark

a) 2024 Paving plans

Mr. Clark said Mr. Lapan and himself came up with this list of roads to get bids on for paving. The bid is for sections to be paved on Champlain Street, Church Road, Leduc Drive, Andy Avenue, Woods Hill Road and Lord Road.

They will apply for a state grant to cover part of Woods Hill Road. If there is not enough in the budget, they can eliminate Lord Road if needed. Mr. Savage is working on the grant for Woods Hill as it is a class 2 road. They will need to cold plane before paving Woods Hill also. The cost of overlay is about \$120,000-\$130,000 per mile, that is why the town can only pave 3+ miles a year.

7. Old Town Business

a) Update on Fourth Street Property

Mr. Savage updated that the contractor will begin testing the soil. Dig Safe has marked the utilities.

b) Update on Library Stormwater sewer connection.

Mr. Savage updated Dig Safe has marked the sewer lines. This project will be completed after the Road Forman returns from vacation.

Mr. Fournier said the library needs a couple days' notice before this work begins. Mr. Clark said the work should be completed past the entrance in one day. The library plans to close for that day as there won't be handicap access.

c) Draft of letter to Secretary of AOT regarding Woods Hill Rd/Highgate Rd.
Tabled until more information is gathered.

d) Local Option Tax research status.

Mr. Savage shared an update from a phone conversation Ms. Candels & himself had with Sharon from the Tax Department. These questions are attached.

Local Option tax is destination based; the State uses a computer mapping program to know where it is paid. The State does not have a Town/Village with the set up of two governing bodies so it could be very confusing for distribution. The tax dept rep was going to speak with their general counsel for guidance.

Mr. Bourgeois would like to know what business are in the Town & Village.

Local Option tax does not apply to auto sales.

Of the 1cent local option tax the municipality get .70 cents. The .30 cent goes into the PILOT (Payment in Lieu of Taxes) fund for state buildings.

e) Update on Solar Eclipse preparations.

Mr. Savage shared he will be working Monday out of the Village Complex in the event of emergency situation with Village Manager, Fire Chief & Police Chief.

f) LVRT – Mr. Joel Clark

Mr. Clark shared the site plan that has previously been shared. This s available to view at the Town Office if anyone would like to view.

The trees have been removed and the stumps will be soon.

AOT has completed the project review, sending it back to the designer. This includes sign changing in Swanton to notify people.

Project can go out to bid as soon as mid-May. Contractor needs to be pre-qualified with AOT.

Construction could start as early as July. They need to hire a different firm to inspect the project than the designer, this is a state policy.

Mr. Fournier asked if they designer is going to write the bid? Yes

Mr. Clark has spoken with Ted Pelky to allow for a utility easement. Swanton Village will bore under the road from the school district office. Mr. Pelky has no issues with this and will sign once its ready. Mr. Clark will type this up.

Mr. Clark said once the project is set to begin, we should plan a ground breaking ceremony.

g) Corporate Resolution

Ms. Cathy Fournier said because there has been a change in Selectboard chair the Selectboard now needs to sign a new resolution.

**Mr. Bourgeois made a motion to approve the resolution, seconded by Ms. Draper.
Motion carried.**

h) Abenaki Tribal Council

Mr. Hemenway wished to extend and invite to the Selectboard to attend a Tribal Council meeting. They have had elections and there are new faces. The May meeting is May 16th. This will be a warned Selectboard meeting.

8. Community and Economic Development

Mr. Savage shared an updated email from Liz Curry from Maquam Bay of Abenaki's in regard to the work they have planned for their building. The previous plans were to rehab the back portion of the building this has been proven to be too costly therefore they are going to use these funds for the front of the building/food pantry. The grant of \$500,000 can be used for this.

What they are asking for is a letter of support from the Town & Village.

Ms. Draper made a motion for Mr. Savage to draft and sign a letter of support, seconded by Mr. Bourgeois. Motion carried. Mr. Hemenway abstained.

9. Any Other Necessary Business

Mr. Clark said he spoke with Brad McAvoy he is the facility manager of the new State garage being constructed. Mr. Clark shared his interest in viewing the building. Mr. Clark asked if others have an interest in this?

10. Correspondance

None

11. Public Comment (Reprise)

Ms. Draper shared update of April events for Swanton Recreation. The information is available on there website.

12. Upcoming Events

a) Wednesday, Apr. 10, 2024 – Planning Commission – 6:30 pm Town Offices

b) Tuesday, April 16, 2024 – Regular Selectboard Meeting – 6:00 pm Town Offices and Zoom

c) Wednesday, April 24, 2024 – Planning Commission – 6:30 pm Town Offices

d) Thursday, April 25, 2024 – DRB – 6:00 pm – Town Offices

13. Executive Session (Contract, Real Estate)

Ms. Draper made a motion to enter executive session at 7: 13 pm, seconded by Mr. Hemenway. Motion carried.

Mr. Fournier wanted it noted he left the meeting at 8:05 pm.

Ms. Draper made a motion to exit executive session at 8:25 pm, seconded by Mr. Hemenway. Motion carried.

No Actions Taken

E. Adjournment

Mr. Hemenway made a motion to adjourn at 8:25 pm, seconded by Mr. Bourgeois. Motion carried.

Respectfully Submitted by
Christina Candels-Administrative Assistant

Local Option Tax Questions for the Vermont Tax Department

- 1) What is the process to get approved and implemented? How Long?

90 days once passed by the Vermont Legislator

- 2) Swanton has a Town government as well as an incorporated Village? Which voters approve the tax? Do both the Town & Village voters have to vote to approve?

Both municipalities would vote and pass their own local option tax.

- 3) How is the tax revenue distributed between the Town & Village? Grand List? Population?

The state does not divide up by population they would send Village tax collections to the Village & Town tax collections to the Town. The tax is determined by destination.

- 4) What is the law/regulations that cover the local option tax?

Local Option Tax statute Title 24 in Vermont Law

- 5) What is the impact on the local business to implement?

State tax dept works with them

- 6) What is the expense to the Town?

None other than legal fees

- 7) Will revenue from village business go to the Village?

Yes

- 8) What can the revenue be used for?

NO limitations, but needs to be planned out before hand easier sell to tax payers

