

**DRAFT MINUTES
TOWN OF SWANTON
REGULAR SELECTBOARD MEETING
Town Office Building
1 Academy Street, Swanton, VT 05488
In-Person & By Zoom
TUESDAY, June 3, 2025**

Present: Joel Clark-Chair, Steve Bourgeois, Earl Fournier, Nicole Draper-Members, Brian Savage-Town Administrator, Christina Candels-Assistant Town Administrator, Amy Giroux-Zoning Administrator, Corey Parent, Bob Nielsen, Allen Pigeon, Ross Lavoie-PC Chair, Matthew Sullivan-Swanton Village Police Chief, Seth Coleman, Joshua Serpe
Zoom: Nick Brosseau, Doris M, Andres Torizzo, Oliver Manning, Melissa Coleman

A. Call to Order

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

The board welcomed Mr. Brosseau via Zoom and wished him well with his health, he is home recovering from a medical event.

B. Pledge of Allegiance

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

C. Agenda Review

Mr. Clark reviewed the agenda.

Mr. Fournier requested to add under Old Town Business Town Garage land swap update.

Mr. Savage requested to add under Old Town Business and update for the Swanton Public Library sprinkler system.

D. Meeting Topics

1. Minutes

a) Regular Selectboard meeting of May 20, 2025

Mr. Bourgeois made a motion to approve the Regular Selectboard meeting minutes of May 20, 2025, as written, seconded by Ms. Draper. Motion carried.

2. Public Comments

Mr. Clark stated the Memorial Day parade was a success, the banners on the electric poles and the Flags in the park are a great showing of patriotism. Thank you to everyone whom participated.

Mr. Fournier said it was a wonderful time to honor Swanton citizen Gordon Cheney, who turned 100 years old as well is a WWII veteran. Mr. Bourgeois said he spoke with Mr. Cheney the next day and he did not take any pictures, if anyone has any photos please send them to Town Administrator Brian Savage and they will put together an album for him. Mr. Clark said he has a couple he will send. Ms. Draper said there were some nice photos on the Swanton Community Facebook page.

3. Law Enforcement.

a) Swanton Police Department

Chief Sullivan came before the board to share May 2025 incident analysis.

In May 2025 Swanton Village Police responded to 98 incidents in the Town. The top ten incidents were as follows:

26 direct patrols, 23 traffic stops, 6 suspicious person/circumstances, 6 motor vehicle complaints, 3 citizen assistance, 3 alarms, 3 crashes, property damage, 3 threatening, 3 vin number inspections and 2 animal complaints.

The 23 traffic stops resulted in 7 tickets and 20 warnings. All tickets and warnings were associated with traffic stops. There were 3 arrests of 3 individuals resulting in 8 charges. 1 arrest was associated with a traffic stop. Chief Sullivan said they provide 14 hours of additional services.

Chief shared a specific incident regarding a felony assault in Riverside Cemetery. This incident was outside of service hours but an example of the Swanton Village Police assisting vs sending them to Vermont State Police.

Chief Sullivan said this incident took his entire day with the paperwork and processing. The individual is still on the run, and they have not been able to locate them. The day of the incident the individual led police on and extensive chase and added charges. The individual is not in custody. When the individual is located, they will be charged with the additional charges.

Chief Sullivan said he attended a Sequential Intercept Model Meeting last week that brings together multiple service providers together including the court system to address issues. Chief Sullivan said that on the day of the meeting he encountered an individual with a warrant, and he took them into custody. This meant Chief Sullivan was responsible for staying with him until the Court could see him until he went to court. These incidents take the officer off the road/out of service for the rest of the day or longer. The lack of resources is frustrating to officers. For example, in Chittenden County this service would typically be provided by the Sheriffs office.

Mr. Bourgeois asked if when they renovate the Village Complex for the Police Department will you be able to put this individual in a cell? Chief Sullivan said that is the goal. The current department is inadequate for this. Chief Sullivan said there is not a Police Department in the state you can walk into and have direct access to people, this department is not secure for staff.

Mr. Clark asked if Chief Sullivan is covering shifts on the road? Yes, if someone is out it is a scramble to fill shifts and often leaves one officer covering shifts.

Chief Sullivan said they still have two open positions.

Mr. Brosseau asked how many positions there is? Chief Sullivan said they have two authorized positions open, and they are authorized to be at full staff with 9 full-time officers. Currently they have 7, but one of them is the School Resource Officer assigned to MVU.

b) Swanton Health Officer

The board reviewed the May HO report.

Mr. Fournier asked for an update the HO had with Betty Cheney regarding 33 4th St.

Mr. Savage said the people residing at this property are squatters, it is private property, and the Town cannot hire someone to clean or empty the property.

Mr. Savage said currently Betty Cheney is the executive of the estate and in charge of the property, it is a legal process to have the property vacated. No one residing at the property legally owns the property.

Mr. Fournier asked if they have made progress in the discussion at the last meeting regarding ordinances for properties in the future?

Mr. Savage said they have copies of Burlington and St. Albans and review and draft what applies to Swanton with the HO and Police Chief. This will also bring up questions about enforcement and prosecution.

Mr. Clark asked Mr. Savage to see if they could get a timeline for the eviction process from Ms. Cheney.

4. PUBLIC HEARING

Mr. Clark opened the Public Hearing for the Proposed Amendments to the Swanton Land Use and Development Regulations and Zoning Map at 6:22 pm.

Mr. Lavoie gave an overview of what changes the Planning Commission has decided in this process. Mr. Lavoie said this process has taken a year and a half. This is a living document they will still need to adjust in the future.

Mr. Lavoie noted specific changes listed below:

- Zoning districts, some merged, removed or changed for housing. Public utilities vs. private. Municipal utilities allow for more density on lots.
- Reduced setbacks, increased lot coverages. Over 50% of Swanton is already conserved land.
- If you can access municipal utilities allowing infill and density.
- Simplify regulations for residents, Zoning Admin and DRB.
- Change Shoreland District vs Rural.
- If the State permits over 20% lot coverage, Zoning Admin can approve not requiring DRB approval.
- ADU's are allowed to be in non-attached structures.
- Legislative changes to increase housing. (any place where a single-family home is permitted you must allow a duplex, if municipal water & sewer is available a four plex is permissible without DRB approval)
Single-family homes with water & sewer the Town cannot require the lot to be larger than 1/5th of an acre.

Mr. Clark asked for the process of approval to be explained to the board.

Mr. Parent said these Land Use and Development Regulations were in effect when the Planning Commission voted to approve them (May 6, 2025) and send them to the Selectboard. They are in effect for 150 days and/or upon final approval from the Selectboard. The Selectboard can make suggested changes during the approval process.

Selectboard questions and change requests are as follows:

- Shoreland vs Rural district setbacks all alien except side? These should be consistent.
* Agreed both districts will be 25' side setbacks.
- Shoreland vs Rural districts have alternative setbacks for smaller lots. Both allow for 20% lot coverage.

- Review Conditional Uses in Rural for West Swanton.
*Agreed to add Boat Sales, Storage & Repair, Mixed Use, Neighborhood Stores.
- Zoning cannot regulate Air B&B's (short-term rentals) The State has not found a way to regulate this. Mr. Parent suggested getting a legal opinion. Ordinances for these would also regulate family homes who rent to cover taxes. They cannot be regulated separately.
- Table 2.4.17 Residential Accessory Structures these setbacks in some cases are more restrictive than district setbacks.
*Agreed side & rear setbacks will be 10' for Garages, Satellite Dish, Deck, Porch, Breezeway. There will be 5' setbacks for Garden/Tool Shed.
- Art Wall permitting need to be added in the future.
- Road Construction standards in phased developments. This will be looked at regarding enforcement/governance vs withholding Certificates of Occupancy that can cause legal issues for the Town. The bylaws do align with E-911 standards of what is considered a road.
*Add the DRB can approve the road to be built in stages.

Public Comment:

Mr. Pigeon asked if these bylaws would allow for two separate structures on a property or if they need to be one structure? Mr. Clark said that it was a question for Ms. Giroux and encouraged Mr. Pigeon to draft a plan and meet with Ms. Giroux. Mr. Lavoie said this can also be reviewed with Northwest Regional Planning.

Mr. Clark ended the Public Hearing for the Proposed Amendments to the Swanton Land Use and Development Regulations and Zoning Map at 7:25 pm.

5. Friends of Northern Lake Champlain

a) Discussion of proposed Lasnier Road stormwater project.

Mr. Serpe came before the board to share that the Friends of Northern Lake Champlain are still seeking the Town of Swanton's commitment to maintain this project. Mr. Torizzo joined via Zoom as the engineering consultant for the project.

Mr. Serpe said they need a signature of commitment from the Town to move forward with the project. They have the commitment from Swanton Village for the beach part of the project.

Mr. Fournier said the property owners this will affect have been left out of the loop on this project.

Mr. Bourgeois asked how far from the edge of the road will this sand filter go back on the property? Mr. Serpe asked Mr. Torizzo to answer the question. Roughly 10'.

Mr. Brousseau asked if the sand filter will make the properties more prone to moisture? It is designed to not add any additional flow.

Mr. Clark said the map shows the installation of the sand filter is on the adjacent property owners' property. (Seth & Melissa Coleman) Mr. Torizzo said some of the grading does, as does the existing swail. If the landowner is not in favor of this project, how does it move forward?

Mr. Torizzo said they are under the assumption if it is part of the Town's Road drainage system should be acceptable. They do not have a surveyed property line.

Mr. Clark clarified this would not do anything to treat the runoff on the South side of the road?

Mr. Torizzo said he recalls that side is part of a stream, and the State is reluctant to allow management of a stream. This is to better manage the runoff from the road.

Mr. Brousseau asked why this location was chosen for the sand filter vs a place like Sucker Brook.

Mr. Torizzo said this project location was prioritized a couple of years ago, a project that could be implemented easily and show a benefit. They understand there are bigger issues in the area.

Mr. Bourgeois asked how far beyond the Town's right-of-way will they need to accommodate this filter? Without a survey it is hard to say but the map shows roughly 6'-7' on the Colemans land.

Mr. Fournier asked if the Town agrees to the maintenance can the project move forward even if the landowners do not agree? Mr. Torizzo said the purpose of this meeting is the Towns support right now not the landowners, he imagines the Friend's of Northern Lake Champlain may not move forward if the landowners apposed. If the Town feels that's important to deal with they will.

Mr. Serpe said they need the Towns approval to be able to bill the funder of the grant for there time to be able to move forward and communicate with the landowner. Mr. Serpe said they are at step four of this project is the Town's commitment to maintenance, in order to move to step five where they can engage with the landowner, construction and implementation of the project, the Town needs to agree to maintain it first. Distributing pamphlets to property owners.

Mr. Clark said he understands that, but he does not support this project. Sucker Brook would cost millions to address. Mr. Clark said there is other locations off Maquam that dump much more into the lake vs this area. Mr. Clark said he agrees and supports efforts to clean up the lake, but as a Selectboard & Road Commissioner perspective he cannot support this project.

Mr. Fournier asked if this is the best design, this project has a fair amount of maintenance for the Town, can they design something better.

Mr. Serpe does not know these are designed for the area. These are non-regulatory projects.

Mr. Torizzo said this area was extensively studied for this small project, they know it will not solve the phosphorus problem in Lake Champlain. If the issue was private landowners and they could stay within the Town's right-of-way, would it change the board's opinion? Mr. Brosseau said he would be more supportive so that the issue needs to be solved.

Mr. Clark said they don't have much room and does not expect the Friends to solve the lakes problem. Mr. Clark said his concern is of the landowner not being in favor, the maintenance of the project as well as limited space.

Mr. Fournier asked if the Town will be responsible for redoing the filter at the end of the life expectancy roughly 10 years? Mr. Serpe said the 10-year life expectancy is just for permitting. Mr. Serpe said it won't go away it will still be a sand filter. The best-case scenario is the Town will continue to maintain. Mr. Fournier said they need to come up with a permanent fix, eventually the sand will need to be replaced at the Town's expense. Mr. Torizzo that is out of their control.

Mr. Coleman asked what studies have been done to show water flow on the corner of the property and who has done studies to show active flow of water from Lasnier to Rt 36?

Mr. Torizzo said it has been studied and there have been plans and analysis, modeling tools and mapping. Mr. Coleman asked if people have gone there physically and done studies? Yes, they have field data. Ms. Coleman asked if they have a record of when she works from home and had never seen anyone working.

Mr. Clark asked for clarification if water flows? Mr. Coleman said the ditch was created when they built their home in 2016 and water does not move from their culvert toward route 36. Ms. Coleman said she is home and mowed the lawn and the water was stagnant and not moving.

Mr. Bourgeois said the question is do they want to proceed with this project? Mr. Clark said yes.

Mr. Bourgeois made a motion not to support the project; Mr. Clark seconded the motion.

Mr. Fournier said he is not in favor of the project, and they need to get the neighbors support and has serious concerns over the maintenance of the project.

Mr. Brosseau said if they discuss it with the property owners and come back with a solution he will be more supportive for a second look. Mr. Clark said they also need to know one of the pieces of equipment needed for maintenance is a Vactor truck, the Town does not own one, the Village does. The Town does not own the equipment to jet the filter.

Board vote: Mr. Clark & Mr. Bourgeois voted in favor of Mr. Bourgeois motion, Mr. Fournier, Mr. Brosseau & Ms. Draper voted in nay in opposition. Motion failed.

Mr. Fournier made a motion that the Town does not commit to maintaining this project until the issue with the landowner and potential design issues are addressed that were brought up at this meeting tonight, seconded by Mr. Brosseau. Motion carried.

Mr. Clark said they are prolonging something they do not have the equipment to do.

Board vote: Mr. Fournier, Ms. Draper and Mr. Brosseau voted Iye, Mr. Bourgeois and Mr. Clark voted nay.

6. Highway Department

a) Department update

Mr. Clark said he will have a update at the next meeting.

b) Line Striping proposal

Mr. Clark said they have an estimate from L&D Safety Marking Corporation. They have \$18,000 in the budget for this. The price quoted is the same as last year.

Mr. Fournier made a motion to approve the line striping proposal as presented in the amount of \$17,740.80 from L&D Safety Marking Corporation, seconded by Ms. Draper. Motion carried.

c) Bid opening for sale of 2012 International Workstar Dump Truck

Mr. Savage said they did not receive any bids.

Mr. Fournier said they should advertise around New England.

Mr. Clark said they may come up with a different proposal, a lot of people are familiar with the issues with that particular engine.

7. Old Town Business

a) Library windows – update

Mr. Savage said the window repairs in the Kings Daughters Room; Mr. Menard will have them completed this week.

Mr. Clark asked if they have received final bills yet for the other repairs? No, the only bills received are from Chey Insulation.

Mr. Fournier asked if they would now work on gutters and snow guards? Mr. Savage said he has spoken with Mr. Scangas regarding them, and he feels with all the rain they have

received the work done already has worked. There have been no complaints of water in the basement.

Mr. Clark suggested monitoring though the summer months. Mr. Bourgeois said it could be part of next year's capital budget.

b) Signing of Swanton Recreation's Constitution and By-Laws

Mr. Savage circulated the previously approved bylaws to be signed. Mr. Brosseau said he will come in and sign when he can.

Once the Recreation Board signs them, they will be recorded.

c) Update on LVRT

Mr. Clark said the contractor began working 2 weeks ago. Has done work on the gravel area. They are waiting for paperwork before they can begin the foundations for the picnic pavilion area, porta potty enclosure.

Mr. Clark said he thinks they will not hit the August 1st completion deadline. That will trigger liquidated damage. Hopefully things will pick up. Mr. Clark said the quantity of sand prepared by the engineer is not going to be sufficient. They will likely see a change order. Mr. Clark will explain the difference in grade that will require 2' of additional material.

d) Discussion of proposed changes to the Purchasing Policy

Mr. Savage shared he has received suggested edits from board members and has shared them with the board in their packets.

Mr. Savage will incorporate these changes in the policy for the board for the next meeting.

e) Town Garage Land Swap

Mr. Fournier asked for an update on this. Mr. Savage said they are waiting for Mr. Rowell's attorney to proceed, not the Town's.

Mr. Savage will contact the Town attorney to push this forward.

Mr. Fournier will also reach out to Mr. Rowell as well.

f) Swanton Public Library sprinkler system update

Mr. Savage said the library budget includes maintenance and replacing of sprinkler heads. The quote has come in \$585 higher than the budgeted amount of \$6,500.

Mr. Fournier made a motion to approve the increase of \$585 to the total amount of \$7175.00 for the library sprinkler repair, seconded by Mr. Bourgeois. Motion carried.

8. New Town Business

a) Ethics Ordinance as required by the State of Vermont

Mr. Savage said they have talked about the new Ethics standards for the State of Vermont. They are required to adopt an Ordinance as well. Mr. Savage shared the Whistle Blower Protections that Swanton Village has adopted, that was drafted by Vermont Leagues of Cities of Towns legal resource department.

This is the policy of how whistle blowers will be handled.

Board members will review and adopt at the next meeting if no changes are needed.

b) Request of the Tax Collector to use services of Atty. Vaughn Comeau for Tax Sales
Ms. Cheney has requested Atty. Vaughn Comeau for Tax Sales. Mr. Savage said Ms. Cheney has 11 properties to go for tax sales. Mr. Comeau has represented the Town before for tax sales.

Mr. Bourgeois asked how much the cost is for Mr. Comeau to do this for the Town? By the hour? Mr. Savage said its part of the tax sale and will find out.

c) Discussion of DRB and Planning Commission applicants interview process
Mr. Clark, he has spoken with Mr. LaBarge and the DRB would like to interview them before sending a recommendation to the Selectboard.
The board agreed, Mr. Savage will reach out to both chairs and let them know.

9. Community and Economic Development

None

10. Any Other Necessary Business

Mr. Clark & Mr. Fournier discussed the Welcome to Swanton sign.

Mr. Clark said as soon as they are provided with a graphic he will share the sign design with the board for approval.

11. Correspondence

Mr. Savage received a letter with a donation request from Care Partners-Adult Day Center. They do not currently receive an appropriation.

Mr. Bourgeois said they are instrumental in elder care. The board also suggested they send a letter of request to be added to the Town appropriations list.

Ms. Draper made a motion to approve a donation of \$500 to Care Partners Adult Day Center from the miscellaneous budget, seconded by Mr. Bourgeois. Motion carried.

12. Public Comment (Reprise)

None

13. Upcoming Events

a) Tuesday – June 17, 2025 – Regular Selectboard Meeting – 6:00 pm – Town Offices

b) Thursday – June 19, 2025 – Juneteenth Holiday – Town Office and Operations –
CLOSED

c) Thursday – June 26, 2025 – DRB Meeting – 6:00 pm – Town Offices

d) Tuesday – July 1, 2025 – Regular Selectboard with Public Hearing with Planning
Commission – Revision to Zoning By-Laws – 6:00 pm – Town Offices

14. Executive session

Not needed.

15. Adjourn

**Ms. Draper made a motion to adjourn at 8:21 pm, seconded by Mr. Fournier.
Motion carried.**

Respectfully Submitted by
Christina Candels-Assistant Town Administrator