

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

Present: Joel Clark-Chair, Earl Fournier. Nicole Draper, Cody Hemenway-Members, Cathy Fournier-Town Clerk, Briann Savage-Town Administrator, Christina Candels-Administrative Assistant, Andy LaRocque, Chief Matthew Sullivan, William Thompson
Zoom: Lin, Chelsea Lumbra

A. Call to Order

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

B. Pledge of Allegiance

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

C. Agenda Review

Ms. Draper asked for an update on the library roof repairs. Mr. Savage said he did not have any update from Las Scangas. Mr. Fournier asked when the last contact with him was. About 6 weeks ago. Mr. Savage will contact him to set up an in-person meeting, then share that date with Mr. Clark & Mr. Fournier.

Mr. Fournier requested to add Promoting Swanton update under Old Town Business.

Mr. Clark requested to add Brooklyn Street Proposal under Old Town Business.

D. Meeting Topics

1. Minutes

a) Special Joint Selectboard and Village Trustees meeting of June 17, 2024

Ms. Draper made a motion to approve June 17, 2024, Special Joint Selectboard and Village Trustees Meeting Minutes as written, seconded by Mr. Hemenway. Motion carried.

Mr. Fournier asked for the minutes to be corrected for his motion to include the use of in-house resources for Promoting Swanton.

2. Public Comments

None

3. Law Enforcement

a) Swanton Police Department

Chief Sullivan came before the board to share June 2024 incident analysis.

Chief Sullivan shared Swanton Village Police responded to 99 incidents in June 2024. Those incidents were as follows:

36 directed patrols, 13 traffic stops, 6 suspicious person/circumstance, 4 motor vehicle complaints, 4 citizen assist, 3 agency assist, 3 found property, 3 community outreaches, 2 phone problem/harassment & 2 mental health.

Of the 13 traffic stops: 8 tickets, 8 warnings, 4 arrests, 13 arrest charges of 7 individuals.

Swanton Village Police provided 12.25 hours of additional services outside of contract hours.

Chief Sullivan share speed data collected from the speed trailer that was parked on South River Street listed as follows:

5/30-6/13--14,232 vehicles passed the speed trailer of those 6,704 vehicles above the posted speed limit of 40mph.

41-50 mph 6,128= 43%

51-60 mph 508= 3.6%

61-70 mph 34= .24%

71-80 mph 7= .05%

81-90 mph 27=.19%

Chief Sullivan believes the excessive speeds are motorcycles. Chief Sullivan shared the speed counts break down by hours of the day.

Chief Sullivan shared there is Governor Highway Safety details scheduled, this gives additional resources for traffic enforcement. Swanton has them scheduled for 7/12, 8/10. St. Albans has them scheduled for 7/22, 8/22, 9/8 & 9/21. These shifts are available for officers to sign up outside of their regular scheduled shifts, there is plenty of money for these details if they sign up. This is a way to improve traffic enforcement.

Mr. Fournier asked if this data would help with issuing tickets on South River Street. Chief Sullivan said it is in the right place at the right time. The data shows only 1.19% of the vehicles were engaging at concerning speeds, it will also be difficult to stop vehicles with the bridge closure/additional traffic on the road. Mr. Fournier said a few tickets will have people drive more cautiously on the detour. Chief Sullivan said he believes it was today Dean Ryan Public Works was doing a ride along with a 53' truck and trailer along the detour route. Chief Sullivan said they did find some helpful information of areas they need to adjust stop lines for swinging/ Route 7 and Beebe Road will become a 3-way stop.

Mr. Hemenway said he is concerned about only having stop signs at that intersection people will not stop because they are accustomed to stopping. They will blow through the stop signs. Mr. Hemenway said there should be something flashing there to get people's attention before the stop sign. Mr. Fournier said flashing lights "stop ahead" would be a huge help. Chief Sullivan said they would likely have an officer at that intersection the first day to make observations and to assist with traffic flow.

Mr. Clark said it will be an adjustment.

Mr. Clark asked if burglaries/crime are higher than last year. Chief Sullivan said he would have to look at the data. Chief Sullivan said they are very busy with very complex incidents. Chief Sullivan discussed more of the incident data. Mr. Clark asked if most of the arrests are from traffic enforcement? Most yes. Chief Sullivan shared one officer recently had a gun pointed at him and could have been and officer involved shooting. Mr. Clark asked how the officers are doing. They are good but tired, Chief Sullivan said there is a lot of paperwork that goes along with these incidents.

Mr. Hemenway asked for an update on the additional officer to be hired? Chief Sullivan said they do not have anyone in the pipeline right now. They did give an offer to a candidate, but the timing didn't work. They are looking for a level 3 officer vs. starting from scratch they would need to send them to academy for 17 weeks the field training. Mr. Hemenway asked if that was a possibility if they don't get a candidate? Chief Sullivan said it's a possibility but a difficult hiring time. Chief Sullivan said they have other individuals interested but the agency they were with is entertaining a 20% pay increase. Other officers see the work Swanton Village Police has done with the drug activity.

Ms. Draper thanked Chief Sullivan for his officer attending the "Touch a Truck: event. Ms. Draper said there has been an uptick in mischief in the parking lots after 8 pm. Chief Sullivan discussed one incident of a police chase that started at the Rec facility.

b) Swanton Town Health Officer

Mr. Savage share there has been no applicants for Swanton Town Health Officer, it has been posted in the paper. Mr. Savage shared the only ongoing incident is a sewer issue on Platt Street.

4. Highway Department

a) Proposed Policy relative to taking over private roads

Mr. Clark said he had a conversation with Mr. Fournier, and they agreed there should be a policy for taking over private roads. Mr. Clark wrote up a draft to share with the board. This is just a draft for everyone to give their input. Mr. Clark said he still needs to speak with Northwest Regional Planning. The policy will include information/direction in Purpose, Road Construction, Road

Condition, Right of Way, Storm Water Permits, Snow Removal, Engineer Certification, Developer Coordination.

All board members will review and give their suggested changes.

Mr. Clark thanked Mr. Fournier for the suggestion. Mr. Fournier said a no to taking over roads is not realistic or sustainable. If people are building roads to the standard there needs to be a policy. Mr. Fournier said the wild card is the storm water permits. Do they need to be renewed annually? Mr. Savage said yes and there is a cost. Mr. Fournier asked if there is no change? Mr. Savage said there is a renewal fee. Mr. Clark said they are working with a different development currently as well. Mr. Fournier said the policy needs to state these changes and costs. Mr. Clark said this is why the road part of the storm water permits need to be separate not with homeowners' associations. Mr. Fournier said they should have the legal council make sure the wording is correct. Mr. Clark said they have discretion to not take over the roads if the permits are not correct. This will be ready for the next meeting.

- c) Proposed 30 mph Speed Limit on South River Street and Beebe Road
Mr. Clark said this was previously discussed at a meeting and they didn't act. Mr. Fournier asked if they could go down to 25 mph? Mr. Savage questioned if they could go that low. Mr. Hemenway expressed concern with the current 40 mph and two passing trucks.

Mr. Hemenway made a motion to lower the speed limit to 30 mph on South River Street to Beebe Road, seconded by Ms. Draper. Motion carried.

5. Old Town Business

a) Reply on request of lower speed limit on Highgate Road

Mr. Clark discussed the reply from the State of Vermont to their letter requesting to lower the speed limit. The letter says they will consider the request at the next meeting and invite the board to attend.

Mr. Hemenway said he did receive a complaint from a resident regarding a blind corner on Highgate Road, it is a dangerous road. Mr. Hemenway suggested he write a letter of concern and they will share it. Mr. Fournier said they also have letters from the parents in regard to bus stops on Highgate Road, they will have them all together when they go.

b) Promoting Swanton-Earl Fournier

Mr. Fournier shared an update from their first meeting 6/28/24.

Mr. Fournier asked what logo will be on the new Welcome to Swanton signs because they want to do the same with the brochures the Promoting Swanton committee wants to create. Mr. Clark said the board approved the funding. Mr. Clark said they also need to decide are they just going to replace them where they are, that would be easiest. Mr. Fournier said they want input from the other organizations on what to put on them. No signs have been ordered yet. Mr. Clark suggested Mr. Fournier take the pdf they have of the sign and take a look what they would like to chime in what they want.

Mr. Fournier said the committee's priority now is to create a template for a brochure, with cost and design. Mr. Fournier asked if there was some money in the budget for this. The block party money came out of the Town celebration. Mr. Clark said there are also special funds they could use.

Mr. Fournier said the Historical Society representative, Heather, suggested renting e-bikes. Mr. Fournier asked if the Towns insurance would cover that? Ms. Cathy Fournier said no, the Town only covers the buildings. Ms. Draper does not believe they are open enough to make them as successful as Swanton Rec would because of the other plethora of outdoor recreation equipment. Mr. Fournier said yes but Jason Barney has done well getting people actively involved.

Mr. Fournier also said he was told they have trees at the railroad depot that need trimming. Mr. Savage will speak with Mr. Lapan.

Mr. Fournier said the committee also discussed having a mural painted on the side of Merchants Row, there was also discussion about the Boy Scouts participating. Mr. Fournier said they also discussed changing the website, they will put together a presentation to share with the board and share with our current web designer.

Ecopixel, and the costs. Mr. Fournier said he has seen on another website a “visitors” button taking them to other websites.

Mr. Clark asked for the minutes from that meeting to be added to the website.

Mr. Hemenway said he read the blurb about kayaking, if they need information he is on tribal council. Mr. Fournier said they would like to, Mr. Hemenway would like to invite them to a meeting.

c) Brooklyn Street stormwater proposal update-Joel Clark.

Mr. Clark said he received the proposal from Tyler at East Engineering will the costs. Mr. Clark said they have money budgeted for this, but if they don’t get the wetlands permit, they’re not doing anything.

Mr. Fournier made a motion to appropriate \$6,000 to East Engineering to get the wetlands permit & boundary survey done, seconded by Ms. Draper. Motion carried.

6. New Town Business

a) Request of Franklin County Field Days – Andy LaRocque

Mr. LaRocque came before the board as a director of Franklin County Field Days. They are looking for a letter of support from all the towns. They have been told this is the last year they can have the Field Days. The State of Vermont says they have plans for the land. They have been actively looking for other sites around the county, without luck. All the towns love Field Days, but none want to host them. The property needs to be sandy. They would like to pursue buying land from the State of Vermont. They have received letters of support from other towns already. Mr. LaRocque shared a letter of support for example. When the talks about moving first started the State agreed to help move all the building and with new land, none of it will happen.

Mr. Fournier asked what other uses they have for Field Days? Winter storage, weddings, big rig days, tree sales. Ms. Draper said they opened space to the school during covid. They could not offer weddings this year due to the State. Mr. Clark said they will draft a letter. Mr. Fournier asked what the land is worth. Mr. LaRoque said they should have pursued purchase of the land years ago. Mr. Fournier asked how many acres they have? 35 acres, which is enough. Mr. Clark asked when he would need the letter by? Mr. Savage will draft a letter, and everyone will stop and sign.

Mr. Hemenway made a motion to draft a letter of support for the Franklin County Field Days to remain at their existing location, seconded by Ms. Draper. Motion carried.

Mr. LaRocque said they are also seeking sponsors to make “save our field days” t-shirts to give away. If anyone knows of anyone let him know. They have been there 49 years.

b) Discussion of handling calls relative to injured cats

Mr. Savage said they received a call last week from a resident saying there was an injured cat in the roadway. The Town does not currently have a policy for cats. The Village referred him to the AOC. Mr. Benson, the AOC called Mr. Savage and they determined no one knew who owned the cat, but they didn’t want it to suffer. Mr. Benson took the cat to Champlain Veterinary. The following morning the cat had to be euthanized. Mr. Savage said this is not a problem that happens very often. The Town wants to ensure that the public knows they don’t want any animal to suffer but they need to have a policy, so the AOC knows what to do. Mr. Clark agreed this will make it easier with directions for what to do. The board will review the policy and finalize to sign at the next meeting.

Mr. Fournier asked what they would do if the opinion of the vet was to spend 5K to save the animal. The animal would have been abandoned by owners then and have to be euthanized. Ms. Draper asked if the cost to euthanize be the responsibility of the Town? It would be yes, last week’s case was at no cost, the vet said he was not going to let an animal suffer. This clarity will be added to the policy. Mr. Hemenway said there should be a discussion about the future of cats. Ms. Draper said there are pockets of feral cats. Mr. Hemenway said you don’t

want that to get out of control. Ms. Cathy Fournier said there is an organization who helps with feral cats. Mr. Savage will get more information.

c) Discussion of new state statutes relative to electronic access to public meetings

Mr. Clark said this is in regard to DRB & Planning Commission boards. Mr. Savage said yes as well as BCA. Mr. Savage said this is regarding Act 133 mandating any board that is non advisory be available for people to attend electronically via zoom. You can also hold meetings virtually.

Mr. Savage said they will need to make changes to establish other zoom links for meetings to have their own link. This law was effective July 1, 2024. There is some discussion about if this is optional because it says or. They need to offer electronic or in person meetings to people. Mr. Savage said there is some training that goes with this 6 hour of training on open meeting law. The full text of Open Meeting Law needs to be available. This has been added to the website already. Mr. Clark reads it as the meetings need to be recorded, and electronic access if requested. Mr. Clark said he reads that as they don't have to until requested. If they request to zoom in, they need to allow it. Mr. Fournier asked if they had anything from the Vermont League of Cities and Towns. The notice provided was from them. Mr. Clark asked if there is a desire for this? Yes, people have called and asked.

Ms. Draper said for ease of access as well as recording zoom records to the cloud. Mr. Fournier asked if they would need separate access or use the same one. Ms. Draper said they will be able to have their own schedule & link, id for meetings.

Mr. Fournier made a motion that all meetings that are required to be in compliance with the new State law be on Zoom, seconded by Mr. Hemenway. Motion carried. This will include the Planning Commission, Development Review Board, Board of Civil Authority, Recreation Commission. All boards now and in the future.

The Library Trustees and Cemetery Committee will need to make their own decisions.

d) Discussion of proposed OSHA Rules relative to Fire Departments

Mr. Savage said there has been information in the news recently regarding these proposed new rules. These rules and guidelines are drafted by the NFPA. What OSHA is doing is considering is adopting the NFPA regulations as OSHA regulations. This is not a one size fits all, this could put small fire departments out of business. Mr. Savage had a conversation with the fire chief today. A lot of the things required the fire department is already doing, but there are some they are not and will be costly.

Mr. Savage said the congressional delegations are fine with these changes. Mr. Clark asked if there is a push from Towns or Fire Departments to push back with letters? Mr. Savage said they will take comments until July 22nd. Mr. Savage is going to check with the Village Manager to see what they will be sending to ensure they align. Mr. Clark said they would do a letter of pushback for the next Selectboard meeting.

7. Community and Economic Development
None

8. Any Other Necessary Business

a) Reschedule Selectboard meeting of August 6, 2024, due to conflict with National Night Out

The board agreed to change the meeting to August 5, 2024

9. Correspondence
None

10. Public Comment (Reprise)

Mr. Thompson came before the board in regard to a neighbor whose sewer line is failing. Mr. Thompson said he has spoken with the Health Officer, and she told

him she no longer works for the Town. Mr. Thompson said the smell is unbearable. His wife has breathing issues and cannot go out back. Mr. Thompson said the health officer did visit and could smell it. Mr. Savage has spoken with the landowner, and he is working on getting finances to fix the problem. It is a village sewer. The line needs to be replaced.

Mr. Fournier thought Lake Champlain Housing has a program to help with this? Mr. Savage said yes and that’s why he wanted to speak with the homeowner to share that as well if there is a mortgage to reach out to them. Mr. Savage will look for information, resources and additional contractors who could help the homeowner.

Ms. Draper shared information for Mr. Savage to share with the homeowner from ANR website.

Mr. Clark will reach out to the Village Public Works also.

11. Upcoming Events
- a) Wednesday, July 3, 2024 – Iron Sights, 40th Army Rock Band – Village Green – 5:00 pm to 6:00 pm
 - b) Thursday, July 4, 2024 & Friday July 5, 2024 – Independence Day Holiday – Office and Operations CLOSED
 - c) Wednesday, July 10, 2024 – Vietnam Veterans Bridge CLOSURE starts
 - d) Tuesday, July 16, 2024-Regular Selectboard Meeting- 6pm Town Office
 - e) Tuesday, July 23, 2024 – Planning Commission – 5:00 pm – Town Offices
 - f) Thursday, July 25, 2024 – DRB – 6:00 pm – Town Offices
 - g) Friday, July 26, 2024 – Swanton Block Party – 5:00 to 8:00 pm – In the Square
 - h) Saturday, July 27, 2024 – 14th Annual Swanton Chamber of Commerce Car Show – 9:00 am – Village Green

12. Executive session (Personnel)
- Ms. Draper made a motion to enter into executive session at 7:32 pm, seconded by Mr. Hemenway. Motion carried.**

Mr. Fournier made a motion to exit executive session at 7:40 pm, seconded by Mr. Hemenway. Motion carried.

No actions taken

13. Adjourn
- Ms. Draper made a motion to adjourn the meeting at 7:40 pm, seconded by Mr. Fournier. Motion carried.**

Respectfully Submitted by
Christina Candels-Administrative Assistant

Received and filed by:

Cathy Fournier, Town Clerk

Date