

LYNDON SELECTBOARD MEETING

April 30, 2007

5:30 PM

Selectboard

Martha Feltus

Kevin Calkins

Kermit Fisher

Press

Jeanne Miles

Public

Arthur Sanborn

Lisa Barrett

Bob Howland

Ed Robbins, Dan Hale, Eric Johnson, Larry Simpson

Seth Williams, Dwayne Johnson, Beth Emerson, Jennifer Fleming, Bob Fleming, Lt. Ken Denton, Bernard Ash, Wayne Nelson, Charlie Emerson, Bob Hamel, Ruth Hamel, Mark Levitt

1. **Approval of minutes:**

Motion made by Kevin Calkins, seconded by Kermit Fisher, to approve the minutes of the 04/16/07 meeting as written. Motion carried 3-0.

2. **Orders:**

The Board approved and signed the orders drawn on the Treasurer for weeks #16 and #17.

3. **Highway Report:**

The Board reviewed the highway report as of the week ending 4/20/07. At 31% through the year payroll is 37% expended and the entire budget is 20% expended.

4. **Class 2 Paving Application Discussion:**

The Board discussed which Class 2 road to pave (South Wheelock Road, McGoff Hill, Darling Hill) should the Town receive \$150,000 in Class 2 paving grant money.

5. **Ice Arena Discussion:**

As discussed with the Lyndon Area Sports Association last fall, LASA has received an EIN number and tax exempt status. A management agreement for use of the building needs to be drawn up. Kermit Fisher and Martha Feltus will represent the Selectboard on the group drawing up the management agreement.

6. **Review of Solid Waste Ordinance:**

Green Up Day is May 5th. Bulky Day is May 12th through the 19th. The Board reminded residents that yard trash constitutes a violation of the ordinance.

7. **Other Business:**

- A) Motion made by Kermit Fisher, seconded by Kevin Calkins, to approve the following excess weight perms. Motion carried 3-0. Harold's Concrete, Kelley-View Farm, Gil's Construction, Marion & Brent Newland.
- B) Motion made by Kermit Fisher, seconded by Kevin Calkins, to approve the junkyard permit of Charles Murray & Son. Motion carried 3-0.
- C) Maddox Park will have its name spelled correctly and will be known as Mattocks Park.
- D) The Riverside School's request for a walk-a-thon was approved pending security arrangement with the Police Chief.
- E) The Board approved the access permit of Brian Richardson for access onto Fall Brook Road.

8. Public Hearing – ATV use of certain public highways:

As discussed at the Board's April 16th meeting, the Vermont All-terrain Vehicle Sportsman's Association (VASA) has requested that the Town adopt an ordinance allowing the use of ATV's on Cold Hill Road, Vermont Drive, and Fall Brook Road. The Board invited residents on these roads to this public hearing to express their opinions on the proposal. Any ATV operating on a roadway must be registered and abide by the motor vehicle laws of the State. Larry Simpson (VT Drive), VASA member, would like these roads opened to ATV traffic to add a loop to an existing trail system so that some residents of that area of Lyndon can access the trail system. Ed Robbins (Cold Hill Rd.) asked how non-VASA members using the roads were going to be monitored for illegal use and speed. Mark Levitt (Cold Hill Rd.) asked how there could be any enforcement if there are no laws. Beth Emerson (VT Drive) commented that public use will only increase ATV traffic on VT Drive and is concerned for the safety of children and pets as she has had a dog hit by an ATV. Eric Johnson (Cold Hill Rd.) stated that ATV use is already a big problem on Cold Hill Road and opening it up to the public will make it worse and more of a safety issue. Jennifer Fleming (VT Drive) is opposed to ATV use as she has been almost hit twice by an ATV on her road. Lt. Ken Denton, VT Fish & Wildlife, stated that they only enforce ATV issues in conjunction with the work they already do. Fish & Wildlife does not enforce ordinances or respond to ATV complaints. Bernard Ash stated that he patrols the trails for VASA. Wayne Nelson (Cold Hill Rd./Diamond Hill) stated that the intersection with Vermont Drive is very dangerous and he is concerned for safety (he was nearly hit by an ATV while on his bicycle), lack of availability of police enforcement, and environmental issues. Charlie Emerson (VT Drive) is concerned about enforcement. Bob Hamel (Fall Brook Rd./Hubbard Hill) is concerned about safety, noise, and speed. Seth Williams (Fall Brook Rd.) is concerned for children's safety, riders' safety, noise, and liability in the case of an accident. Dwayne Johnson (Fall Brook Rd.) is concerned for the hours of operation and the inability to enforce the proposed ordinance. Dan Hale (VASA) stated that a managed trail system works and makes a difference. VASA has paid for enforcement of problem areas in the past. VASA requires registration, insurance, and safety. Ruth Hamel (Fall Brook Rd./Hubbard Hill) asked about the process of adopting a town ordinance. Arthur Sanborn explained that it takes about 90 days to get an ordinance adopted, and that once adopted, it can be rescinded by the Selectboard and by petition of the voters. Arthur Sanborn went on to explain that the Town's Police Chief is on record as not supporting the proposed ordinance and that the State Police will not respond to ATV complaints. The issue will be discussed at a future meeting of the Selectboard.

Meeting adjourned at 7:45 PM.