

TOWN OF LYNDON  
MINUTES OF 2018 ANNUAL TOWN MEETING

The 228<sup>th</sup> Annual Town Meeting of the Town of Lyndon was held as warned at the Lyndon Town School Gymnasium on Tuesday, March 6, 2018. Moderator Joe Benning gavelled the meeting to order at 9:00 AM. The Moderator asked the assembly for a moment of silence in memory of the seventy three residents who have passed during the year. Presenting the Colors as well as leading the assembly of 119 in the Pledge of Allegiance was Boy Scouts Pierce Thompson, Silas Findley, Cameron Barney and Cub Scout Mathias Leaf, all from Troop 738. The National Anthem was sung by Lyndon Town School Chorus Members Lauren Labounty, Grace Ulrich, Megan Hubbard and Eden Breish under the direction of Music teacher Johanna Schillemat. The Moderator introduced the Selectboard members, Chair, Martha “Marty” Feltus, Kermit Fisher, and Dan Daley; Town Clerk, Dawn Dwyer, Municipal Administrator, Justin Smith, and Gatekeeper Linda Lee. Pierce Thompson was our runner.

The Moderator introduced Lyndon’s House Representatives Marty Feltus and Richard “Dick” Lawrence. Mr. Benning then stepped down from the podium to speak as State Senator. Marty Feltus & Dick Lawrence spoke to the assembly about the work being done in the committees they are on in Montpelier. Marty spoke of appropriations and the efforts to not raise fees as promised by Governor Scott. Dick talked about the 1,100 bills that are written and that only approximately 200 of them will ever go anywhere. State Senator Benning spoke regarding the gun bill in Senate, largely in regards to mental health. All three thanked the assembly for allowing them the privilege to represent them in Montpelier.

Mr. Benning returned to the podium and as Moderator, reviewed with the assembly the rules used to conduct the Annual Meeting and commenced with the reading of the Warning.

Article 1: Shall the voters of the Town of Lyndon authorize the Selectboard to borrow money for the operation of the Wastewater Department not to exceed one hundred thousand dollars (\$100,000) in anticipation of revenues and to execute and deliver the note or notes therefore?

Motion made by Carol Fisher, seconded by Andrew Desmarais, to adopt Article 1. There being no discussion, the article carried in the affirmative by voice vote.

Article 2: Shall the voters of the Town of Lyndon authorize the Selectboard to borrow money for Town expenses not to exceed one million dollars (\$1,000,000) in anticipation of taxes and to execute and deliver the note or notes therefore?

Motion made by Bruce James, seconded by Andrew Desmarais, to adopt Article 2. There being no discussion, the article carried in the affirmative by voice vote.

Article 3: Shall the voters of the Town of Lyndon authorize the Selectboard to set charges by residential unit to defray the cost of solid waste management services for the period January 1, 2018 through December 31, 2018 and to set the date of collection of same?

Motion made by Andrew Desmarais, seconded by Carol Fisher, to adopt Article 3. Ken Burchesky inquired if there would be an increase in the fee this year and what the fee covered. Marty Feltus explained the cost was increasing from \$35 per household residence to \$40. The fee covers Green-up day, Bulky Weeks, Household Hazardous Waste Collection and food scrap collection. There being no further discussion, the article carried in the affirmative by voice vote.

Article 4: Shall the voters of the Town of Lyndon authorize the Selectboard to eliminate the position of Delinquent Tax Collector and appoint the Treasurer as Delinquent Tax Collector? (Should this article pass, the election of Delinquent Tax Collector listed on the Australian ballot would be null and void.)

Motion made by Mike Schlesinger, seconded by Dona Jackson, to adopt Article 4. Linda Lee, current Delinquent Tax Collector, and Dawn Dwyer addressed the assembly as to how this article came to be. Linda explained that with the Clerk’s Office implementing more processes and procedures using the current software, it would be financially beneficial and more efficient to be collected in house. Dawn explained that Linda currently collects the eight (8) percent late fee as the collector. Once the Clerk’s Office takes over collections, this fee will be a revenue source for the Town. Ken Mason requested to cease discussion and call the article. With no objections, the article carried in the affirmative by voice vote.

Article 5: Shall the voters of the Town of Lyndon adopt its Special Appropriation articles by Australian Ballot pursuant to 17 V.S.A. §2680 (c )? (If approved, this method of voting would become effective on Town Meeting 2019.)

Mike Schlesinger was advised that the appropriations would be listed individually on the ballot not lumped together. It was explained to Adrienne D’Olimpio that the tabulator was able to read both the front and back of a ballot at the same time, therefore additional ballots would not be necessary. Carol Fisher was advised that if voting went to Australian ballot, organizations would still need to obtain the same number of signatures (five percent of the voters) should the Selectboard

request petitions. Carol Fisher asked to have the vote by paper ballot. Requiring seven (7) voters to vote by paper ballot, Moderator Benning asked for a show of hands for those supporting a paper ballot. Eight (8) voters raised their hands. Adrienne D'Olimpio asked the benefit of voting by Australian ballot. Carol Fisher explained that more voters would get the option to vote on a ballot, as many cannot attend Town Meeting but can either vote by absentee ballot or after work. Dona Jackson asked to go back to voting special appropriations together with one vote once. Jim Gallagher feels there is no option to discuss them at Town Meeting if on Australian ballot. Kermit Fisher explained that by lumping them together into one vote there is no discussion. Mr. Gallagher expressed no chance to hear from new organizations at Town Meeting if on Australian ballot. Moderator Benning relinquished the podium to the Town Clerk and stepped down to make an argument for defeating the measure. Mr. Benning felt it was unwise to continue removing reasons for people to attend Town Meeting, which began on October 28, 1986 with the decision to place the school budget and the election of officers to Australian ballot. Mr. Benning then returned to the podium and resumed as Moderator. Mike Schlesinger suggested more of a Town Hall Meeting be held at a time more convenient for voters. Dave Stahler spoke of the privilege to vote and to make an educated vote, not an uninformed and misinformed vote. Wendy Beattie said due to work schedules some voters cannot get into the office to vote absentee or attend Town Meeting and suggested perhaps moving Town Meeting to the evening. Julia Tucker was unable to find the information for Town Meeting on the Town's website. (It was later explained that the Annual Report is for 2017 and she was looking for 2018). Clarification was requested as to what it would mean if you voted "yes". Moderator Benning explained that by voting yes on the floor today, Special Appropriations would appear on the Australian ballot in 2019. Kent Hall called the question, John Wall seconded. Voting in the affirmative, paper ballots were cast and Article 5 was defeated: 46 Yes, 61 No, 1 Blank, 1 Spoiled.

Article 6: Shall the Town of Lyndon vote to raise, appropriate and expend \$1,000 for the support of Catamount Film and Arts to provide services to residents of the Town?

Motion made by Cathy Boykin, seconded by Nancy Blankenship, to adopt Article 6. There being no discussion, the article carried in the affirmative by voice vote.

Article 7: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$5,981 for the support of the Fairbanks Museum and Planetarium to provide services to residents of the Town:

Motion made by Nancy Blankenship, seconded by Andrew Desmarais, to adopt Article 7. Carol Fisher asked if there was a representative from the Museum in attendance. There was no representative in attendance. Many in attendance raised their hands as having visited the museum. Carol Fisher feels it should not come out of her taxes for residents to visit the museum. It should be a user fee. Many residents expressed their support for the programs offered. Evan Carlson asked to amend the article to "roll articles 7 through and including 17 into one article. The original article being already moved must be voted on as moved. Carol Fisher asked if any money was marked from the school budget for the museum. Principal Amy Gale explained that Lyndon Town School has a contract with the museum to provide educational programs and is paid for from the school budget. Bruce James called the question, Mike Schlesinger seconded. Discussion was ceased by voice vote and Article 7 was carried by voice vote.

Article 8: Shall the Town of Lyndon appropriate the sum of \$2,000 to assist the Lyndon Area Chamber of Commerce in maintaining and operating of the Information Booth on Broad Street in Lyndonville?

Motion made by Evan Carlson, seconded by Dona Jackson, to amend the article to combine articles 8 through and including 17. Being too close to call, Moderator Benning called for a show of hands to amend the budget. The amendment carried 71 yes to 39 no. Larry Willey asked who owned the Outing Club. Marty Feltus explained that the Town owns the property and buildings but does not run the program. The Town has a management agreement with the Lyndon Outing Club to run the program. Carol Fisher commented that the article to vote Special Appropriations by Australian ballot was defeated and yet we are amending the article and combining them all together without discussion. With no further discussion, the amended article carried in the affirmative by voice vote.

Article 18: Shall the voters of the Town of Lyndon vote to adopt the proposed General Fund budget for the ensuing year? (NOTE: Total General Fund budget is subject to increase by amounts approved on previous special appropriations.)

Motion made by Andrew Desmarais, seconded by Mark Beattie, to adopt article 18. Marty Feltus explained the General Fund budget was level funded for 2018 expecting no increase in the tax rate. Motion made by Thad Richardson, seconded by Nancy Blankenship, to amend article 18 by increasing the amount by \$10,000 to be appropriated to Caledonia Home Health Care. Carol Fisher asked to have the requirements to get a Special Appropriation on the warning outlined. Dawn Dwyer explained that the requirements are set each year by the Selectboard at their re-organizational meeting held after Town Meeting. At this time it is determined by the current Board if they will require a petition or not. In March 2017, the current board set the policy to require all organizations requesting a Special Appropriation in 2018 to submit a petition by

the due date with the appropriate number of signatures from legal Lyndon voters. A letter was mailed to all past appropriation recipients explaining the current policy and deadlines. A letter of intent was due from the organization to the Selectboard by December 31, 2017 stating the amount of their request and a petition with signatures from 5% of the registered voters was due on January 18, 2018. A motion was made by Troy McAllister to call the question, seconded by Mike Schlesinger. The motion was defeated by a show of hands, yes 32, no 57. Discussion continued and the Executive Director of Caledonia Home Health, Trenny Burgess explained to the assembly that the organization had collected the required number of signatures on the petition and turned it in on January 8, 2018 along with the request to the Selectboard. Their request was invalid due to the letter to the Selectboard being eight (8) days late, as it was due on December 31, 2017. Many people spoke in favor of the organization and shared their experiences with Hospice. A motion was made by Kent Hall to call the question, seconded by Deb Smith. The motion was carried by voice vote. Don Gardner asked to vote by a show of hands but could not get the required number of voters to agree. With discussion ceased, the article was amended to read "Shall the voters of the Town of Lyndon vote to adopt the amended budget in the amount of \$2,297,877 for the ensuing year? (Note: this amount includes the previously approved Special Appropriations in the amount of \$58,452, as well as the \$10,000 requested increase.) With no further discussion, the amended article carried in the affirmative by voice vote.

Article 19: Shall the voters of the Town of Lyndon vote that taxpayers pay real property taxes to the Treasurer on or before 4:30 PM on Friday, November 2, 2018, with delinquent taxes having interest charges of one percent per month for the first three months, where after interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 2, 2018, at 4:30 PM?

Motion made by Bruce James, seconded by Mike Schlesinger, to adopt article 19. With there being no discussion, the article carried in the affirmative by voice vote.

Article 20: Shall the voters of the Town of Lyndon vote to authorize its Selectboard (for a period of one (1) year) to enter into contracts with new industrial and commercial owners, lessees, bailees, or operators of industrial and/or commercial real property, (including additions to existing real property), for the purpose of fixing and maintaining the valuation of such real property in the Grand List – or for the purpose of fixing and maintaining the tax rate applicable to such real property pursuant to the provisions of 24 V.S.A. 2741?

Motion made by Andrew Desmarais, seconded by Steve Gray, to adopt Article 20. Bruce James asked if this was tax stabilization and it was confirmed by the Board that it was. There being no further discussion, the article carried in the affirmative by voice vote.

Article 21: Shall the voters of the Town of Lyndon vote to authorize its Selectboard (for a period of one (1) year) to enter into contracts with agricultural owners, lessees, bailees, or operators who construct or acquire new agricultural real property, (including additions to existing real property), for the purpose of fixing and maintaining the valuation of such real property in the Grand List – or for the purpose of fixing and maintaining the tax rate applicable to such real property - pursuant to the provisions of 24 V.S.A. 2741?

Motion made by Steve Gray, seconded by Derek Blankenship, to adopt article 21. With no discussion, the article carried in the affirmative by voice vote.

Article 22: Do the voters of the Town of Lyndon desire to transact any other proper business?

Moderator Benning reminded the assembly that polls would remain open until 7 PM for Australian ballot voting and that the Highway Meeting and School Meeting would follow the close of the Town Meeting. Sue Mason would like to see more financial information from those requesting Special Appropriations. Sue Teske thanked the voters for approving the appropriations and Pierce Thompson for being today's Runner. She also wanted to thank the volunteers on the four Task Forces that were created from the Vermont Council on Rural Development (VCRD) Community Visits. The four Task Forces are Recreation Club, Revitalize Downtown, School - College - Community Partnership, and Business & Economic Development. Many wonderful events have been held by the Task Forces. Evan Carlson announced that the Planning Commission is seeking members. Wendy Beattie asked about an evening Town Meeting. Patrick McLaughlin asked State Senator Benning if there is any statutory protection for volunteer fire fighters in regards to their employment. Senator Benning referred him to S168. Julia Tucker asked for better clarification on the current Annual Report on the website. Chris Thompson mentioned a short paper survey being done by the Planning Commission regarding the old highway property on Route 114. Adrienne D'Olimpio (Rec Club) and Evan Carlson (Economic Dev) gave a brief summary of the Task Forces they are a part of.

Article 23 and the NEK Waste Management District Budget to be voted on by Australian ballot on Tuesday, March 6, 2018, at Lyndon Town School, Lyndon, VT, between the hours of 10:00 AM and 7:00 PM.

Article 23: To elect the following Town and Town School District officers as required by law: Town Moderator, Town Clerk for three (3) years, Town Treasurer for three (3) years, School District Moderator, Selectperson for three (3) years, Delinquent Tax Collector for three (3) years, Lister for three (3) years, Lister for one (1) of the remaining three (3) year term, Town Agent, Town Grand Jurors (2), First Constable, Second Constable, Cobleigh Public Library Trustee for five (5) years, Sanborn School Fund Trustee for three (3) years, School Director for one (1) year, and School District Treasurer for one (1) year term.  
There being no further discussion, motion made by Terry Dwyer, seconded by Miranda Fox, to adjourn the meeting. Motion carried in the affirmative by voice vote and the meeting was adjourned at 11:37AM.

TOWN OF LYNDON MINUTES OF THE 2018  
ANNUAL TOWN HIGHWAY DISTRICT MEETING

The Annual Town Highway District Meeting of the Town of Lyndon was gavelled to order at 11:38 AM on Tuesday, March 6, 2018.

Article 1: Shall the voters of the Town Highway District vote to adopt the proposed budget for the highway expenses for the ensuing year?

Motion made by Sue Teske, seconded by Derek Blankenship, to adopt Article 1. Kermit Fisher asked if there were any questions regarding the Highway budget. Bernard Ruel asked if there was any schedule repairs being considered to roads. Kermit said it was in the budget. There being no further discussion, the article carried in the affirmative by voice vote.

Article 2: Shall the voters of the Town Highway District vote that taxpayers pay their Town Highway taxes to the Treasurer on or before 4:30 PM on Friday, November 2, 2018, with delinquent taxes having interest charges of one percent per month for the first three months, where after interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 2, 2018, at 4:30 PM?

Motion made by Ken Mason, seconded by Derek Blankenship, to adopt Article 2. Carol Fisher asked if the late fee is the same as the General Fund taxes and it was confirmed to be. There being no further discussion, the article carried in the affirmative by voice vote.

Article 3: Do the voters of the Town Highway District desire to transact any other proper business?

Dona Jackson asked if a culvert could be installed where Lyndon Heights comes off Route 5 to divert water from large puddles on Lyndon Heights Drive onto her property. Justin Smith explained that it involves bringing two entities together for the solution. Lyndon Heights Drive is a Town highway and Route 5 is a State highway. Sue Teske spoke about the Pedestrian safety at the intersection of Lily Pond Road and Hill Street by Fisher Field and the Outing Club. Could a pedestrian sign be put in the road during the summer months as well as repainting the crosswalks? The Board will look into this.

Motion made by Sue Teske, seconded by Bruce James, to adjourn the meeting. There being no discussion, the motion carried in the affirmative by voice vote and the meeting was adjourned at 11:47PM.

A True Record:

ATTEST:

*s/Kermit Fisher*  
Kermit Fisher, Selectboard Member

*s/Joe Benning*  
Joe Benning, Moderator

*s/Dawn R. Dwyer*  
Dawn R. Dwyer, Town Clerk