



TOWN OF LYNDON  
SELECTBOARD MEETING

January 6, 2020

5:30 PM

Selectboard: Dan Daley, Chair; Christian Thompson, Fred Gorham

Officials: Dawn Dwyer, Justin Smith, Chief Jack Harris

Press:

Public: Steve Gray, Cynthia Stuart, Charles Fergus, Claire Polfus, Sarah Cousino

1. Adjustments to the Agenda:

- ❖ Remove item #9 & #10

2. Approval of minutes:

Motion made by Christian Thompson, seconded by Fred Gorham, to approve the December 23, 2019 minutes as amended. Motion carried 3 to 0.

Motion made by Christian Thompson, seconded by Fred Gorham, to approve the December 30, 2019 minutes as amended. Motion carried 3 to 0.

Motion made by Christian Thompson, seconded by Fred Gorham, to approve the January 3, 2020 minutes as amended. Motion carried 3 to 0.

3. Approval & Signing of Orders drawn on the Treasurer:

The Board approved and signed the orders drawn on the Treasurer for weeks # 52 (2019) & 1 (2020).

4. Gravel Road Bike Route Request:

Cynthia Stuart and Claire Polfus addressed the Board regarding the Northeast Kingdom Gravel Rides Project. The towns of Concord and Burke received a Municipal Planning Grant to map, assess, and promote a series of curated gravel riding routes connecting the communities of Concord, Burke, Kirby and Victory. Project goals are to develop and market gravel riding, encourage exploration of town centers, discover local attractions and frequent local businesses, bring more visitors to the Northeast Kingdom, educate riders and minimize user conflicts. Ms. Stuart & Ms. Polfus are not currently looking for financial support from the Town of Lyndon, only that the Lyndon Selectboard publicly support the project and consider applying in the future for potential small grants to pay for future public meetings. Charles Fergus asked the Board to proceed with caution. As a horseback rider, he advised that bikes and horses could be “problematic”. The Gravel Road committee has met with the Vermont Horse Council and the Council has some interest in some riding routes for horses. The Project agrees there needs to be horse safety included in the education piece of the project.

The Selectboard is in support of the project.

5. Wastewater Sludge Disposal Discussion:

The Town of Lyndon had to test one sludge bay three times for nickel and Molybdenum. The results came in too high all three times. There are two theories: 1) a user dumping these elements into the wastewater system, or 2) when the centrifuge was taken apart and cleaned, the system got a slug of the grit released. Rodger Sheldon, Project Manager for Utility Partners, has obtained costs to dispose of the contaminants. One option was from Englobe out of Sherbrooke, Quebec at a cost of \$116.75/ton. The second option is from Casella at a cost of \$250 delivery fee, \$395 haul fee, \$150 per ton disposal, \$5 per day rental, \$40 per liner if Casella supplies and 4% rolloff/landfill fee on total.

Motion made by Christian Thompson, seconded by Fred Gorham, to approve Englobe as the contractor to remove the contaminated sludge from the Wastewater Treatment Facility at a price of \$116.75 per ton. Motion carried 3-0.

6. Overweight Road Limit Discussion:

Chief Harris was asked to discuss if there was any way of enforcing overweight road limits. Several years ago, the Police Department was getting complaints regarding overweight vehicles on Severance Hill Road even though it is posted with overweight signs. When they contacted the Department of Motor Vehicles (DMV) they were told that even though there are signs posted, until the roads are registered with the State of Vermont, they cannot be enforced. The DMV must have a way to relate the posted information to any trucking company in the world. At the time of the conversations with DMV, it appeared it was a long process to get the roads registered. DMV maintains a website of registered roads. To register Severance Hill, both Lyndon and St. Johnsbury would need to agree. Law enforcement cannot prevent companies from getting to and from their home base including Gingue Trucking on Severance Hill and Russell Riendeau Trucking on Burrington Bridge Road.

Chief Harris also informed the Board that the Miller's Run Covered Bridge is registered, but in order to ticket a truck for being overweight and possibly over height, the truck must go onto the bridge. If the truck goes beyond the legal limit sign, they are ticketed for failing to obey signs and or improper backing.

Chief Harris shared he would like to see solar illuminated signs to draw attention to drivers on the North side of the bridge. The signage is not angled correctly to be seen coming from Route 5. The Board has been looking into solar illuminated signs at a cost of approximately \$1,600 apiece.

7. Health Order Approval:

A Health Order was delivered on Friday, January 3, 2020 to Frederick Schwag, owner of 427 Main Street. The next step is the Selectboard needs to approve the Health Order. Motion made by Christian Thompson, seconded by Fred Gorham, to approve the Health Order for 427 Main Street, owned by Frederick Schwag, with Dan Daley, Chair of the Selectboard to sign. Motion carried 3-0.

8. Executive Session: Labor Relations

Motion made by Fred Gorham, seconded by Christian Thompson, to find that premature general public knowledge of the pending contract with New England Police Benevolent Association (NEPBA) will clearly place the town of Lyndon at a substantial disadvantage by disclosing its negotiation strategy. Motion carried 3-0.

Motion made by Fred Gorham, seconded by Christian Thompson, to enter executive session at 6:35 PM to discuss the Town's negotiations with New England Police Benevolent Association, under the provisions of Title 1, Section 313(a) (1) of the Vermont Statutes. Motion carried 3-0.

Motion made by Christian Thompson, seconded by Fred Gorham, to come out of executive session at 7:10 PM. Motion carried 3-0. Upon coming out of executive session, no action was taken.

9. General Fund Budget Discussion:

Removed

10. Highway Fund Budget Discussion:

Removed

11. Other:

- a. Correspondence listing the number and types of responses from Vermont Department of Public Safety, Vermont State Police, was shared with the Board.
- b. Justin Smith gave a draft copy of the Personal Safety Footwear Policy to the Board for their review. The policy was updated due to the updated safety standards. The policy, after reviewed, will need to be approved at a future meeting.

- c. The American Legion is hosting a 100 Year Celebration on January 19, 2020 and would like a local representative to speak to how the American Legion helps the community. Dan Daley offered to be the Lyndon representative.
- d. The Town has received letters regarding two court hearings that have been scheduled. The case re: State vs. Jolene Godfrey (Miller's Run Bridge incident) has been scheduled for Monday, January 27, 202 at 3:45 PM. The case re: State vs Noah Barton (Lower Campus Road accident) is scheduled for Tuesday, January 28, 2020 at 9:00 AM.
- e. Dan Daley asked at the last Budget meeting, held on January 3, 2020, for more information on what the Heritage Fund can be used for. Dawn Dwyer provided a 2012 writeup from Dick Boera that explained why the funds were raised and what they were restricted for.
- f. Steve Gray shared that the Northeast Kingdom Waste Management District's monthly meeting is scheduled for next week. He has not received the agenda at this time.