



TOWN OF LYNDON  
SELECTBOARD MEETING  
March 4 2019  
4:00 PM

Selectboard: Kermit Fisher, Chair & Christian Thompson

Press: Todd Wellington

Public: Dawn Dwyer, Justin Smith, Steve Gray, Sarah Cousino, Becky Masure, Matt Moore, Cindy Cady Robert, Levi & Adam Gardner, Pierce Thompson, Cheri Hebert, Candy Carlson, Brian Fenoff, Jen Walker Larry Willey, Kathy & Tom Thompson

1. Adjustments to the Agenda:

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2. Approval of minutes:

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the February 13, 2019 minutes as amended. Motion carried 2 to 0.

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the February 13, 2019 Joint Planning Commission & Selectboard Meeting minutes. Motion carried 2-0.

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the February 21, 2019 minutes as amended. Motion carried 2-0.

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

The Board approved and signed the orders drawn on the Treasurer for weeks # 9 & 10.

4. Highway Report:

At 17% through the year, payroll is 27% spent and the entire budget is 18% expended.

5. Warrant #23 Rural Edge Modified:

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve and sign the order drawn on the Treasurer for Warrant #34 in the amount of \$30,265. Motion carried 2 to 0.

6. Excess Weight Permit Applications:

Motion made by Christian Thompson, seconded by Kermit Fisher to approve the nine (9) Fleet Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 2 to 0.

Permits are for Allen Lumber Co., Inc., Amerigas Propane, Scott Brown, Desrochers Excavating Inc., Gingue Construction Inc., Kennedy Excavation, Poulin Lumber US LBM, LLC, Riggs Distler & Company, Inc. and George Jr. & Tammy Wagner.

Motion made by Christian Thompson, seconded by Kermit Fisher to approve the two (2) Single Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 2 to 0.

Permits are for C & C Bunnell Excavating, LLC and Whitcomb Trucking LLC.

7. Liquor Licenses:

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the three (3) First Class Restaurant/Bar License's to sell malt and vinous beverages with standard conditions. Motion carried 2 to 0. Licenses are for SIJM LLC dba The Pizza Man, Lyndonville VFW Post 10038, Inc., and Tom Breslin Community Center, Inc.

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the three (3) Second Class Licenses to sell malt and vinous beverages with standard conditions. Motion carried 2 to 0. Licenses are

for Cumberland Farms of Vermont, Inc., DG Retail, LLC dba Dollar General Store #11771 and Walgreen Eastern Co., Inc. dba Rite Aid # 10337.

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the two (2) Outside Consumption permits. Motion carried 2-0. Permits are for Lyndonville VFW Post 10038, Inc. and The Stepping Stones, Inn, LLC.

8. Miscellaneous Accounts Receivable Write-Off Requests:

Dawn Dwyer, Clerk & Treasurer, has asked the Selectboard to write-off a miscellaneous accounts receivable account billed to Perry Viellette of Topsham, Vermont, in the amount of \$767.50. The original bill was charges due to an automobile accident that occurred on September 20, 2012 and the Clerk has been unable to locate Mr. Viellette. Motion made by Christian Thompson, seconded by Kermit Fisher, to write off the uncollectable invoice # 569 billed to Perry Viellette in the amount of \$787.50. Motion carried 2-0.

9. H.O.P.E. Color Run Request:

Helping Other People Everyday (HOPE) is seeking permission to hold their Annual Color Run on Saturday April 27<sup>th</sup>. They were granted approval from the Village Trustees at their last meeting. Chief Harris asks again to have the tossing of paint not be done on public walkways or highways. HOPE has located the paint stations on private property. Traffic control will be provided by the Lyndonville Police Department with the understanding that if they receive a call, they will have to leave. Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the request for HOPE's Annual Color Run on April 27<sup>th</sup> from 8:30 AM to 12 PM. Motion carried 2-0.

10. Caledonia County Fair Association Demo Derby Approval Letter Request:

Toby Lussier is again seeking approval from the Selectboard to hold their annual Demo Derby on Wednesday August 21, 2019 and Sunday, August 25, 2019. Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the Caledonia County Fair Association Demolition Derby on August 21 & 25, 2019. Motion carried 2 - 0.

11. Appoint Listers as Representatives for Property Valuation Hearing:

There will be a valuation hearing held for the Patty Emery property on Darling Hill. It is the Selectboard's responsibility to defend the listers appraisal unless they would like to appoint the Listers. Motion made by Christian Thompson, seconded by Kermit Fisher, to appoint the listers to represent the Town in the Patty Emery valuation hearing to be held on March 27, 2019 at 10:00 AM at the Municipal Office Building. Motion carried 2-0.

12. Rural Edge: Olivia Place Agreement Resolution and Loan Forgiveness Discussion:

Matt Moore from Housing Vermont and Becky Masure from Rural Edge came to discuss the forgiveness of two loans; \$168,000 for the purchase of 467-491 Main Street in 1992 and \$220,601 for the rehabilitation work in 1995. On May 29, 2018 Mr. Moore & Ms. Masure asked the Board to refinance the two existing loans and forgive the interest. It was discussed at that time that forgiving the principal amounts may be a condition of the new grant funding. At the November Community Development Board meeting the new project the new \$250,000 project was awarded with a condition that the two existing loans be forgiven. The new money will be a grant, not a loan, which will make the administration by the Town cheaper and easier.

Motion made by Christian Thompson, seconded by Kermit Fisher, to forgive the Lyndon Housing Partnership Loans consisting of the 1992 loan in the amount of \$168,000 and the 1995 loan in the amount of \$220,601 for a total of \$388,601. Motion carried 2-0.

Motion made by Christian Thompson, seconded by Kermit Fisher, to approve the Grant Agreement Resolution which will designate Justin Smith Municipal Administrator as the person with overall

Administrative responsibility for the VCDP activities related to the Grant Agreement. Motion carried 2-0.

13. Elm Street Dog Issue:

Ms. Chew was served by Officer Trucott on February 23, 2019 asking her to attend the meeting this afternoon. The message left on Justin Smith's answering machine by Ms. Chew indicated she had no intention of attending the meeting and has been abiding by the conditions that her dog be licensed and to not have the dog outside during bus pick up and drop off times. The Police Department has patrolled during these times, but school has been on vacation. Kermit Fisher remarked that the Board has a difficult situation; they sympathize with the concerns of the neighbors, but Ms. Chew has the right to own an animal and the Board does not have the right to tell them what type of animal they can own. The best solution is to review the current Animal Control Ordinance and put more "teeth" into the violation process. The Board will demand Ms. Chew continue to abide with the previously set conditions of the dog on a muzzle and controlled by an adult when outside, and the Police Department will do patrols during the school bus scheduled pick up between 7:15 and 7:45 AM and the drop off between 3:05 PM and 3:35 PM. The Board asked the concerned neighbors to call the Animal Control Officer if they see the owner violating these conditions.

14. Discuss Interview Schedule: Lyndon Rescue, Inc. Representative:

Sarah Cousino is in attendance today and is interested in being a representative to Lyndon Rescue Inc. The Board felt it was appropriate to hold off appointments until after Town Meeting when the new Board member could be involved in the interviews. Ms. Cousino was available to attend the meeting to be held on March 18<sup>th</sup>.

15. Discuss Interview Schedule: Planning Commission Member:

At this time there are two interested parties seeking appointment to the two vacant Planning Commission seats. The Board felt it was appropriate to hold off appointments until after Town Meeting when the new Board member could be involved in the interviews. All interested parties will be invited to the March 18<sup>th</sup> meeting.

16. Northeast Kingdom Waste Management District Discussion:

Postponed until March 18, 2019 meeting.

17. Other:

- a. It was decided that that at the Annual Town Meeting Kermit Fisher will give an overview of the General Fund and Highway Budgets while Christian Thompson will discuss Article 16, the transfer of restricted sanitation funds to the General Fund to cover maintenance to the Public Safety Building and the Municipal Office Building.

Meeting adjourned at 5:50 PM

Minutes taken by Dawn Dwyer and Justin Smith

Approved by the Selectboard: March 18, 2019