

TOWN OF LYNDON
SELECTBOARD MEETING
March 19, 2018
5:30 PM

Selectboard

Kermit Fisher
Dan Daley
Christian "Chris" Thompson

Press

Todd Wellington

Public

Dawn Dwyer, Justin Smith, Steve Gray, Lew Apgar
Bethany Thompson, Pierce Thompson, Bruce Grant
Cynthia Burrington, Dick Lawrence, Greg Hopkins 6PM
Jeff Corrow 6 PM

1. Adjustments to the Agenda:

- *Downtown Committee Grant Resolution and Certificate Resolution
- * Utility Partners Contract
- * General Fund Budget Amendment

2. Swearing in New Selectboard Member:

Town Clerk & Notary Dawn Dwyer administered the Vermont Oath of Allegiance and The Oath of Office to Christian Thompson who was elected at Town Meeting.

3. Re-Organization of the Board:

Motion made by Dan Daley, seconded by Christian Thompson, to elect Kermit Fisher as Chairperson of the Selectboard for the coming year. Motion carried 3-0.

Motion made by Dan Daley, seconded by Kermit Fisher, to name the Caledonian-Record as the local paper to publish notices, to set the meeting schedule to be alternating Monday evenings at 5:30 PM and official posting locations will be Cobleigh Public Library, Whites Market Plaza and the Town Clerk's Office. Motion carried 3-0.

4. Approval of minutes:

Motion made by Dan Daley, seconded by Chris Thompson, to approve the March 5, 2018 minutes. Motion carried 2 to 0 with Chris abstaining as he was not a Selectboard member at the time.

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

The Board approved and signed the orders drawn on the Treasurer for weeks # 10-12.

6. Highway Report:

At 21% through the year, payroll is 28% spent and the entire budget is 15% expended. The Town was able to secure up to 400 tons of salt from American Rock Salt at a price of \$75.12/ton. Cargill, the regular supplier, was unable to deliver on a regular schedule due to their limited supply.

7. Broad Street Discussion:

Legislature Representative and Lyndon resident Dick Lawrence addressed the Board about the pending Route 5 VTrans project (see attached testimony). He described the section from the Railroad Tracks near the old F Scott's building south to the White's Market Plaza. He gave a brief history of the project, the work to be completed over a two year period and two comparison projects. Dick was quite concerned with the vitality of the thirty-eight (38) business along this route. Dick asked the Board to consider the value, or lack of value to the Town.

Dick also addressed the traffic light located at the Red Village Road intersection. He shared five (5) areas of concern: Lights not property timed between Back Center Road light and Red Village Road light, painted stop lines do not show when snow covered, new third light installed not pointed in the right direction, no room for Plaza traffic to go north before the light, and the "Do Not Block Intersection" sign is confusing. Dick has observed the congestion along Route 5 at several different

times of the day, and has been presented with 2100+ signed petitions which he has shared with VTrans Commissioner Flynn on three different occasions. Cynthia Burrington, owner of Lyndonville Agway also shared concerns expressed to her from business owners along Route 5. She presented a signed statement from the business owners she has personally spoke with regarding the traffic light.

It was agreed by all that the State Representatives (Senator Benning, Representatives Feltus & Lawrence) should meet with members of the Lyndon Selectboard and Lyndonville Trustees to discuss a common direction and possible solution to present to Commissioner Flynn. Justin will reach out to all parties and set up a meeting.

8. Planning Commission Member Resignation:

Motion made by Dan Daley, seconded by Kermit Fisher, to accept Christian Thompson's resignation as a member of the Planning Commission. Motion carried 2-0. Chris resigned from the Planning Commission due to his election to the Selectboard at the Town Annual Meeting.

9. Liquor Licenses:

Motion made by Dan Daley, seconded by Chris Thompson, to approve the two (2) First Class Restaurant/Bar License to sell malt and vinous beverages with standard conditions. Motion carried 3 to 0. Licenses are for Customer 2st LLC and Delise Robarts dba Sweet Basil Catering.

Motion made by Dan Daley, seconded by Chris Thompson, to approve American Legion Lyndon Post #30, Inc.'s First Class License for Club to Sell Malt and Vinous Beverages with standard conditions. Motion carried 3 to 0.

Motion made by Dan Daley, seconded by Chris Thompson, to approve the two (2) Outside Consumption permits for American Legion Lyndon Post #30, Inc. and Customer 1st LLC. Motion carried 3-0.

Motion made by Dan Daley, seconded by Chris Thompson, to approve Lyndonville Store, Inc. dba Towns Corner Store (CKA)'s Second Class Licenses to sell Malt and Vinous Beverages with standard conditions. Motion carried 3 to 0.

10. Excess Weight Permit Applications:

Motion made by Dan Daley, seconded by Chris Thompson to approve the eight (8) Fleet Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0. Permits are for Agri-Mark, Inc., dba Cabot Creamery, Amerigas Propane, Beacon Roofing Supply, Brian Tallmadge/BIT Enterprises, Demag Riggers & Crane Service, Inc., Ditech Transportation, Gilman I & Sylvia LaCourse dba Gil's Construction, and New England Quality Service Inc. dba Earth Waste & Metal.

Motion made by Dan Daley, seconded by Chris Thompson to approve the Single Excess Weight Permit for Kennedy Excavation, with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

11. Appointments: (See attached spreadsheet)

1. Motion made by Dan Daley, seconded by Chris Thompson. Motion carried 3-0.
2. Motion made by Kermit Fisher, seconded by Dan Daley. Motion carried 3-0.
3. Motion made by Dan Daley, seconded by Chris Thompson. Motion carried 3-0.
4. Motion made by Dan Daley, seconded by Chris Thompson. Motion carried 3-0.
5. Motion made by Chris Thompson, seconded by dan Daley. Motion carried 3-0.
6. Motion made by Dan Daley, seconded by Chris Thompson. Motion carried 3-0.
7. Motion made by Dan Daley, seconded by Chris Thompson. Motion carried 3-0.
8. Motion made by Chris Thompson, seconded by dan Daley. Motion carried 3-0
9. Motion made by Kermit Fisher, seconded by Dan Daley. Motion carried 3-0.

12. Executive Session: Appointment of a Public Officer:

Motion made to move into executive session by Dan Daley, to discuss the appointment of a public official pursuant to 1 V.S.A. §313(3)(a)(3). Seconded by Chris Thompson and entered into executive session at 7:18 PM.

Upon coming out of executive session at 7:49 PM, the motion was made by Dan Daley, seconded by Chris Thompson, to appoint Jeff Corrow as Fire Chief. Motion carried 3-0.

13. Utility Partners:

April 1, 2018 starts the second year of the three-year operations and maintenance agreement with Utility Partners. The annual increase is based on the Consumer Price Index (CPI) and this year will be 2.7%.

The new monthly fee will be \$21,812.45 for an annual increase of \$6,881.44.

Motion made by Dan Daley, seconded by Chris Thompson, to accept the 2018-2019 Operations & Maintenance Agreement and authorize Justin Smith to sign on behalf of the Board. Motion carried 3-0.

14. General Fund Budget Amendment:

At the Annual Town Meeting held on Tuesday, March 6th, the voters of the Town of Lyndon amended the General Fund Budget by increasing it by \$10,000 with the suggestion to the Selectboard that the additional funds go as a Special Appropriation to Caledonia County Home Health. Caledonia County Home Health failed to submit their letter to the Selectboard by December 31, 2017 as well as their petition required by the Selectboard with the appropriate number of legal voter's signatures. Town Clerk Dawn Dwyer clarified to the Board that incorrect information was given to the voters at Town Meeting when the Executive Director said that the "letter was submitted on January 8, 2018, only eight (8) days late and the petition was turned in early". Neither the letter to the Selectboard nor the petition were ever submitted to the Town Clerk's Office. The Board would like a representative to come to the next meeting to discuss this matter. No action was taken.

15. Downtown Committee Grant Resolution and Certificate Resolution:

Motion made by Dan Daley, seconded by Chris Thompson, to approve the resolution and authorize Justin Smith to sign on behalf of the Board. Motion carried 3-0. Justin provided more information, as requested by the Board, on the fiscal requirements for the grant that the Downtown Committee has applied for (see attached). The notification of winning the grant is not until May, USDA allows one reimbursement request per month and the turnaround time for reimbursements is typically thirty (30) days. The Town of Lyndon will act as the fiduciary agent for the grant and the largest monthly reimbursement would be approximately \$30,000.

16. Other:

- a. A Thank You Note was shared with the Board from Marty Feltus.
- b. Justin received a copy of the State Access Permit for Paul Schartner on Memorial Drive.
- c. The Smith family is asking the Town to Quit Claim a right of way for the existing driveway to Leah Smith's house. It was overlooked during the sale of the land to the Town for the new highway garage. Justin will confer with our attorney as to the best practice.

Meeting adjourned at 8:07 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: 4/2/18