

TOWN OF LYNDON

SELECTBOARD MEETING

April 4, 2016

5:30 PM

Selectboard

Martha "Marty" Feltus

Kermit Fisher

Dan Daley- Via Telephone

Press

Amy Nixon (6:00)

Public

Dawn Dwyer, Justin Smith, Joe Dauphin, Jack Harris

Cindy Cady, Bob Brazil, Steve Gray, Gary Leach,

Mark Stewart, Oscar Thayer, Libre Drouin (5:51)

Rob Nutting (5:55), Jane Rooney & Sal Ardizzola (5:55)

Derek Blankenship (6:03)

Marty Feltus suggested Kermit Fisher act as Chair of the Board in Dan's absence. Dan agreed.

1. Approval of minutes:

Motion made by Marty Feltus seconded by Dan Daley, to approve the March 28, 2016 Joint Board meeting minutes. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Dan Daley to approve the March 28, 2016 Selectboard meeting minutes. Motion carried 3 to 0.

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

The Board approved and signed the orders drawn on the Treasurer for weeks #13 & 14 as well as Warrant # 3 for the Community Development Grant Fund.

3. Highway Report:

Bi-weekly: At 25% through the year, payroll is 29% spent and the entire budget is 24% expended.

Quarterly: At 25% through the year, the General Fund is 21% expended, the Highway Fund is 22% expended, the Wastewater Fund is 21% expended and the Sanitation Fund is 20% expended.

4. Joint Garage Discussion:

Mark Stewart, Architect from MGSA and Oscar Thayer, Project Manager & Purchasing Specialist from Spates Construction, updated the Board on the timeline of the project. Oscar is completing the pricing documents for the proposed list of sub-contractors and suppliers that was developed with the input from Rob Nutting and Joe Dauphin. Oscar shared this list with the Board along with a List of Alternates, and the spreadsheet he uses to track the various bidding components. The bid requests will be going out by the end of the week. Joe Dauphin has been contacted by a sub questioning the plans available. All subs should contact Oscar directly. Oscar is planning a pre-bid meeting. Mark's timeline had a guaranteed maximum price (GMP) by May 1st. Will not hit that date, but it will be in early May. The Town permit will be on the April 21st Development Review Board (DRB) agenda. Dan Daley will attend that meeting and Mark will provide a full set of plans showing more information.

Marty asked if Mark had been in contact with Efficiency VT. He hasn't yet, but is fully aware of the programs they have available and will be in touch with them when he has better numbers to share.

The asbestos remediation is complete.

5. Northeast Kingdom Waste Management District (NEKWMD) Charter changes:

Steve Gray and Libre Drouin presented to the Board the proposed charter changes which are to reinstitute a per capita assessment and/or taxes on waste services which would give the NEKWMD

Board more flexibility for generating revenue and to replace the Australian ballot method of approving the District's annual budget, allowing the Board of Supervisors to approve it.

Steve expressed his concern with taking the voice away from the taxpayers by doing away with the Australian ballot method. Libre expressed she really didn't have an opinion either way. The request comes from the smaller town's that vote everything from the floor. This is an added expense to keep polls open until 7:00 PM. Libre explained that the last time the budget was defeated by ballot vote was in 1996 and in 2015 it was passed by 75%. No one from the public attends the public meetings. The NEKWMD will hold a vote on April 12, 2016 at 7:00 PM on the proposed charter changes. It must pass by a 2/3 majority and then would go to the Legislature for approval.

Motion made by Marty Feltus, seconded by Dan Daley, to approve the proposed charter changes.
Motion carried 3-0.

6. Wastewater Treatment Facility Upgrade Update:

Gary Leach of Tata & Howard, addressed the Board regarding the upgrade. Since the last meeting with Dave Ceppetelli and the Board on March 21, 2016, they have been working with T Buck Construction, the low bidder on the project, to get costs down to within the budget. Gary proposed removing the recirculating pumps, which include expensive electrical costs and also includes expensive platform/railings to access the pumps. He also proposed removing the level transducer which he feels is just going to lead to more reliance on the computer and less inspection of the equipment. Gary's goal is to upgrade the odor control bio filter and the Calkins generator without borrowing any more money. He hopes to have the final cost and USDA approval for the April 18th meeting.

7. Dog Issue:

Chief Jack Harris recapped the situation with Ajax, a German Shepard owned by Sal Ardizzola and Jane Rooney. Bob Brazil, representing Mr. Ardizzola and Ms. Rooney, acknowledged that Ajax was unleashed and in violation of the conditions set by the Selectboard. Mr. Brazil feels there are other solutions to handling Ajax. Ms. Rooney presented a proposal for a 560' of 6' high 9 gauge galvanized chain-link fence. All posts to be pounded except the gage posts which will be set in concrete. The fence placement would allow Ajax access to the Rooney home and shop while in the fenced in area. Cindy Cady, Animal Control Officer (ACO) expressed her concern with the 2" size of the fencing and that the land is not flat and is concerned with gaps that would allow the dog to get out. Mr. Brazil explained this is the same commercial material that the State uses at airports to keep animals from getting on runways. Chief Harris felt the fence was a reasonable step to take and would inspect the fence once it was installed. The Board wanted it noted that the Board's intent was to find a solution to the problem and the last resort was to destroy the dog.

Motion made by Marty Feltus, seconded by Dan Daley, that in view of recent concerns regarding the dog at 32 Fernwood Drive, a 6' chain-link fence be installed as proposed, to be completed within 60 days and to be inspected, upon completion, by Chief Harris. Motion carried 3-0.

8. College Road Street Light Request:

Justin spoke with Tom Archer, Physical Plant Director at Lyndon State College (LSC) regarding the location of the proposed street lights on College Road. They are being requested on the six (6) light poles heading up College Road starting at the interstate and ending at the four way intersection. The seventh (7th) light would be on the first pole on Vail Drive toward Lyndon Rescue. All poles currently sit in the town highway right-of-way (ROW). The proposed lights would be installed by Lyndonville Electric Department (LED) and the College has requested that the Town include them in their street light budget. The lights are \$18.80 per light or an additional \$1,579.20 annually, which is not currently budgeted for.

Motion made by Marty Feltus, seconded by Dan Daley, to allow the installation of the seven (7) requested street lights on College Road in the ROW, with a request to LSC to split the cost in the first year as the Town has not budgeted for this additional cost. Motion carried 3-0.

9. Excess Weight Permits:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the Single Excess Weight Permit for C & C Bunnell Excavating, Inc with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Dan Daley, to approve the seven (7) Fleet Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

Permits are for Brian Tallmadge dba B.I.T. Enterprises, Calkins, J.P. Sicard, Gilman I. & Sylvia J. LaCourse, Gould Well Drilling Inc., Limlaw Chipping & Land Clearing, Inc., and New England Quality Service, Inc.

10. Liquor Licenses:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the 1st Class License for Club to sell malt and vinous beverages for American Legion Lyndon Post #30, Inc., with standard conditions. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Dan Daley, to approve the two (2) First Class Restaurant/Bar License to Sell malt and vinous beverages for Blizzrite Pizza Company, Inc. dba Hoagies Pizza & Pasta and Maplewood Lodge, LLC, with standard conditions. Motion carried 3-0.

Motion made by Marty Feltus, seconded by Dan Daley, to approve the two (2) Outside Consumption Permit for American Legion Lyndon Post #30, Inc. and Blissrite Pizza Company, Inc. dba Hoagies Pizza & Pasta, with standard conditions. Motion carried 3-0.

11. Paving Project:

Rob Nutting, Foreman, priced paving the section of South Wheelock Road from Route 5 to the intersection of Brookside Lane at \$345,000. This project would be eligible for a Class II VTrans 80/20 grant, up to \$175,000. This would leave our liability at \$170,000, which has not been budgeted for.

Rob presented alternate gravel road projects: Pudding Hill Road from the intersection of Little Egypt Road south approximately 800', York Street above Lyndon Furniture and Burrington Bridge intersection with Kingdom Road to Route 114. Rob feels Pudding Hill is the top priority. The projected cost to put in drainage, new base and top is \$65,483. The excess budgeted monies would then be rolled into the 2017 budget toward the South Wheelock paving project.

12. Other:

- a. Justin shared a copy of Northeast Kingdom Community Actions, Inc.'s Notice of Appearance and Verified Motion to Intervene and Request for Hearing regarding the application of Aegis Renewable Energy, Inc. for a Certificate of Public Good for a 300kW Group Net Metered Solar Photovoltaic Generation Facility to be located in Lyndon.
- b. LEARN would like to meet with the Selectboard on April 18th regarding the letter sent by Justin addressing the behavior of their students. Justin will add them to the agenda.
- c. Lyndon Area Sport Association (LASA) would also like to meet with the Board on April 18th regarding a Management Agreement proposal.

Meeting adjourned at 7:01 PM. Minutes taken by Dawn Dwyer. Approved by the Selectboard: April 18, 2016