

TOWN OF LYNDON
SELECTBOARD MEETING

June 4, 2015
10:00 AM

Selectboard

Martha "Marty" Feltus
Kermit Fisher
Dan Daley (conference call)

Press

Brad Ustach

Public

Dawn Dwyer, Justin Smith, Peter Morrissette, Steve Gray
Gary Levine, Mark Stewart (10:30 AM),
Steve Earley (11:13)

1. Approval of minutes:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the May 18, 2015 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 #22 & 23.

3. Highway Report:

At 42% through the year, payroll is 41% spent and the entire budget is 41% expended. Rob Nutting, Road Foreman, is aware of the Bean Bond project bids coming in slightly higher than budgeted. He will be cognizant of expenses and find ways to balance the project.

4. Cemetery:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the Perpetual Care Agreement for Phyllis H. & Louis S. Josselyn Jr. (Section 52 Lots 10A & 10B). Motion carried 3to 0.

Motion made by Marty Feltus, seconded by Dan Daley, to approve the Perpetual Care Agreement for Leslie & June Mitchell (Section 37 Lots 5A & 5B). Motion carried 3to 0.

For the past several years the Town has been unable to use the Tomb for winter storage due to disrepair of the door. The door is being repaired and Brian Martin from Pearson's Funeral Home is very interested in using the Lyndon Tomb for temporary storage.

Motion made by Marty Feltus, seconded by Dan Daley, to increase Tomb Fees to \$100. Motion carried 3-0.

5. Excess Weight Permits:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the Single Fleet Excess Weight Permit for ProQuip Equipment Rental & Sales Inc., with Justin Smith, Municipal Administrator, to sign on behalf of the Board. Motion carried 3 to 0.

6. Wastewater Abatement Request:

Robert & Jean Guest is requesting an abatement on their wastewater bill due to a frozen line over the winter. It was granted in 2014 since at the time it was not clear whether the problem was on the Town's portion of the line or the property owner. Joe Dauphin, Public Works Supervisor, using the camera, had discovered a sag in the property owner's section of line. Sewer collects in the sag and freezes.

Motion made by Marty Feltus, seconded by Dan Daley, to deny the abatement request and suggest the issue get resolved before winter. Motion carried 3-0.

7. Access Permit:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the access permit for Edward Bailey for access on Airport Road with noted conditions from the Road Foreman. Rob Nutting has determined an eighteen inch (18") culvert is needed due to the proximity of the cross culvert under Airport Road. Motion carried 3 to 0.

8. Recycling Update:

Dan LeCour of TDL Waste was invited to attend today's meeting to discuss his concerns with picking up recycling curbside at apartments. Mr. LeCour did not show up. Marty thought the board should give it a three to four week trial period before re-evaluating the load.

9. Wastewater Treatment Plant Update:

Gary Leach, of Tata & Howard, emailed Justin Smith on Monday, June 1st. As of that date, Tata & Howard are finalizing the plan changes to accommodate the Biofilter plant and sending to the biofiltration company for final review. The changes were due to the latest USDA specification requirements. Gary will be meeting with Eamon Twohig, the State permitting person for our facility. Tata & Howard expect to hear from USDA in the next week or two regarding funding. Once funding is secured, it will be ready to put out to bid.

10. Line of Credit Paperwork:

The Revenue Anticipation Note and Tax Anticipation Note paperwork was received from Union Bank and Passumpsic Savings Bank respectively. The Board had accepted the bids at the May 18th meeting and signed the paperwork at today's meeting.

11. Al Dilley's Resignation:

Motion made by Marty Feltus, seconded by Dan Daley, to accept Al Dilley's resignation on the Lyndon Planning Commission, with regret. Motion carried 3-0.

12. Goats:

In the last week, Kermit Fisher has received three complaints against the goats owned by Jeanette Colan at 534 Dune Way. The Board would like Animal Control Officer Cindy Cady to speak to her again. The Board will also research the State Statutes regarding the Board's options in handling this situation.

13. Other:

- a. Peter Morrisette, Chair of the Development Review Board (DRB), addressed the Board in regards to the DRB's frustration in the Selectboard's lack of enforcement of fines imposed on violations. The Board feels they have no credibility in getting residents to comply with ordinances. Kermit Fisher expressed full support to the DRB for the valuable, thankless job they do. Dan Daley feels there is too much flexibility in the violation process; he would like to see a clearer guideline in assessing fines. Marty suggested the Board work on an Internal Policy.
- b. Gary Levine from Casella Waste Systems told the Board that Casella is available to support the Town of Lyndon should any issues develop with trash or recycling pickup. Marty thanked Casella for their past service to the Town of Lyndon.
- c. Motion made by Marty Feltus, seconded by Dan Daley, to retain Mark G. Stewart, Architect, and to begin Phase One and Phase Two of the process as outlined in the Architectural Services Proposal dated May 29, 2015. Motion carried 3-0.
Mark Stewart of Mark G. Stewart, Architect spoke with the Board in regards to the Joint Garage project. He explained the stage processes he follows from start to finish. He suggested starting with a meeting with the involved parties to get the necessary information to move forward with Phase One and Phase Two of the project (see attached Architectural Services Proposal). The timeframe needed to complete these two phases is approximately thirty (30) days. Mark will send a Letter of Understanding to Justin Smith and a meeting with all interested parties will be set up for Wednesday, June 10th at 10:00 AM.
- d. Steve Earley of Earley Rubbish & Recycling dropped into to report to the Board on trash collection to date. Their office has received very few calls and feels it is going very well. They haven't yet had to use their big collection truck. He will supply the totals for the week after Friday's collection. AT

the end of Wednesday, June 3rd, the Town Clerk's Office had sold 843 trash stickers, reaching 118 residents.

- e. The Board received the completed results of the 2014 Audit. Marty thanked the Town Clerk and her staff for a job well done.
- f. Marty forwarded an email to Justin and Dawn regarding the ability to take advantage of State Contracts for a variety of products, including heating fuel. The email was asking municipalities if they have taken advantage of the State Contracts and if not the reason. Neither Justin nor Dawn were aware of the availability of these contracts other than for winter salt.
- g. Dan Daley has received various phone calls in regards to the condition of the cemetery on Memorial Day. There are complaints that the lots are not being properly cared for. Dan went to the cemetery on May 22nd and there was one section that had not been mowed yet. Justin had been made aware by Brian Coderre, Cemetery Sexton, that one section was not completed before Memorial Day. Justin also informed the Board that Brian is mowing grass at 3" to avoid burning the grass. The Board agreed with as dry as it has been, leaving it longer is a good idea.
- h. Justin shared two resumes with the Board for the vacant position on the Development Review Board. Both applicants will be invited to the next scheduled meeting for interviews.
- i. Rob Nutting, Road Foreman, and Joe Dauphin, Public Works Supervisor, attended a safety course offered by VLCT a few weeks back. It was recommended that all employees, full-time, part-time and seasonal, be drug tested prior to being employed. The Board will take this information under consideration.
- j. May Hazen and her son Robert live at 1315 Old Coach Road, just over the town line in Sutton. In the past, the trash trucks have used their driveway as a turn around. In return, they have been allowed to participate in Lyndon's sanitation program. They are billed the annual fee. They have requested to be allowed to continue this arrangement. Motion made by Marty Feltus, seconded by Dan Daley, to allow the Hazen's to participate in the Town of Lyndon's sanitation program, including trash and recycling. Motion carried 3-0.
- k. Michael Nichols, 495 Pinehurst Street, has informed the Town that he has contracted directly with Myers Container Service for curbside pickup of trash and therefore wants to be exempt from the Town's sanitation charge. Contracting directly with an independent hauler for curbside trash removal is a violation of the Solid Waste Ordinance. Justin will call and speak with Mr. Nichols.
- l. It has been asked of the Town Clerk's Office who residents should call when illegal dumping occurs. They should call the Municipal Administrator, Justin Smith's office at 626-5834. The trash will be picked up and measures will be taken to identify who is doing the dumping. Judicial charges may be filed.

Meeting adjourned at 12:10 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: June 4, 2015