



TOWN OF LYNDON
SELECTBOARD MEETING

June 10, 2019

5:30 PM

Selectboard

Dan Daley, Chair
Christian Thompson
Fred Gorham

Press

Public

Dawn Dwyer, Justin Smith, Steve Gray, Larry Willey
Annie & Otto McLean, W. David Williams

1. Adjustments to the Agenda:

*NEMBAfest * NVDA Municipal Roads Grants-In-Aid Program *Lily Pond Road Repair

2. Approval of minutes:

Motion made by Christian Thompson, seconded by Fred Gorham, to approve the May 28, 2019 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 23 & 24.

4. Highway Report:

At 44% through the year, payroll is 53% spent and the entire budget is 32% expended. The weather & projects have the payroll over budget at this time. We are heading into a period of large projects which will hit the project labor expense.

5. Warrant #23 Rural Edge:

Motion made by Christian Thompson, seconded by Fred Gorham, to approve and sign the order drawn on the Treasurer for Warrant #23 in the amount of \$10,293. Motion carried 3 to 0.

6. Road Drainage Discussions:

Rob Nutting visited Yvette St. Hilaire's property at 1409 Cotton Road. He saw no evidence of a pre-existing culvert above her driveway crossing Fall Brook Road and emptying on the other side. He felt there was enough elevation drop from the driveway to the cross culvert below her driveway on Fall Brook Road to divert the water. Motion made by Fred Gorham, seconded by Christian Thompson, to approve a letter be sent to Ms. Hilaire to suggest installing a culvert at the end of her driveway and a stone lined ditch leading to the cross culvert south of her driveway on Fall Brook Road. Once installed, the Town will maintain the culvert and ditch. The motion carried 3-0.

Claudette Cassidy has requested that the Town clean up her lawn which has gravel on it. The berms that were placed there by the homeowner or a hired contractor, were in violation of our state stormwater permit. A second issue is that they have a drainage pipe that runs to the mouth of the culvert which aids in plugging the culvert. Justin has sent a letter to Mrs. Cassidy relaying the issues and that Rob Nutting will try to speak with her when the crew is in the area.

The Stormwater permit requirements are preventing the Town's ability to divert water at appropriate locations. Since the Town must crown the road and remove grader berms, it has created many issues of water and materials being dumped on landowner's property. The Town is also getting many requests to clean up lawns. Another issue is a request to clean ditches outside of the right-of-way. It creates a liability having the Town's equipment and employees outside the right-of-way when there is not an easement for the Town to do work on private property. The Selectboard is in agreement that the Town will not do any work outside the right-of-way that does not have a special easement in place.

7. Dune Way Culvert Discussion:

Mr. & Mrs. Crosby called and were unable to attend the meeting. The agenda item was tabled to a future meeting.

8. Release Emergency Health Order: 745 Center Street:

Motion made by Fred Gorham, seconded by Christian Thompson, to terminate the Emergency Health Order per 18 V.S.A.127 at 745 Center Street with the condition that the owner is not allowed to rent the property until an inspection is done by the Fire Marshall ensuring that the rental unit is up to code with smoke and CO detectors. Motion carried 3-0.

9. Sprinkler Bids:

Sawyer Sprinkler Service L.L.C. provided Justin with the following additional information as requested. There have been sixteen days marked out with two techs onsite. Shipping to have each unit delivered to our location is \$350/unit. There is one known leak with \$810.18 allotted for materials. Above is the break down for the N2 Blast-FPAS-500 at a cost of \$30,550. The Engineered Corrosion Solution unit is \$1,600 more than the N2 Blast. The Board asked if there was a warranty on the work being done. Justin was able to locate that the warranty on the N2 Blast is twelve months or one thousand hours. It was noted that both Nitrogen Generator systems require electrical work to be completed. Justin will check with CJ Aubin of Aubin Electric to see if there is room in the panel box for the system. The Board has a few technical questions they would like answered. Justin will contact the company to obtain the answers.

10. Salvage Yard License:

Motion made by Christian Thompson, seconded by Fred Gorham, to approve the five year Certificate for a Salvage Yard License for Daniel Allard Sr. Motion carried 3-0.

11. Revenue Anticipation Note Bids:

Motion made by Fred Gorham, seconded by Christian Thompson, to accept the interest rate bid from Passumpsic Bank, which was the low bidder with an interest rate of 2.19% for the **Revenue Anticipation Note** not to exceed \$100,000. Motion carried 3 - 0. The only other bid received was 2.35% from Community National Bank.

12. Tax Anticipation Note Bids:

Motion made by Fred Gorham, seconded by Christian Thompson, to accept the interest rate bid from Passumpsic Bank, which was the low bidder with an interest rate of 2.19% for the **Tax Anticipation Note** not to exceed \$1,000,000. Motion carried 3 - 0. The only other bid received was 2.35% from Community National Bank.

13. Online Mapping:

Annie McLean, Planning Director and Zoning Administrator, gave a short demonstration of the GIS program that would make maps and Grand List information public online. There was discussion that putting this information online would allow the public to research parcels on their own and free up both the Zoning office and Listers office. The discussion was also around the fees associated with obtaining copies when the public came into the office for copies. Currently there is no way of determining how much of the search & copy revenue comes from maps and lister cards. Head Lister Larry Willey reminded the Board that the information that would be available is old information. It would be information that was as of April 1st of each year.

Motion made by Christian Thompson, seconded by Fred Gorham, to place the Axis GIS information on the website with the appropriate disclaimer regarding the value of the information, with Annie & Larry working together for the best way to do so. Motion carried 3-0.

14. Millers' Run Bridge Update:

The Town has received the plans and estimate to repair the Millers' Run Bridge after an oversized truck owned by Upper Valley Produce damaged it on May 16th. Vermont League of Cities and Towns has agreed to help the Town move this project along and collect from the company's insurance company. Dubois & King have provided a list of five contractors that can do the repairs. Winterset was the company that did the last upgrades. Justin will check with Winterset to see if they are available and can provide a timeline to repair the bridge.

Motion made by Fred Gorham, seconded by Christian Thompson, to bypass the bidding process due to time constraints, and contact Winterset. Motion carried 3-0.

The Municipal Office will get the updated information out to the public

15. Cross Street Streambank:

A property owner is complaining about streambank erosion along his property. They have brought up that the Town has a sewer line that runs through his property 30' from the bank edge and would like the Town to repair the erosion. Joe Dauphin, Public Works Supervisor has looked at it and is not concerned at this point. Justin Smith shared photos of the area.

16. Lily Pond Road Repair:

Dave Williams came in to speak to the Selectboard regarding the bill he received for repairing the section of Lily Pond Road that was washed out by a pond on his property. The spring filled pond is 100' from the crest of the hill which would pitch you toward the Brown Farm Development instead of toward Lily Pond Road. His concern is that there were upgrades to the road in addition to the repairs. He questioned whether the new 30" culvert that was put in was larger than the existing culvert. Justin Smith spoke with Rob Nutting, Road Foreman, and was assured that the replaced culvert was 30". The road crew attempted to flush the existing culvert which was half full of debris and were unable to. Mr. Williams explained that the rain event was the largest event in a 24-hour period. He doesn't want people thinking he was irresponsible in building the pond. Mr. Williams has contacted his homeowner's insurance and they are looking into whether his policy will cover this claim and should hear from them within 24 hours. Mr. Williams doesn't feel he should have to pay the full cost when it was fixed better. Christian Thompson explained that the repair had to be made to current road standards.

The Board will wait to hear what Mr. Williams' insurance company says before making any decisions.

17. NEMBAfest:

Kingdom Trails would like to hold 2019 NEMBAfest from June 28th – June 30th at Wildflower Inn located at 2270 Darling Hill Road. The festival hours are Friday 12 – 10 PM, Saturday 9AM – 10 PM, and Sunday 9 AM – 3 PM. Chief Harris has had no issues with the festival. Motion made by Christian Thompson, seconded by Fred Gorham, to approve the event request from Kingdom Trail's for the 2019 NEMBAfest event with same conditions as set in previous years past. Kingdom Trails will be asked to submit future requests for NEMBA Fest sooner from now on to coincide with when advertising for the event starts.

18. NVDA Invitation to Participate in Municipal Roads Grants-In-Aid Program:

This program provides funding for municipalities to implement best management practices in compliance with the Department of Environmental Conservation (DEC) Municipal Roads General Permit. The Town must sign the Letter of Intent to Participate in the Municipal Roads Grants-In-Aid Program and return it by July 3rd to be eligible for grant funding.

Motion made by Fred Gorham, seconded by Christian Thompson, to approve the participation in the Municipal Roads Grants-In-Aid Program. The motion carried 3-0

19. Other:

- a. Bill Walker's wife passed away recently and will not be coming to VT until late summer. Christian would like to move forward in getting the streetlight installed at the Park & Ride that

Mr. Walker donated to the Town. LED has offered to install the pole that the light will be installed on.

- b. The Board would like the garbage can back out at the Park & Ride. They felt it made a positive difference. The Cemetery crew will empty the can once a week when they are mowing.
- c. Steve Gray informed the Board that the NEKWMD has a meeting Tuesday, June 11th. He is in hopes there will be enough information to finally resolve the issue of either paying the tax bill as billed or a PILOT payment. The agenda is pretty much the same as last month.
- d. Dawn Dwyer, Town Clerk, informed the Board of the fee increases that will go into effect on July 1st. The new Vital Records Issuance Management System (VRIMS) goes into effect on July 1st, the advertisement for an Assistant Town Clerk has appeared in the newspaper starting today, we have learned that our current IT company, DominionTech also sells phone systems and Justin and Dawn will be talking to them.
- e. Dawn asked the Board on the status of the billing for the fire that happened off Lily Pond Road last August. Was it ever billed out to the property owner?

Meeting adjourned at 7:47 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: June 24, 2019