

TOWN OF LYNDON  
SELECTBOARD MEETING

June 11, 2018

5:30 PM

Selectboard

Kermit Fisher, Chair  
Dan Daley  
Christian Thompson

Press

Todd Wellington

Public

Dawn Dwyer, Justin Smith, Steve Gray, Ken Thorn,  
Rick Ringgard, Elizabeth Robbins, Abigail Long, Pierce  
Thompson, Steve Earley & Crystal Hodge (6:34 PM)

1. Adjustments to the Agenda:

- Grit Dumpster Company - Executive Session: Employee Agreement.

2. Approval of minutes:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the May 29, 2018 minutes.  
Motion carried 2 to 0 with Kermit abstaining as he was not present at that meeting.

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

The Board approved and signed the orders drawn on the Treasurer for weeks # 22 & 23.

4. Highway Report:

At 44% through the year, payroll is 50% spent and the entire budget is 32% expended.

5. VAST Trail Discussion:

The Board reviewed three locations that had obtained temporary access in previous years. The first location is on Cotton Road. Rich Ringgard & Ken Thorn informed the Board that they were able to find a new trail location to eliminate the temporary travel on 1/8 mile on Cotton Road that was approved in December 2014. VAST was given temporary approval to travel approximately 1600' on Fall Brook Road for a one-year period. They have been able to build 1200' of trail, but are still using approximately 400' to go over the river. Ken Thorn asked if it would still be an option to use Fall Brook Road. Kermit explained that the object is to get snowmobiles off public highways for safety reasons. VAST will look into alternate options and get back to Justin Smith within two weeks. The final location is Calendar Brook Road. VAST is working with a new landowner to relocate the trail off the public highway.

6. Earley Rubbish and Recycling Discussion:

Elizabeth Robbins spoke of her frustration at the service provided by Earley Rubbish & Recycling. She has a secure container to prevent animals spreading her trash. She was told by the drivers that they would not be removing the trash from the container. She has lost multiple lids off her trash cans and recently has had to replace stickers on her bags when the animals destroy them getting into the bags. Steve Earley does not have a policy regarding removing trash from containers. The driver, Crystal Hodge, guaranteed Ms. Robbins that she would personally take the trash from the bin. The Board addressed resident complaints of days and times of pick-up, as well as trash and recycling being put into the same truck. Mr. Earley explained that they have been later in picking up due to a lack of employees and having to work within the mandated driving laws. He has a couple of individuals interested in working so he is confident that will put them back on their schedule of picking up earlier in the day. During this time, they have had to pick up the recycling and trash, using the same truck. They then separate it back at their shop. They are working on a new website to aid in communications. It was noted that garbage has been seen falling off the truck. Mr. Earley was asked to better secure the loads. Mr. Earley spoke of bag sizes being an ongoing issue. They are working on new flyers on bag size/costs and recycling. Once it is completed they will send it to us so that we can place it on the Town's website and Front Porch Forum to help educate those that use Earley's service.

7. Excess Weight Permits:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Single Excess Weight Permit for Rafael Contreras dba S & R Construction, LLC with approval for Justin Smith to sign on behalf of the Board. Motion carried 3 to 0.

Motion made by Dan Daley, seconded by Christian Thompson to approve the Fleet Excess Weight Permit for Riggs Distler with approval for Justin Smith to sign on behalf of the Board. Motion carried 3to 0.

8. Glebe Land Release Request:

Justin Smith presented the Board with a Quit Claim Deed to release Glebe lands located between Cotton Road and Fall Brook Road to the current land owner, Robert G. & Betty McClure. There would be no expense to the Town. Motion made by Dan Daley, seconded by Christian Thompson, to approve the release of Glebe land at Cotton Road and Fall Brook Road to the current owner, Robert G. & Betty McClure and to authorize Justin Smith, Municipal Administrator to sign on behalf of the Lyndon Selectboard as their authorized agent. Motion carried 3-0.

Justin Smith presented the Board with a Quit Claim Deeds to release Glebe lands located on Kingdom Road, to the current land owner Sandra G. M. Esparza. There would be no expense to the Town. Motion made by Dan Daley, seconded by Christian Thompson, to approve the release of Glebe land on Kingdom Road to the current owner, Sandra G. M. Esparza. Motion carried 3-0.

9. Lyndon Institute (LI) Request-FEMA preparedness Non-emergency Grant:

Lyndon Institute would like to become a bigger part of Lyndon's Local Emergency Operations Plan (LEOP). The first step in LI's plan is to receive FEMA funding from a preparedness (non-emergency) grant, and have Lyndon be the primary applicant. LI would take care of the grant writing with minimal amount of work required by the Town. Motion made by Dan Daley, seconded by Christian Thompson, to be the primary applicant for the FEMA Grant with Lyndon Institute to handle the grant writing. Motion carried 3-0.

10. Request for Use of Public Parking Space for a Food Truck:

Zeb Smith has obtained a vendor's license for a food truck from the Village of Lyndonville. One of the proposed locations he would like to utilize is a parking space near the Lyndon Center Baptist Church on College Road. The boards concern is for safety and parking on a public parking space for a private enterprise. The item has been tabled until more information can be obtained.

11. Oil Bids:

Motion made by Dan Daley, seconded by Christian Thompson, to accept the bid of a fixed price of \$2.52/gallon from Fred's Plumbing & Heating, Inc. for the 2018-2019 heating season. Motion carried 2-0-1 with Kermit Fisher abstaining because of a conflict of interest. Other bids received were \$2.549 from C.N. Brown Company, \$2.637 from Irving Energy and \$2.73 from Bourne's Energy.

12. Revenue Anticipation Note Bid:

Motion made by Dan Daley, Seconded by Christian Thompson, to accept the interest rate bid from Union Bank, which was the low bidder with an interest rate of 1.75% for the Revenue Anticipation Note not to exceed \$100,000 and will mature on November 16, 2018. Motion carried 3 - 0. Other bids received were 1.79% from Passumpsic Savings Bank and 2% from Community National Bank. People's United Bank passed on bidding and Community Bank NA did not submit a bid.

13. Tax Anticipation Note Bid:

Motion made by Dan Daley, Seconded by Christian Thompson, to accept the interest rate bid from Union Bank, which was the low bidder with an interest rate of 1.75% for the Tax Anticipation Note not to exceed \$1,000,000 and will mature on November 16, 2018. Motion carried 3 - 0. Other bids received

were 1.79% from Passumpsic Savings Bank and 2% from Community National Bank. People's United Bank passed on bidding and Community Bank NA did not submit a bid.

14. NEMBA Fest Request:

Abigail Long attended the meeting to introduce herself as the new Executive Director of Kingdom Trails. She is currently working with police Chief Harris on safety for the upcoming New England Mountain Bike Association (NEMBA) Fest to be held Friday June 22<sup>nd</sup> through Sunday June 24<sup>th</sup> at the Wildflower Inn located at 2270 Darling Hill Road. Motion made by Dan Daley, seconded by Christian Thompson, to approve Kingdom Trail's request to host the 2018 NEMBA Fest from Friday June 22<sup>nd</sup> through Sunday June 24<sup>th</sup>. Motion carried 3-0.

15. RCT Shuttle Route for Caledonia County Fair:

Dick Lawrence spoke with Justin Smith about having a thirty (30) minute shuttle route during the Fair where people would park at various locations around Town and get shuttled to the Fairgrounds. The hours of operations would be either 9 AM to 9 PM or 10 AM to 10 PM. He was envisioning people driving or walking to Kennametal, Lyndon Outing Club (LOC), Fenton Chester Arena, and the old Town Garage, Powers Park and possibly the Municipal Office Building (MOB) and being shuttled to the Fairgrounds. The Fair Association has safety concerns with attendees walking to remote parking areas at the Fair Grounds. The MOB already has limited parking so would not be available. The Town has management agreements with LOC and LI (Fenton Chester Arena), therefore it is not up to the Town to make decisions for these organizations.

16. Access Permit Request:

Motion made by Christian Thompson, seconded by Dan Daley, to approve the access permit for Richard Wright for access on the east side of Brown Farm Road. Motion carried 3-0. Rob Nutting, Road Foreman has inspected the location. He feels a 15" culvert is needed and no other conditions assessed. Motion made by Christian Thompson, seconded by Dan Daley, to approve the access permit for Jeremy & Holly Ely for access on the north side of Couture Flat Road. Motion carried 3-0. Rob Nutting, Road Foreman has inspected the location. He feels an 18" culvert is needed and access to the driveway to clean the cross culvert will need to be granted by the Ely's.

17. Wastewater Abatement Request:

Paul Steele, owner of Antiques & Emporium at 182 South Wheelock Road, has requested an abatement on his wastewater due to a water heater malfunction. The calculated gallons was 22,000. Joe Dauphin, Public Works Supervisor, inspected the premise and noted wet boxes as well as a sump pump that is hooked directly to the wastewater system. Mr. Steele indicated the pump was not working. Motion made by Dan Daley, seconded by Christian Thompson, to approve the wastewater abatement request from Paul Steele. Vote was 3-0 against; motion failed.

18. Other:

- a. Grit dumpster: Due to a change in billing by Myers, the grit dumpster was being under billed by \$129 for the three (3) year contract. Myers is asking that from this point forward, the Town pay the charges in its entirety, \$258/month, until the end of the contract which is December 31, 2018. Motion made by Dan Daley, seconded by Christian Thompson, to pay the full cost of \$258 for the grit dumpster until the end of the contract on December 31, 2018. Motion carried 3-0.
- b. A complete listing of the Bulky Week loads and charges was shared with the Board. The last bill to come in was for All Metals Recycling. There was some confusion as to why the Town had to pay for metal recycling during Bulky Week. There were also questions of inconsistency of tonnage. Justin will contact Paul Tomasi to obtain more information.
- c. Justin has had no luck in getting bids to complete the Municipal Office Building (MOB) roofing project. There are still two sides of the main building that need replacing. After several attempts to obtain bids, he has only received one which was above the budgeted amount. He will place an ad in the local newspaper.

- d. Steve Gray, rep to NEKWMD, informed the Board that there will not be a NEKWMD meeting for the month of June. The next scheduled meeting will be in July.

19. Executive Session: Employee Agreement

Dan Daley moves to find that public knowledge would breach HEPA laws.

Dan Daley moves to enter into executive session at 7:41 PM to discuss an employee's medical situation under the provisions of Title 1, Section 303(a) (1) of the Vermont Statutes.

Upon coming out of executive session at 7:56 PM, no decision was made.

Meeting adjourned at 7:57 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: July 9, 2018