

TOWN OF LYNDON
SELECTBOARD MEETING

June 13, 2016
5:30 PM

Selectboard

Kermit Fisher
Dan Daley
Martha Feltus

Press

Amy Nixon (6:00 PM)

Public

Justin Smith
Steve Gray
Joe Dauphin
Jim Beotes

Dan Daley called the meeting to order at 5:31 PM.

The Selectboard added two items to the agenda: An access permit application and a request from the Northwoods Stewardship Center for help with a river access project.

1. Approval of the Minutes:

Marty Feltus made a motion to approve the May 31st, 2016 minutes.

Dan Daley seconded, and the motion carried 2-0-1 with Kermit Fisher abstaining.

Marty Feltus made a motion to approve the June 7th, 2016 minutes.

Kermit Fisher seconded, and the motion carried 2-0-1 with Dan Daley abstaining.

2. Approval & Signing of the Orders:

The Board signed the orders for weeks 23-24.

3. Highway Report:

At 44% through the year, payroll is at 45% spent and the entire budget is 32% expended.

4. Excess Weight Permit:

Motion made by Kermit Fisher, seconded by Marty Feltus to approve the fleet excess weight permit for Beacon Sales Acquisitions, Inc. with approval for Justin Smith to sign on behalf of the Board. Motion carried 3-0.

5. Perpetual Care Agreement: Kermit Fisher made a motion, seconded by Marty Feltus, to allow the transfer of one of Donald & Ethel Pearsons' Lots also known as the "Freeman Lot" to Todd, Laurie, & Jessica Pearsons.

6. Appeal of Trash Clean-up Bill: Jim Beotes the property owner from 197 Cherry Lane came before the Selectboard to request that the bill he was sent for the clean-up of 15 illegally dumped bags of trash by either he or his tenants be forgiven altogether or reduced. Mr. Beotes claims his tenants informed him that they were purchasing stickers for their garbage and that he had no idea that they were putting the trash out without stickers. He felt that he should have been given a phone call and not sent a letter and a bill for clean-up. Marty Feltus stated that the ordinance was clear regarding the illegal dumping and the accumulation of household trash. The responsibility of the waste per the ordinances falls equally on the tenants and the property owner. The Selectboard pointed out that the property owner was

given a bill for the cost of cleaning up and disposing of the mess, but very easily could have been fined for illegal dumping and also could have been charged the Municipal Administrator's time going through the bags of trash to find the owner of it. Marty Feltus made a motion, seconded by Kermit Fisher, to leave the \$265.00 charge to Mr. Beotes in place, but extended the due date of the bill to 30 days from today's date, making the bill due on July 13th, 2016.

7. Bulky Week results: Justin Smith presented the board with numbers from May's bulky week. The number of appointments was up from 286 in October 2015 to 340 appointments in May. In addition, the number of individuals with more than one load went from 66 in October to 118 in May. The overall tonnage increased from 75 tons in October to 80 tons in May. There has been a fairly dramatic increase in the tonnage since the new solid waste laws went into effect. Marty Feltus noted that the Town will want to examine the bulky week budget during next year's budget discussion. Kermit Fisher noted that he was glad people were using the event rather than stockpiling items on their property or illegally dumping them.

8. Longboards on Public Highways: Justin Smith discussed the potential need for an ordinance against the use of longboards in the traveled portion lanes of Town highways. Jack Harris, has requested the Selectboard consider banning longboards on Pudding Hill, Lily Pond Road, College Road, and McGoff Hill Road. Kermit Fisher questioned why we would want to allow longboards in the travelled portions of any highway? Mr. Smith stated that the Village Trustees intended to allow for their use in designated bike lanes, but not within any travel lanes within the village. The Selectboard thought that this would be a reasonable compromise, at the moment the only bike lane in the Town would be Center Street. Mr. Smith said he would begin working with Chief Harris on language for the Town Ordinances.

9. Other:

a. Efficiency Vermont Municipal Streetlight Program: The Selectboard requested that Mr. Smith determine how many street lights the Town currently leases and the approximate age of the lights.

10. Access Permit: Kermit Fisher made a motion to approve Gardner Berry's request for an Access Permit to allow for access to two lots that he recently created after obtaining a permit through the zoning process. Mr. Fisher added the motion included the conditions laid out by the Road Foreman requiring a 15" steel culvert and that the driveway be sloped away from the Town highway for a distance of at least 15'. Marty Feltus seconded, and the motion carried 3-0.

11. Northwoods Stewardship Center Request: The Northwoods Stewardship Center (NWSC) is requesting the assistance of the Town Highway Crew in transporting aggregate and other materials to the river access site located at the Lily Pond Road Bridge. NWSC is looking to make the site more accessible by adding more steps, while also reducing erosion and cleaning up the site. They are requesting help from the Town in transporting the steps, rock, and aggregate needed to stabilize the site. Kermit Fisher stated he would like more information regarding the Town's commitment. The project is a 2-3 day project according to the scope of work, how much time from the road crew is being requested, and where are the materials located that need to be transported? Justin Smith will ask for more details. No action was taken on this request.

12. Executive Session: Contract Tata & Howard:

Motion made by Marty Feltus, seconded by Kermit Fisher finding that premature general public knowledge of the pending contract amendment with Tata & Howard will clearly place the town of Lyndon at a substantial disadvantage by disclosing its negotiation strategy. Motion carried 3-0.

Motion made by Marty Feltus, seconded by Kermit Fisher to enter executive session to discuss the Town's contract with Tata & Howard under the provisions of Title 1, Section 313(a) (1) of the Vermont Statutes. Motion carried 3-0. The Selectboard entered executive session at 6:26 PM.

The Selectboard exited Executive Session at 6:41PM. No action was taken.

The meeting adjourned at 7:42 PM.

Minutes taken by Justin Smith

Approved by the Selectboard: June 27, 2016