



TOWN OF LYNDON  
SELECTBOARD MEETING

June 22, 2020

5:30 PM

Selectboard: Christian Thompson-Chair, Dan Daley

Officials: Dawn Dwyer, Justin Smith, Ken Mason & Nancy Blankenship (Planning Commission)

Press: Andrew McGregor (The Caledonian-Record)

Public: Steve Gray, Mike Lowe (Lyndon Institute)

1. Adjustments to the Agenda:

\*Mobile Home Park License \* \*

2. Approval of minutes:

Motion made by Dan Daley, seconded by Chris Thompson, to approve the June 8, 2020 minutes as amended. Motion carried 2 to 0.

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

Motion made by Christian Thompson, seconded by Dan Daley, to approve the orders drawn on the Treasurer for weeks #24 & #25 with the Treasurer to sign due to COVID-19. Motion carried 2-0.

4. Health Order and Inspection:

The Town Health Officer Rental Housing Inspection Report for 474 Little Egypt was reviewed by the Board. Most issues were electrical in nature. The owner has been cooperative. Motion made by Dan Daley, seconded by Christian Thompson, to approve the Town Health Officer Rental Housing Inspection Report for 474 Little Egypt with thirty (30) days given for voluntary compliance. Motion carried 2-0.

Becky Masure from Rural Edge has asked if one unit at 427 Main Street can be released from the Health Order or does the whole apartment building need to be brought up to code? Debra Smith has recommended that the entire building must be brought up to code before the Health Order can be released. This has been an ongoing issue and the landowner has been non-compliant. Motion made by Dan Daley, seconded by Christian Thompson, to have the Police Department issue a Health Order violation ticket to Rick Schwag, owner of 427 Main Street. Motion carried 2-0.

5. Excess Weight Permit:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the two (2) Fleet Excess Weight Permits with approval for Justin Smith to sign on behalf of the Board. Motion carried 2 to 0. Permits are for United Natural Foods, Inc. and Justin King dba Kings Trucking & Excavating.

6. Return to Work Plan Discussion Updates:

Governor Scott extended his Executive Order until July 15, 2020. Municipalities are still encouraged to work from home where possible. Dawn Dwyer, Clerk, does not feel the recommended guidelines can be met regarding social distancing. The process of researching land records by appointment is going well. Appointments are taken on Monday, Wednesday & Friday from 7:30 AM to 12:30 PM. Appointments for marriage licenses, Green Mountain Passports and vital records are made to accommodate the residents.

Work Plans have been submitted by Lyndonville Electric Department, Kingdom East Union Unified School District and the Cobleigh Public Library.

Ken Mason requested to use the foyer to hold a face-to-face Flood Regulations work group meeting tomorrow. They have been holding their meetings via Zoom and the last one was a face-to-face meeting

held in the grassed area off the Municipal Office Building parking lot. Due to the forecast of inclement weather, they are looking for an indoor area to meet. Dan Daley did not feel comfortable allowing their group access to the building when not allowing other committees and boards access. Nancy Blankenship suggested they look at meeting at the Pavilion at Power's Park.

7. Fenton Chester Arena Financials Discussion:

Mike Lowe, Assistant Head for Advancement at Lyndon Institute (LI), went over the Fenton Chester Ice Arena's financial statement from July 1, 2019 to May 12, 2020. Some of the highlighted items were the compressor maintenance, Ancillary revenue and snack bar broke even. The financials covered until May 12, 2020. Mr. Lowe will update them once they complete their year-end on June 30, 2020. Mr. Lowe shared critical work that needs to be done to the building inside has been hampered by COVID-19. Contractors are not returning calls. Many of the facility repairs are with the electrical panel. They have been pricing a new Zamboni at approximately \$400,000 and a used one at half that cost. Andrew McGregor took off his reporter hat and spoke on behalf of Lyndon Area Youth Hockey (LAYHA). Back in the fall he had discussions with Mike Welch from Northern Community Investment Corporation (NCIC) regarding grants available to help with facility repairs. Mr. McGregor felt there were several entities (LAYHA, Town of Lyndon and schools) that would be interested in being a part of the granting process. Unfortunately, hockey season started, and Mr. McGregor did not have the time to pursue the funding.

8. Highway Garage (433 East Burke Road) Approval for Solid Waste Collection:

Fred Harris of E-Z Trash has not provided a certificate of liability insurance. Mr. Harris understands that the agreement will be on a month-to-month basis and will be advised as soon as reasonably possible the need to vacate. Mr. Harris will be open for business on Fridays 8 AM to 4 PM and Saturdays 8 AM to 3 PM. Motion made by Christian Thompson, seconded by Dan Daley, to approve the month-to-month agreement pending receipt of the Certificate of Liability Insurance. Motion carried 2-0.

9. Park and Ride Lighting:

Justin spoke with Bill Humphrey, General Manager of Lyndonville Electric Department (LED) regarding the streetlight at the Park & Ride located on Route 122. If LED installs their light, they will own the light and pole, be responsible for the maintenance and the Town would be billed a flat rate per month. If the Town is looking for a pole to install a light that the Town would own, LED has used poles from a project being completed this week. The Town would then be billed for the kilowatts used monthly. The Town would also be responsible for the maintenance of the light. The Board was interested in pursuing having LED install one of their own lights. Christian was interested in knowing if LED could install one of their streetlights on the pole already there, located near the kiosk. Justin will follow up with Bill Humphrey.

10. Town Plan Timeline:

Justin reminded the Board that they have one hundred twenty (120) days from when the Planning Commission submitted the proposed plan to hold the first of two public hearings. Governor Scott extended the COVID-19 state of emergency until July 25, 2020, making a face to face public hearing for the Town Plan nearly impossible. Having cancelled the original hearing scheduled for March 30, 2020, a new hearing will need to be warned for thirty (30) days. The Board set the first Town Plan Public Hearing for Wednesday, July 29, 2020 at 6:00 PM. Not knowing if the Governor will extend the state of emergency again, the meeting will be held via a Zoom meeting. Written comments and concerns will be requested prior to the meeting.

11. Access Permit:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the access permit for Susie Greaves, for access on the northwest side of Lily Pond Road. Motion carried 3-0. Rob Nutting, Road Foreman has inspected the location and feels a 15" culvert will be needed.

12. Police Advisory Non-Voting Member Discussion:

Over the years, non-residents have offered positive suggestions. The current police agreement, which is approved annually in November, specifically states the Police Advisory Board will be made up of four (4) Village members and three (3) Town members. The Board agreed there are many Lyndonville business owners that do not live in Lyndon. The Board agreed to have an ex-officio non-resident member added to the agreement. The change will be made and approved in November.

13. Paving Discussion:

Once the snow melted, Rob Nutting, Road Foreman, got a good look at the roads. He noted four possible sections that he would like to possibly do some skim paving on: Red Village Road, Lily Pond Road, McGoff Hill Road and South Wheelock Road. Pike Industries is doing some paving in the Village this summer. The Board asked Justin to reach out to Pike to see if they would be available to do a couple of the sections and the cost.

14. Mobile Home Park License:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Mobile Home Park License for Gilman Property Management known as the Maple Ridge Mobile Home Park on Lily Pond Road. Motion carried 2-0.

15. Executive Discussion:

Motion made by Dan Daley, seconded by Christian Thompson, to find that premature general public knowledge of the pending contract with Lyndon Institute will clearly place the town of Lyndon at a substantial disadvantage by disclosing its negotiation strategy. Motion carried 2-0.

Motion made by Dan Daley, seconded by Christian Thompson, to enter into executive session at 7:54 PM to discuss the Town's contract with Lyndon Institute under the provisions of Title 1, Section 313(a) (1) of the Vermont Statutes. Motion carried 2-0.

Upon coming out of executive session at 8:33 PM, no action was taken:

16.

- a. Steve Gray reported that at the last Northeast Kingdom Waste Management District (NEKWMD) meeting the Town of Westmore expressed their interest in hosting a composting facility on their town property. He also reported that Paul Tomasi, Director, has been in conversation with the bank holding the loan on the new bailer regarding the extra payment put toward the loan in 2019 be carried over to reduce the loan payment due in 2020. Since the per capita fee charged to members was established to cover the bailer payment, Steve will propose lowering the per capita rate. Their next meeting is scheduled for July 16, 2020. Mandatory composting and the ban on plastic bags goes into effect on July 1<sup>st</sup>.
- b. Dawn Dwyer, Clerk & Treasurer, reported that the year will be up on Thursday, June 25<sup>th</sup> for the owners of the Sikillian property to redeem it from tax sale. The Town purchased it in 2019. Mail has been sent out both by certified letter and regular USPS and the certified letter always is returned unclaimed.