

TOWN OF LYNDON
SELECTBOARD MEETING
July 23, 2018
5:30 PM

Selectboard

Kermit Fisher, Chair
Dan Daley
Christian Thompson via phone

Press

Kevin Doyon

Public

Dawn Dwyer, Justin Smith
see attached sign in sheet

1. Adjustments to the Agenda:

Executive session: personnel, Perpetual Care Agreements (3), Shores Museum, and Roadside Mowing

2. Approval of minutes:

Motion made by Christian Thompson, seconded by Dan Daley, to approve the July 2, 2018 minutes.
Motion carried 3 to 0.

Motion made by Dan Daley, seconded by Christian Thompson, to approve the July 9, 2018 minutes with changes. 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 # 29 & 30

4. Highway Report:

At 56% through the year, payroll is 59% spent and the entire budget is 37% expended.

5. Trash Update:

Brad Gebbie, owner of Lyndonville Hardware presented to the Board a petition containing 87 signatures of residents that feel “the Town needs to reimburse our trash stickers or take them at face value”. Kermit Fisher responded that the Board would also like to reimburse residents but there is not the money in the current budget to do so. The Board is trying to find a resolution by other means. Lyndon’s legal counsel advised that since the Town has no financial injury, the Town has no way to recoup monies. It was suggested that individuals either go directly to Mr. Earley’s place of business located at 299 Bungy Road, Colebrook, NH requesting a refund, write a letter to Mr. Earley at PO Box 46, Colebrook, NH 03576 requesting a refund along with copies of the stickers or file a consumer complaint with the Attorney General’s Office in New Hampshire. After fielding questions from the attendees the Board ended the discussion by asking the residents to continue to dispose of their trash and recycling as they have the past few weeks, whether that is by contracting directly with a hauler or using the “fast-trash” locations established in town (Northeast Kingdom Waste Management District at 224 Church Street Monday 8 AM – 4PM, Wednesday 11 AM to 5 PM, Thursday 8 AM to 4 PM and Saturday 8 AM to 3 PM and at the old Town Garage location on Route 114 on Monday 7 AM to 4:30 PM and Saturday 7 AM to 2 PM). As information becomes available it will be posted on the Town’s website at www.lyndonvt.org.

6. Development Review Board Candidate Interview:

Curtis Carpenter sent a letter of interest in becoming a member of the Development Review Board. Mr. Carpenter grew up in Lyndonville and after spending fifteen years of being a litigator in a large Boston law firm, he recently purchased a house on Park Avenue. Motion made by Christian Thompson, seconded by Dan Daley, to appoint Curtis Carpenter to the Development Review Board. Motion carried 3-0.

7. Coon & Cat Club Event Request:

Dana Stevens, President of the Coon & Cat Club sent a letter requesting a noise permit for the New England Coon Hunter's Reunion from August 25 through August 29, 2018 on their property located at 1 Barking Dog Lane. Chief Harris suggested the announcing and music cease at 10:00 PM. Motion made by Dan Daley, seconded by Christian Thompson, to allow Coon & Cat Club to hold their event from August 25th through August 29th with the condition that announcing and music cease at 10:00 PM. Motion carried 3-0.

8. Sanitation Abatement Request:

William & Joan Fadden finished the upper floor of the garage into an apartment, therefore, they were billed two sanitation charges. They feel the two charges are inappropriate since the square footage hasn't changed, the garage is dependent on the house for all utilities (electric, water, gas and heat), the garage cannot be sold independently or be operated without the house, rubbish and recycle materials will not increase beyond previous levels and any trash will be disposed of using the stickers or taken off site by owners. The board did not feel any of the listed arguments were valid. Motion made by Dan Daley, seconded by Christian Thompson, to approve the abatement request from William and Joan Fadden. Motion was denied 0-3.

9. Police Cruiser Purchase Discussion:

It was determined during regular maintenance that the 2013 Dodge Charger would not pass inspection at the end of July. Formula Ford in Montpelier, VT holds the State contract for police cruisers. They can provide a vehicle with an eight to ten week delivery date. With the cost of the vehicle (\$27,400), modifications and comparing it to the cost of the vehicle purchased last year, Jack believes a fully outfitted cruiser would be under \$35,000. There is approximately \$10,800 in the police cruiser savings and \$17,500 in the current budget giving a total of \$28,300. The balance of \$6,700 could be taken from the General Fund Equipment restricted savings account. Motion made by Dan Daley, seconded by Christian Thompson, to approve purchase of a new cruiser and modifications through Formula Ford. Motion carried 3-0.

10. Trefren Fund Reporting:

Motion made by Dan Daley, seconded by Christian Thompson, to accept the Annual Trefren Fund Reporting for the year 2016 to Caledonia County Probate Court as prepared by Clerk & Treasurer, Dawn Dwyer. Motion carried 3 to 0, and was signed by the Board and Chair as necessary.

Motion made by Dan Daley, seconded by Christian Thompson, to accept the Annual Trefren Fund Reporting for the year 2017 to Caledonia County Probate Court as prepared by Clerk & Treasurer, Dawn Dwyer. Motion carried 3 to 0, and was signed by the Board and Chair as necessary.

11. Guild Fund Annual Reporting:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Summary of Account of Trustees for the Arthur & Cora Guild Trust for the period June 16, 2017 to June 15, 2018 with the Chair of the Board to sign. Motion carried 3-0.

12. Excess Weight Permit Applications:

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

13. Perpetual Care Agreements:

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Perpetual Care Agreement for the Smith-Cole lot (Section 55 Lot 9A). Motion carried 3 to 0.

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Perpetual Care Agreement for the David & Jennifer Noyes lot (Section 55 Lot 9B). Motion carried 3 to 0.

Motion made by Dan Daley, seconded by Christian Thompson, to approve the Perpetual Care Agreement for the Stillson lot (Section 55 Lot 9C). Motion carried 3 to 0.

14. Shores Museum:

The Lyndon Historical Society would like to file an application to add the Shores Museum to the State Register of Historical Places. This would allow the Society to apply for grants. Motion made by Dan Daley, seconded by Christian Thompson, to file the application to be added to the State Register of Historical Places. Motion carried 3-0.

15. Roadside Mowing:

The Board addressed complaints of lack of signage, overly aggressive vertical mowing and branches left in the travelled portion of the road. Justin Smith spoke with Rob Nutting, Road Foreman, who said the change in the RFP for roadside mowing would shift the complaints from not enough trimming to over trimming. The signage is consistent with what he has seen done during his tenure as Foreman. Chief Jack Harris has not received any complaints. It is felt that in the future it must be made clearer regarding inconsistent trimming; if landscaping, leave, if growing wild, trim. Sean Somers asked if the aggressive trimming involved fruit trees because there are state rules that affect trimming of fruit trees. The Town crew spent time last week cleaning up the roadsides of branches. There needs to be more clarity in the bid.

16. Other:

- a. Shane rice of Eco Clean is asking what they need to do to establish a trash drop off point at the south end of Lyndonville at a private commercial lot. As it is a private lot, there is nothing needed from the Selectboard? Justin Smith will check with Annie McLean, Zoning Administrator, for her input.
- b. Dan Daley met with Bruce Martin, Cameron McDermott and Trish Hurd from VTrans regarding the Broad Street Project. The next step is working with an engineering firm to determine costs. It was recommended that the Town work with Fuss & O'Neill, which is the engineering firm the State is using as they are already familiar with the project. The date discussed for the project was 2023-2024 at the earliest.
- c. Steve Gray announced that the Northeast Kingdom Waste Management District has a new clerk, Walter McNeill of Danville. Libre Drouin was hired as minute taker. Steve shared copies of the Town of Coventry Selectboard Minutes from Monday June 11th which included a discussion of increased Solid Waste Management fees as well as a draft copy of Coventry Landfill Information dated July 10, 2018.

17. Executive Session: Personnel

Motion made by Dan Daley to enter into executive session at 7:18 PM to discuss a personnel issue pursuant to Title 1, Section 313(a)(3), of the Vermont Statutes.

After coming out of executive session at 7:31 PM, no action was taken.