

TOWN OF LYNDON

SELECTBOARD MEETING

August 8, 2016

5:30 PM

Selectboard

Dan Daley, Chair
Kermit Fisher
Martha "Marty" Feltus

Press

Amy Nixon

Public

Dawn Dwyer, Justin Smith, Joe Dauphin, Steve Gray
James Gallagher, Frances Taylor

1. Approval of minutes:
Motion made by Kermit Fisher, seconded by Dan Daley, to approve the July 25, 2016 minutes with noted change. Motion carried 2 to 0 with Marty Feltus abstaining as she was not present at the meeting.
2. Approval & Signing of Orders drawn on the Treasurer:
The Board approved and signed the orders drawn on the Treasurer for weeks #31.
3. Warrant # 7: Rural Edge RLF:
The Board approved and signed the order drawn on the Treasurer for Warrant #7.
4. Highway Report:
At 60% through the year, payroll is 58% spent and the entire budget is 41% expended.
5. Set Tax Rate:
Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the Homestead Tax Rate at \$2.0981. (General Fund \$.3269, Highway Fund \$.3240, Local Agreement Rate \$.0045 and Homestead Education Tax Rate \$1.4427) Motion carried 3-0.
Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the Non-Residential Tax Rate at \$2.1710. (General Fund \$.3269, Highway Fund \$.3240, Local Agreement Rate \$.0045 and Non-Residential Education Tax Rate \$1.5156) Motion carried 3-0.
6. Rural Edge: New Revolving Loan Fund Grant Application Resolution:
Motion made by Kermit Fisher, seconded by Marty Feltus, to approve and sign the Resolution for VCDP Grant Application as Single Audit. Motion carried 3 to 0.
7. Financial Management Questionnaire Acceptance:
Motion made by Kermit Fisher, seconded by Marty Feltus to review and have Dan Daley, Chair of the Selectboard sign as having received the financial Management Questionnaire. Motion carried 3-0.
8. Aegis Renewable Energy:
(Skipped-no one from Aegis showed up for the meeting).
9. Wastewater Permit Fee Reduction Request:
James Gallagher requested the Wastewater Connection fee be reduced. Mr. Gallagher indicated at optimal usage they anticipated the Upright Steeple Society building would be used 2-3 times per week for 1-2 hours with a maximum of 50 people. The building has two toilets. Motion made by Marty Feltus, seconded by Kermit Fisher, to set the wastewater connection fee at \$250, to cover costs of labor and

material. Motion carried 3-0. The Selectboard indicated that once the connection had been made, the Upright Steeple Society may receive an additional bill should the actual costs exceed \$250.

10. Wastewater Bill Abatements:

Mark Bean, owner of Riverview Estate and Northern Hill Estates, sent two written requests to have the wastewater bill abated at both mobile home parks due to leaks at the shut offs. Mark based his request on the average of four quarters. The Board felt it was more equitable to use the corresponding quarter from the previous year. Both abatements were tabled until the October reading could be obtained. Mark will be asked to notify us immediately in the future of any leaks as well as fix the leaks in a timely manner.

Lyndon State College has also requested an abatement on their wastewater bill for the quarter ending June 2, 2016. The College realized they had a leak due to high readings, but had difficulty locating the leak. It was finally located in early May but the College could not shut down the water while they had students on campus so had to wait until the end of the semester to fix it. The Board tabled the request until the Village can determine adequate usage. The College will be asked to pay half of the Wastewater charges until the abatement can be determined.

11. Set a Date for Zoning By-Law Amendments Hearing:

The Board set the Zoning By-Law Amendment Hearing to be held on Tuesday, September 6th at 6:00 PM.

12. Executive Session: Lyndon Area Sports Association (LASA):

Motion made by Marty Feltus, seconded by Kermit Fisher, to find that premature general public knowledge of the pending contract with Lyndon Area Sports Association will clearly place the town of Lyndon at a substantial disadvantage by disclosing its negotiation strategy. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to enter executive session at 7:12 PM to discuss the Town's contract with LASA under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Motion carried 3 to 0.

Upon coming out of executive session at 7:33 PM, no action was taken.

13. Executive Session: Personnel:

Motion made by Marty Feltus, seconded by Kermit Fisher, to enter executive session with the Municipal Administrator and Town Clerk to discuss a personnel issue under the provisions of Title 1, Section 313(a) (2) of the Vermont Statutes. Motion carried 3-0. The Selectboard entered executive session at 7:34 PM.

Upon coming out of executive session at 7:49 PM, the Board voted to facilitate insurance coverage for Anne Geratowski for the ninety (90) day probation period until her benefit through the Town of Lyndon takes effect.

14. Cemetery:

Nathan & Fran Houghton have requested to sell their current cemetery lots (Section 31 lot E 10 N ½) back to the Town of Lyndon for \$250, the amount they paid when it was purchased. They then would like to purchase two single lots in Section 35 Lot E 13 S ½ at the current rate of \$300 per lot.

Motion made by Kermit Fisher, seconded by Marty Feltus, to purchase back Section 31 Lot E 10 N ½ from Nathan & Fran Houghton for a cost of \$250.

15. Other:

- a. Steve Gray reported to the Board that the \$78,000 NEKWMD deficit reported at the last meeting has now increased to \$83,000. The deficit has been created by the District borrowing \$25,000 of a \$50,000 Line of Credit to pay ongoing expenses, owing \$35,000 that they borrowed from their Capital Improvement Fund, using \$7,000 as a down payment on another truck, as well as lower market prices for recyclables in the beginning of the year. Steve also reported that the proposed pick-up fee previously reported at \$50.68 is now down to \$30/pick-up. The pick-up fee may replace the per capita assessment. The next meeting is August 9th.
- b. Justin Smith shared the Fact Sheet for the Draft Discharge Permit for the Wastewater Treatment Facility. Utility Partners is reviewing the document to see if there are any items they can address. One item is nitrogen removal and by December 31, 2016 an Optimization Plan must be developed and submitted to the Agency of Natural Resources (ANR) for review and approval. Jason Booth of Aldrich & Elliott has reached out to the Town offering their services should we need it. They have completed several Nitrogen Optimization plans for other communities in the State.
- c. The Town has received a Tata & Howard invoice through July 3, 2016. Justin has noted a substantial hourly rate change. Gary Leach of Tata & Howard explained that the project was presented and approved as a lump sum fee. USDA is okay with paying the invoice. The Board also approved paying the invoice as long as the project does not go over the total project cost.
- d. The gate at Lyndon Outing Club has been locked the last two weekends. Kermit Fisher will be opening the gate on the weekends and the officer on duty will close it.
- e. Janice Somers has contacted Justin regarding her parent's cemetery lot. Her father's footstone is partially covered by a shrub planted on the adjoining lot. This has prevented the stone from being cleaned in its entirety. Justin will attempt to locate the adjoining lot owners to have the shrubs either trimmed back or removed.
- f. Bob Gensburg, Town Agent, has been in working with the Town regarding Downing land the Town purchased at a tax sale. Mr. Downing will be required to pay all costs incurred by the Town as well as interest. Payment must be in full.
- g. Officer Brandon Thrailkill, Lyndonville Police Dept., is interested in working a bike patrol. The proposal is for 2-4 hours per week and only when another officer is on duty. The patrol would provide better police visibility as well as an element of public relations. Officer Thrailkill is also interested in a buy back of the equipment, where the Town would purchase the necessary equipment (bike, helmet) and Officer Thrailkill would purchase it over a period of time. The Board was interested in the idea and would like Chief Harris's opinion on the idea.
- h. Justin shared a letter from Zoning Administrator Annie Geratowski advising the Town, as an adjoining landowner, that Jessica Simpson and Mary Jo O'Neill has applied for a permit to operate a licensed child care center at the Nancy Buss property. Nancy Buss currently runs a child care center and will be retiring.

Meeting adjourned at 8:12 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: August 22, 2016