



TOWN OF LYNDON
SELECTBOARD MEETING

August 10, 2021

5:30 PM

Selectboard: Christian Thompson-Chair (Zoom), Dan Daley, Nancy Blankenship (Zoom)

Officials: Dawn Dwyer, Justin Smith (Zoom)

Press: Paul Hayes

Public: Dan McCabe, Peter Miller, Scott Beck, Andrew McGregor, Larry Willey, Ken Mason, Marty Feltus, Todd Wellington (Zoom)

1. Adjustments to the Agenda:

*Rink, Inc. Electric Deposit

2. Executive Session @ 5:30 PM: Attorney Client Communication 1 V.S.A. § 313 (a) (1)

First motion: Motion made by Dan Daley, seconded by Nancy Blankenship, to find that premature general public knowledge of attorney-client communication regarding the Northeast Kingdom Waste Management will clearly place Lyndon at a substantial disadvantage by disclosing its negotiation strategy.

Second motion: Motion made by Dan Daley, seconded by Nancy Blankenship, to enter executive session at 5:36 PM to discuss the Town's position in the negotiations for a host agreement with the Northeast Kingdom Waste Management under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes.

Upon coming out of executive session at 6:18 PM, no action was taken.

3. Executive Session @ 6:00 PM: Rink, Inc. Lease Discussion 1 V.S.A. § 313 (a) (2)

First motion: Motion made by Dan Daley, seconded by Nancy Blankenship, to find that premature general public knowledge of the pending lease with Rink, Inc. will clearly place Lyndon at a substantial disadvantage by disclosing its negotiation strategy.

Second motion: Motion made by Dan Daley, seconded by Nancy Blankenship, to enter executive session at 6:21 PM to discuss the Town's pending lease with Rink, Inc. under the provisions of Title 1, Section 313(a)(1)] of the Vermont Statutes.

Upon coming out of executive session at 7:47 PM, a motion was made by Nancy Blankenship, second by Dan Daley, to approve the proposed contract between the Town of Lyndon and Rink, Inc. with changes agreed to by both parties. Motion carried 3-0.

4. Approval of the Orders for weeks 29-30:

Motion made by Dan Daley, seconded by Nancy Blankenship, to approve the orders drawn on the Treasurer for weeks # 29 & # 30 with the Treasurer to sign. Motion carried 3-0.

5. Hazard Mitigation Plan/Project update:

Marty Feltus gave the purpose and history of the current Hazard Mitigation Plan (HMP) that will expire in September 2021. The HMP describes potential hazards, possible mitigations, and timelines to mitigate them. The Town of Lyndon has not done any mitigation or feasibility scoping studies to determine if the mitigations make sense. There is a Building Resilient Infrastructure and Communities (BRIC) grant offered by the Federal Emergency Management Agency (FEMA) and the application is due in January 2022. Marty Feltus, having been involved in the HMP in 2016, would like the Selectboard's approval to gather the same HMP committee members, with substitutes as needed, to reassess and prioritize the potential hazards and apply for the BRIC grant. Since Lyndon's HMP will expire in September 2021, the committee will need to work with Northeast Vermont Development Association (NVDA), who would apply and administer the grant on Lyndon's behalf. NVDA is gathering more information on the

application process and time commitment to ensure they have the resources to help. The grant would allow Lyndon to scope out the hazards selected to see if it's a feasible project. Later, Lyndon would have to apply for more grants to complete the actual project. Common issues identified in all the flood hazard discussions has been the Route 5, 114 & 122 intersection, the bridge on Route 5 south of the intersection and the dry bridge in the same location.

Marty also informed the Board that the funds to update the HMP have been delayed. Once they are available, the committee will move forward with getting it completed which could take six months to a year.

Motion made by Dan Daley, seconded by Nancy Blankenship, to approve the resuscitation of the Hazard Mitigation group with thanks and appreciation to Marty Feltus and Ken Mason for their time and commitment. Motion carried 3-0.

6. Kingdom Challenge ½ Marathon:

The Board received a request from Lynn Cartularo on behalf of Good Shepherd Catholic School to hold the Kingdom Challenge Half Marathon on October 30, 2021. They would like to use the gym on Friday, October 29, 2021 for registration. The race will begin at 8:30 AM. The starting line is on Park Avenue, south of the Town Offices in the Village and does a quick loop before heading north up Main Street, onto Stevens' Loop, through the Millers' Run Covered Bridge onto Center Street and up College Road. Motion made by Nancy Blankenship, seconded by Dan Daley, to grant permission to use the Municipal Office Building and town roads, with Chief Harris's approval, for the Kingdom Challenge Half Marathon to be held on October 30, 2021. Motion carried 3-0.

7. Cemetery Rule Clarification:

Brian Coderre, Cemetery Sexton, has proposed a language change to the "Above-Ground Structures" section of the Cemetery brochure. He is proposing the section to read "No vaults, mausoleums, tombs or crypts shall be allowed". The change is to help with maintenance. Having above ground structures creates more hand mowing and trimming. Motion made by Nancy Blankenship, seconded by Dan Daley, to approve the language change as proposed by the Sexton. Motion carried 3-0.

8. Tax Sale Property Acquisition:

Dawn Dwyer, Clerk & Delinquent Tax Collector, updated the Board on the property located at 87 Shores Hill Road that the Town purchased at tax sale in July 2020. After multiple attempts by certified, return receipt letters, the property was not redeemed. As per the Selectboard Policy, the property will be offered to the original owner, at cost. A purchase and sale agreement was sent to the owner at the last known mailing address. They have 30 days to accept the offer.

The Clerk had the cemetery crew mow the grass and take care of a tree and branches that were trimmed by the power company.

9. Fenton Chester Arena Projects Update:

The furnace quotes received left the Board with questions regarding electrical costs and removal of the old system if they decide to replace the complete furnace. More information will be gathered and discussed at the next meeting scheduled for August 16, 2021.

Rink Inc. is still pursuing grants on ice related upgrades such as LED lighting and additional Zamboni accessories.

10. Rink Inc. Electric Deposit:

Per Lyndonville Electric Department's (LED) policy, all commercial accounts must pay a deposit equal to 2/12th of a years' worth of bills. For the Fenton Chester Arena, this amounts to a deposit of \$12,400. The deposit would be held by LED for twelve months and refunded if all bills are paid by the due dates. LED's policy allows for the organization to petition the Trustee to waive the deposit. Bill Humphrey, General Manager of LED, has advised Rink, Inc. that he will be advising the Trustees against granting the waiver due to the large sum of money the deposit represents to both LED and Rink, Inc. Mr. Humphrey suggested obtaining a co-signer, such as the Town of Lyndon, to guarantee payment should

Rink, Inc. fall in arrears. Motion made by Dan Daley, second by Nancy Blankenship, to write a letter to LED backing the meter deposit up to \$12,400 for one year. Motion carried 3-0.

11. Other:

- a. Audit Reports for 2020 were distributed to the Selectboard members present.
- b. Three tax sales held on 8/5/21. None of which were purchased by the Town.
- c. The Board was reminded that there will be a tax assessment appeal for Chadwick & Kristina Roy on Monday, August 16, 2021 at 5:30 PM. The Selectboard meeting will be warned for 6:00 PM.
- d. Larry Willey updated the Board on the process of request for proposal (RFP) for the town wide reappraisal. The anticipated cost is approximately \$350,000 to \$375,000. It is very probable that new computers will need to be updated. Larry has forwarded the RFP to Hanne Trudeau, the Town Attorney, for review and should have it back by the end of August.