

TOWN OF LYNDON  
SELECTBOARD MEETING  
September 6, 2016  
5:30 PM

Selectboard

Dan Daley, Chair  
Kermit Fisher  
Martha "Marty" Feltus

Press

Amy Nixon

Public

Dawn Dwyer, Justin Smith, Steve Gray, Chief Harris  
Officer Trucott, Ron Comeau, Chris Hunter, Sue Mills  
Annie Geratowski, Bob Howland, Jelena Gervais, Joe Buzzi

1. Approval of minutes:  
Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the August 22, 2016 minutes.  
Motion carried 3 to 0.
2. Approval & Signing of Orders drawn on the Treasurer:  
The Board approved and signed the orders drawn on the Treasurer for the weeks #35 & 36.
3. Highway Report:  
At 67% through the year, payroll is 65% spent and the entire budget is 46% expended.  
Elliott Road project will begin on September 19<sup>th</sup>.
4. Warrant # 8: Rural Edge RLF:  
Motion made by Marty Feltus, seconded by Kermit Fisher, to approve and sign the order drawn on the Treasurer for Warrant #8. Motion carried 3 to 0.
5. Outside Consumption Permit:  
Upon inspection of The Stepping Stones Inn LLC, by Martin Prevost of the Department of Liquor, it was determined that the description of the outside consumption area needed to be amended. Once amended, it required the approval of the Selectboard. At the same time, it was determined by the Zoning Administrator that a permit was never approved for outside seating. Therefore, the Selectboard postponed approving the Outside Consumption Permit until a permit has been approved by the Zoning Administrator.
6. Perpetual Care Agreement:  
Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the Perpetual Care Agreement for the Robert & Marion Souliere lot (Section 25 Lot 54A). Motion carried 3 to 0.
7. Bike Patrol:  
Chief Harris had a few concerns regarding the ownership of the equipment needed for the bike patrol, such as, who would be responsible to repair the equipment if damaged while used off duty, and would it fall to the Police Department to repair the equipment should the legal owner not be able to financially cover the expenses. Chief Harris also mentioned that there is a uniform requirement as well as education needed to utilize a bike patrol. The Board suggested the Police Department look into the cost of the equipment, repairs, maintenance, etc. and it will be discussed during the 2017 Budget sessions with a projected startup date of next year.
8. Transportation Alternatives Grant:  
Joe Benning brought a copy of the Transportation Alternatives Grant to Justin Smith. Mr. Benning had spoken briefly with Marty Feltus regarding a possible use for the grant. He suggested a sidewalk on

College Road. The Municipal Administrator will check with Frank Maloney of Local Motion to see if this was a project already on their priority list. Another possible use of the grant suggested was the new salt shed located at the new Joint Garage on Smith's Road.

9. Access Permit:

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the access permit for Garrett McHarg for access on the south-west side of Oakwood Lane. Motion carried 3-0. Rob Nutting, Road Foreman has inspected the location. He feels a culvert will not be needed and there are no other conditions assessed.

10. Gravel on Lawns & Ditching:

A letter and pictures were received from Christine Boutin of Lily Pond Road. Runoff from the heavy rains this summer has washed sand and gravel onto her lawn. The culvert is clean of debris, therefore, there is no cause by neglect on the Town's part. Rob Nutting, Road Foreman, is looking for direction since the runoff is on private property and this is an ongoing issue. The road crew will try adding crushed ledge to try and prevent the runoff.

11. Other:

- a. Robert Souliere would like to purchase a double vault and matching urns for his wife and his cremated remains. Before purchasing them, he inquired if this would be an issue for the Town. Dawn Dwyer, Clerk, contacted Jen Proctor of the Secretary of State's Office and was informed there are no state statutes that address this issue. The concern was that if the vault was reopened, would this be considered disinterment of remains. The Board asked that we contact our Town attorney, Bob Gensburg, for an opinion.

The regular Selectboard meeting was suspended at 6:01 PM to open the Public Hearing for the proposed Zoning By-law changes.

Susan Mills, member of the Planning Commission, discussed the proposed amendments. They are amending the definition of a Structure, the definition of a Home Occupation. They are also proposing to adjust the boundary between two zoning districts on Tute Hill. The final proposal is an update to the Flood Hazard Area By-laws, including the creation of a River Corridor Overlay District.

Ken Burchesky made comments regarding renewable energy, flood plain storage changes may result in lower flood insurance rates, and increasing flood plain storage protects existing businesses and homes. These suggestions will be presented to the Planning Commission for their consideration.

With no further comments, the Public Hearing was closed at 6:17 PM.

The motion was made by Marty Feltus, seconded by Kermit Fisher, to accept the By-law changes as presented. Motion carried 3-0. The changes will become effective 21 days after acceptance (September 28, 2016).

The regular Selectboard meeting was reconvened at 6:19 PM.

- b. Dawn Dwyer presented a proposal from Mike McFadden of CoreLogic. His company would like a downloaded file of all the net taxes due to the Town of Lyndon. CoreLogic provides a tax collection services to lenders. They would use the file to cross reference tax amounts for their clients by map and parcel numbers. They would also use the file as a research tool for parcel information, etc. for future requests. They do not sell data and are only interested in the net taxes due only. The download is a process included in our Tax Admin software through NEMRC, our software used for tax collection. The Selectboard has concerns providing information on

taxpayers that are not their clients. The Town of Lyndon will continue to provide the requested information via paper copy.

- c. Justin Smith shared with the Board the results of the VTrans signage study done on New Boston Road, Severance Hill Road and Red Village Road. The suggested changes will not happen until 2018. There were two signs found that do not meet regulations and they will be removed.
- d. Justin also shared with the Board the final 2015 Audit Report for the Town of Lyndon. The Selectboard was pleased with the audit. They would like to continue to investigate the Library's role as a municipal library.
- e. Justin informed the Board that the VLCT Annual Meeting is scheduled for October 6, 2016 and are looking for directors if anyone is interested. They also received a draft copy of the Policy changes.
- f. Dan Daley reported on the progress of the new Joint Highway Garage. The interior is wired, plumbed and lighting is up. The steel for the new addition arrived on August 15<sup>th</sup> and was up in three days. Cold storage is done. There was an issue with rain runoff from the roof causing some erosion. Josh Fenoff Excavating will be putting in some rip rap to help hold the erosion. There have been some slight changes to the location of some of the bays.
- g. Ron Comeau addressed the Board regarding the tax sale on his Mathewson Hill Property. The Town was the only bidder and Mr. Comeau failed to redeem his property within the time frame outlined by State Statutes. Mr. Comeau would like to purchase his property back from the Town. The Board is awaiting answers to some questions from the Town Attorney, Bob Gensburg before addressing the issue. They will keep Mr. Comeau informed of their findings.
- h. Kermit Fisher gave an update on the Bio-Filter project. T-Buck, Inc., the contractor, feels they are on schedule. There were a few item changes that resulted in a reduction of cost.

#### 12. Executive Session: Personnel

Motion made by Marty Feltus, seconded by Kermit Fisher, to enter into executive session at 7:02 PM, to discuss a personnel issue pursuant to Title 1 VSA 313(3)(a)(3), of the Vermont Statutes. Motion carried 3-0.

Upon coming out of executive session at 7:43 PM, no action was taken.