

TOWN OF LYNDON
SELECTBOARD MEETING
October 17, 2016
5:30 PM

Selectboard

Dan Daley, Chair
Kermit Fisher
Martha “Marty” Feltus

Press

Amy Nixon

Public

Dawn Dwyer, Justin Smith, Steve Gray
Joe Dauphin, Mark Stewart

Before calling the meeting to order, an agenda item “RFP Contract for Wastewater Treatment Facility (WWTF)” was added.

1. Approval of minutes:

Motion made by Marty Feltus, seconded by Dan Daley, to approve the September 7, 2016 minutes. Motion carried 2 to 0 with Kermit not voting as he was not in attendance for this meeting.
Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the October 3, 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 weeks #41.

3. Highway Report:

At 79% through the year, payroll is 69% spent and the entire budget is 62% expended.

4. Highway Quarterly Report:

Answered a few questions – all members of the Board feel the budget is in good standing.

5. Joint Garage Update & Change Orders:

Mark Stewart updated the Board on the progress of the Joint Garage. There is currently \$69,808 left of the contingency funds. Mark suggested paving a 60’ apron at the entrance of Smiths Road. The slab will be poured for the new section on 10/19, started installing garage doors today. There was discussion regarding the propane tanks. There will be two (2) one thousand gallon tanks buried underground by Fred’s Energy. The Board agreed that any items remaining in the building that cannot be used by the Town or Village be sold. Any items not worth selling will be scrapped. Brad Charron, Assistant State Fire Marshall has inspected the building and has no concerns as the building is a non-combustible building with sprinklers. Projected end date – 12/1/2016. It was decided to hold a joint board meeting with the Trustees on Friday, October 28 at 8:10 AM at the Joint Garage.

Motion made by Marty Feltus, seconded by Kermit Fisher, to reconfirm approval of the Proposed Change Orders (PCO) as presented (PCO# 2-5 totaling \$8,329.50). Motion carried 3-0 with Justin Smith to sign.

Motion made by Marth Feltus, seconded by Kermit Fisher, to accept the PCO’s as presented (PCO # 6-18B totaling \$68,477) as presented. Motion carried 3-0 with Justin Smith to sign.

Motion made by Marty Feltus, seconded by Kermit Fisher, to draw the remaining funds from the line-of-credit and roll the \$2,700,000 into a ten year loan with a 2.25% fixed rate as proposed by Community National Bank. Motion carried 3-0.

6. Northeast Kingdom Waste Management District (NEKWMD) Proposed Charter Changes:

Steve Gray informed the Board that NEKWMD will not be voting on the proposed charter changes at their November meeting as originally reported. They have postponed the vote until the December

meeting. Marty expressed that she does not have any objections with the need to establish different fees. She feels it's the responsibility of the members to review the annual budget closely. Marty does object to the budget being approved by the Board of Supervisors. It does not allow a mechanism for rejection or modifications by the Towns, to the budget. Kermit agreed with Marty's thoughts. Dan Daley would like to see more details on §411-105 Powers (1) where it states "To establish, implement, and amend from time to time fees", Dan feels "from time to time" is too vague. Dan also threw out the question "is being a member of the NEKWMD the best choice for the Town? Marty could not provide the list of what the Town's responsibilities should the Town not belong to the NEKWMD but would get the information for the other members. Steve Gray reported that most towns are supporting the fee change and objecting to the change in how the budget is approved.

7. Wastewater Treatment Facility (WWTF) Update:

Joe Dauphin, Public Works Supervisor, reported that the WWTF was fired up today. It will sit for 24 hours to obtain a baseline. A few small issues were discovered, such as needing a float inside the tank so that it can't flood.

8. Wastewater Engineering Contract Amendment:

Justin shared an Amendment to Owner-Engineering Agreement for the necessary changes to the biofilter project required by the tank manufacturer and biofilter grate change from precast concrete to plastic due to the unavailability of the concrete precast units. Joe explained that the only other cost changes are for small safety features costing under \$200.

Motion made by Marty Feltus, seconded by Kermit Fisher, to accept and execute the Amendment to Owner-Engineering Agreement for a total of \$7,448 with Justin Smith to sign. Motion carried 3-0.

9. Solid Waste Contract:

Steve Earley, in a discussion with Justin Smith, has agreed to hold the cost of solid waste curbside pickup at \$3/32 gallon bag.

Motion made by Kermit Fisher, seconded by Marty Feltus, to extend the Solid Waste Contract with Earley Rubbish and Recycling, LLC for an additional twelve months with Justin Smith to sign with Mr. Earley. Motion carried 3-0.

10. Curbside Recycling Contract:

Motion made by Kermit Fisher, seconded by Marty Feltus, to extend the Curbside Recycling Contract with Earley Rubbish and Recycling, LLC for an additional twelve months with Justin Smith to sign with Mr. Earley. Motion carried 3-0.

11. Health Insurance:

Laurie Willey, Human Resource Mgr., and Marty attended a BlueCross/BlueShield meeting last week. The rates were shared with the Board along with a Premium Comparison Chart. The Board would like to see how the increase in premiums will affect the budget as a whole before making any decisions.

12. Wastewater Bill Abatement Request Northern Hill Estates & Riverview Estates:

Northern Hill Estates and Riverview Estates made a wastewater abatement request in August 2016. The board wanted to wait to see how the next quarter compared before acting on the request. Justin provided reading history on both accounts. Based on the current readings, the Board has requested more proof that the leaks have been fixed before acting on the request.

13. Act 250 Delegation:

Act 250 is implementing a paperless (electronic) Act 250 application process.

Motion made by Kermit Fisher, seconded by Marty Feltus, to delegate the Town Clerk as the recipient of Act 250 correspondence on behalf of the Selectboard. Motion carried 3-0.

14. Other:

- a. Justin shared the Fall Bulky Day appointments with the Board. There were several open appointment slots. It was decided to try more advertising including sending a notice along with the sanitation bills.
- b. Justin received a call from VTrans inquiring on the status of the Town moving infrastructure from the right-of-way in order for the State to do a complete rebuild of Route 5. It was discussed that this project will be a costly endeavor and would require hiring an engineer to obtain the actual cost. As there will be no change in elevation to the road, it is felt that it is not cost effective. It was discussed that perhaps using stop lights would be a better alternative. Justin will speak with VTrans to see if there are any less expensive alternatives.
- c. The Board addressed Pauline Harris's request to reduce her \$35 sanitation charge for her residence on Harris Hill to \$10, the same as it would be for a landlord who contracts with a private hauler as she disposes of her trash at her business. It was felt by the Board that Mrs. Harris was billed according to the ordinance and do not feel any changes are needed with the ordinance.
Motion made by Marty Feltus, seconded by Kermit Fisher to deny Pauline Harris's request. Motion carried 3-0.
- d. Justin informed the Board that the Upright Steeple Society was interested in some of the old wooden chairs that were removed from the Town House and was being stored at Lyndon Institute.

15. Executive Session: Dog Pound Lease Contract

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

Motion made by Kermit Fisher, seconded by Marty Feltus to enter executive session at 7:20 PM to discuss the Town's contract with BSB, LLC under the provisions of Title 1, Section 313(a) (1) of the Vermont Statutes.

Upon coming out of executive session at 7:29 PM, motion made by Marty Feltus, seconded by Kermit Fisher, to approve the lease between BSB, LLC and the Town of Lyndon, as written and presented. Motion carried 3-0. Justin will present the lease to BSB, LLC.

16. Executive Session: Real Estate

Motion made by Kermit Fisher, seconded by Marty Feltus, to enter executive session at 7:30 PM to discuss a real estate transaction pursuant to 1 V.S.A. §313(a)(2). Motion carried 3 to 0.

Upon coming out of executive session at 8:07 PM, no action was taken.

17. Request For Proposal (RFP) for Wastewater Treatment Facility (WWTF)

The Board reviewed the RFP seeking proposals for Operation, Maintenance and Management of the WWTF.

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the RFP, as amended. Motion carried 3-0. Justin will send the RFP to the two companies located in the State of Vermont as well as posting it in The Caledonian-Record.

Meeting adjourned at 8:28 PM Minutes taken by Dawn Dwyer Approved by the Selectboard: 11/2/16