

TOWN OF LYNDON
SELECTBOARD MEETING
November 2, 2016
5:30 PM

Selectboard

Dan Daley, Chair
Kermit Fisher
Martha "Marty" Feltus

Press

Amy Nixon

Public

Dawn Dwyer, Justin Smith, Steve Gray
Will Veve, Victor Veve, TJ Poor, Jessica
Costa, Doug & Carol Main

Before calling the meeting to order, an agenda item "Approval & Signing of Rural Edge Warrant # 10" was added.

1. Approval of minutes:

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the October 17, 2016 minutes as amended. Motion carried 3 to 0.

Motion made by Marty Feltus, seconded by Kermit Fisher, to approve the October 28, 2016 Joint Selectboard & Trust 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 #42 & 44.

3. Highway Report:

At 83% through the year, payroll is 76% spent and the entire budget is 64% expended.

4. VWSD, LLC proposed solar project:

Will & Victor Veve presented to the Board their Standard Offer solar projects for the former Northeast Tool location. Their company, VWSD, LLC, has a contract to purchase the Eighteen point three (18.3) acre property from Robert Bosch Corp. There is no other planned use for the land other than the two solar projects. They are working with NVDA and the Vermont Department of Environmental Conservation Agency to obtain a Certificate of Completion regarding brownfield mitigation. The petition for the solar project must be submitted to the Department of Public Service (DPS) by December 31, 2016. This will be a project for 2017. Their goal is to properly close the site, considered a brownfield, so that the property has a "healthy future viability of a great solar project". The Vermont Public Power Supply Associates (VPPSA) has won the bid on the sale of the electricity from the two projects, which will be individually permitted even though they will be built at the same time. Both organizations have been working with Lyndonville Electric Department (LED) regarding the impact of this development on current electrical infrastructure. The projects will have a twenty-five (25) year contractual life span with the State of Vermont. The State will allocate the power to State utilities, of which LED is approximately one percent (1%). LED's benefit over the life of the contract is approximately \$150,000 to \$200,000.

5. Wastewater Treatment Facility (WWTF) Update:

Justin updated the Board that the WWTF is up and running. One blower unit has a vibration, which the engineer (Tata & Howard), construction company (T Buck) and the blower company are working to correct. Joe Dauphin, Public Works Supervisor, informed Justin that there was no smell in the building when he was there today, and the temperatures are in range.

6. Access Permit:

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve the access permit for Vicki Somers for access on the south-west side of Pine Ridge Circle to extend the width of the existing driveway access. Motion carried 3-0. Ms. Somers proposed two options; one was to install a new driveway and option two was to widen the existing driveway. Road Foreman, Rob Nutting inspected both options and felt Option 2 was the most viable option and no culvert would be needed.

7. Wastewater Abatement Request:

Dan Macek owner of Hill Street Holdings closed his business in June 2016 which would represent the third quarter water/sewer billing. He rented the basement of his building to a Pest Control company for July and August, which uses water in their process, but is then carried off premise, therefore, not using the sewer system. They are asking that the sewer charge (\$35.20) be abated. Motion made by Kermit Fisher, seconded by Marty Feltus, to abate the sewer charges for the third quarter in the amount of \$35.20. Motion carried 3-0.

8. Conveyance of Real Estate Policy:

Motion made by Marty Feltus, seconded by Kermit Fisher, to adopt the Town of Lyndon Policy for Conveyance of Real Estate obtained through Tax Sale. Motion carried 3-0. The policy will become effective immediately.

9. Zoning Violation:

Motion made by Kermit Fisher, seconded by Marty Feltus, to seek injunctive relieve through the court system regarding the zoning violation at 534 Dune Way, owned by Janette Colan and Duane Stetson. Motion carried 3-0.

10. Approval & Signing of Rural Edge Warrant # 10:

Motion made by Kermit Fisher, seconded by Marty Feltus, to approve and sign the order drawn on the Treasurer for Warrant #8. Motion carried 3 to 0.

Justin also informed the Board that the Town of Lyndon has been awarded a \$450,000 grant with the new application for use on Rural Edge's scattered sites.

11. Other

- a. Doug & Carol Main expressed their concern with the change in convenience fees being charged to customers using their credit card to pay property taxes. The change was implemented two weeks before the due date on taxes (November 4th). Prior to the change, customers using their credit card were not charged a convenience fee. This was due to a problem with the processing company's internet program. On October 26th they were informed that a 3.5% convenience fee would be charged to them for using their credit card to pay their property taxes. The Mains felt this was discrimination. It was explained to the Mains that The Town of Lyndon did not have any control over the convenience fee. It is a fee that was set by the credit card companies. The Treasurer was just as disappointed to learn of the change so close to the due date of taxes and inquired if we could postpone the change, but was informed the site would be shut down if the change was not implemented. Rather than remove the option to use credit cards all together, so close to the due date of taxes, it was decided to implement the change and let taxpayers make the decision to use a credit card or not. It was felt it would be more detrimental to not have the option at all than to have a 3.5% convenience fee. The late fee for delinquent taxes is 8% after 4:30 PM on the due date.
- b. The Selectboard congratulated Steve Gray as recipient of the Governor's Award for outstanding community service.
- c. Chief Harris had made Mr. Brazil, attorney for Sal Ardizzola, that Mr. Ardizzola's German Shepard has been seen loose three times. Mr. Brazil said Mr. Ardizzola is aware of the

agreement with the town but he will stress that the agreement needs to be followed. If there are any future issues, the Town will have to follow through with the terms of the agreement.

- d. Justin informed the Board that the Recycling and Solid Waste contract with Earley Rubbish & Recycling have been signed as well as the Dog Pound Lease with Doug & Cindy Burrington.
- e. Steve Gray mentioned that the NEK Waste Management District deficit has been reduced to \$44,000 from \$63,000. They will be meeting in December regarding the changes to their Ordinance.

Meeting adjourned at 7:05 PM

Minutes taken by Dawn Dwyer

Approved by the Selectboard: November 14, 2016