



TOWN OF LYNDON
SELECTBOARD MEETING
VIA ZOOM
November 23, 2020
5:30 PM

Selectboard

Christian Thompson, Chair
Nancy Blankenship
Dan Daley (5:37 PM)

Press

Public

Steve Gray, Larry Willey, Joe Buzzi,
Mark Bean, Todd Thomas, Brook Dingedine

1. Adjustments to the Agenda:

Request for a salvage yard license for Andrew Mitchell, Sr.

2. Approval of minutes:

Motion made by Dan Daley, seconded by Nancy Blankenship, to approve the November 9, 2020 minutes as amended. Motion carried 3 to 0.

3. Approval & Signing of Orders drawn on the Treasurer:

Dan Daley made a motion to approve the orders for weeks #46 & 47 with the Treasurer to sign due to Covid-19. Nancy Blankenship seconded, and the motion carried 3-0.

4. Friends of the Shores Museum Grant Application Request:

The Municipal Administrator explained a request from the Friends of the Shores Museum/Lyndon Historical Society requesting permission to apply for a Preservation Trust of Vermont 1772 Grant to paint the Shores Museum. Mr. Smith explained that the grant is a 50-50 match and that the Friends of the Shores/Lyndon Historical Society have been granted permission to use \$10,000 from their \$50,000 grant they received last year as the match for their grant. Mr. Smith wanted it to be clear that by agreeing to this grant application process the Selectboard was making a commitment to add \$10,000 in the 2021 budget for the Shores Museum maintenance line. However, that money has already been earmarked for use in the current construction project. When it becomes time to pay our share of the costs from painting the building, we will need to have \$10,000 available. Nancy Blankenship commented that she thought the \$20k quote to paint seemed ridiculous. She asked who provided the quote. Mr. Smith stated he did not have that information as the Friends of the Shores were applying for the Grant and put together the budget. The Town's involvement to this point has only been to be asked to serve as the conduit for the grant funds, and to provide the match for the grant. The Selectboard asked for more information on the cost of the project. Specifically, how was the project cost derived; is there a quote if so, how many. Mr. Smith said he would contact Eric Paris and find out more information about the quote and how many quotes had been sought.

5. Excess Weight Permit:

Dan Daley made a motion to approve the excess weight permit for Classen Crane Service, LLC. Nancy Blankenship seconded, and the motion carried 3-0.

6. Salvage Yard License:

Nancy Blankenship made a motion to approve the Salvage Yard License for Andrew Mitchell, Sr.. Dan Daley seconded, and the motion carried 3-0.

7. Public Hearing on the proposed repeal/amendment to the Town of Lyndon Zoning Bylaws.

Christian Thompson suspended the Selectboard meeting and called the Public Hearing to order at 6:00 PM.

Mr. Thompson gave a brief background of what the purpose of the hearing was. He referred to the Amendment and repeal of the flood regulations within the Lyndon Zoning Bylaws as the Curtis Carpenter Amendment. Back in February 2020, the Selectboard held a hearing after receiving a petition from 5% of the voters asking for the repeal of the current flood hazard regulation under Section 11 of the Lyndon Zoning Bylaws and a return to the pre-2016 Flood Hazard Regulations. This petition request was subsequently amended by the Selectboard to include language created by Curtis Carpenter, which he believed addressed all the technical deficiencies of the pre-2016 Flood Hazard regulations. In March 2020, a committee was formed called the "Flood Committee" or "Flood Group". They recently completed a review, and have submitted an alternative flood regulation section to the Carpenter Amendment which attempts to address the concerns that were presented in the petition at the February 2020 hearing. Chris Thompson stated that the Selectboard has requested that the Planning Commission begin its review of the Flood Committee's draft regulation, which they are currently undertaking. This leaves the Carpenter Amendment for the Selectboard to act on. Before opening the floor to questions Mr. Thompson stated that the Planning Commission, the Agency of Natural Resources, and the regional Planning Commission have all completed their review of the Carpenter Amendment. He asked the Municipal Administrator if any other correspondence regarding this issue had been received. Mr. Smith replied that he had received no other written correspondence. At this point Mr. Thompson opened the floor to questions and comments.

Brooke Dingleline offered both a question and a comment. First, she asked if any further petition were needed for the Flood Committee's draft to be considered. The Selectboard stated that a petition was not necessary since the draft had already been submitted to the Planning Commission and they had already begun their review of the draft. A hearing would be warned once their review was complete and any necessary changes were made. She asked if there was any way the process could be moved along, such as setting the hearing date so the clock could begin on the hearing date. Mr. Smith commented that it was his understanding of the Statutes that in order to warn a hearing a final draft of the regulation needed to be available to the public for review. He said that he had no idea if any changes were forthcoming as a result of the review, but if there were, they would need to be completed prior to the hearing being warned.

Ms. Dingleline's additional comment was that in her professional opinion the Town was taking the proper approach on how the Flood Committee's draft would be considered. Mr. Thompson thanked Ms. Dingleline for her comments.

Mr. Thompson asked for other comments. Hearing no other comments, he asked the other members for their thoughts. Nancy Blankenship commented that after reviewing the Working Groups' document she felt it was a better fit for the Town of Lyndon as a whole. Dan Daley followed by stating that some of the language from the petition is in the Working Groups' document and really started them down the path toward their finished product. Mr. Thompson closed by adding that he wanted to publicly thank Curtis Carpenter for his work on the amendment.

Dan Daley made a motion to accept the Carpenter Zoning Bylaw Amendment to the Flood Hazard Regulation under Section 11 as proposed. Nancy Blankenship seconded, and the motion failed 0-3.

Mr. Thompson thanked those who were in attendance and closed the hearing at 6:11 PM.

8. Executive Session 1 V.S.A. § 313 (a) (1):

Motion made by Dan Daley, seconded by Nancy Blankenship, to find that premature general public knowledge regarding the town's labor relations with Town employees would clearly place the town at a

substantial disadvantage, because the Selectboard risks disclosing its negotiation strategy if it discusses the proposed contract terms in public. Motion carried 3-0.

Motion made by Dan Daley, seconded by Nancy Blankenship, to move into executive session at 6:13 PM to discuss the employee's salary request under the provisions of Title 1, Section 313(a)(1)(A) of the Vermont Statutes.

The Board came out of Executive session at 6:32 PM to conduct a scheduled Planning Commission interview with Nedah Warstler.

9. Planning Commission Interview:

The Selectboard thanked Nedah Warstler for attending the meeting so they could ask her some questions about the open Planning Commission position. The Board asked why she was interested in the Planning Commission, and if she had experience with contentious situations. Ms. Warstler responded by saying that she was looking for a position within the community where she could take on a leadership role. She sees herself as someone who can diffuse situations by attempting to take the emotion out of an issue and deal in facts.

Dan Daley made a motion to appoint Nedah Warstler to the open Planning Commission seat effective immediately. Nancy Blankenship seconded, and the motion carried 3-0.

10. Executive Session 1 V.S.A. § 313 (a) (1):

Motion made by Dan Daley, seconded by Nancy Blankenship, find that premature general public knowledge regarding the town's labor relations with Town employees would clearly place the town at a substantial disadvantage, because the Selectboard risks disclosing its negotiation strategy if it discusses the proposed contract terms in public. Motion carried 3-0.

Motion made by Dan Daley, seconded by Nancy Blankenship, to return to executive session at 6:40 PM to discuss the employee's salary request under the provisions of Title 1, Section 313(a)(1)(A) of the Vermont Statutes.

Dan Daley made a motion to come out of Deliberative Session at 7:00 PM. Nancy Blankenship seconded, and the motion carried 3-0. No action was taken.

11. Other: The Board was given the Northeast Kingdom Waste Management District's final draft budget. There will be a public hearing on their budget held December 3 at 5:00 PM via ZOOM.

Having no other business, the meeting adjourned at 7:30 PM.

Meeting adjourned at 7:30 PM

Minutes taken by Justin Smith

Approved by the Selectboard: _____