

TOWN OF LYNDON  
MINUTES OF 2019 ANNUAL TOWN MEETING

The 229<sup>th</sup> Annual Town Meeting of the Town of Lyndon was held as warned at the Lyndon Town School Gymnasium on Tuesday, March 5, 2019. Moderator Joe Benning gavelled the meeting to order at 9:00 AM. The Moderator asked the assembly for a moment of silence in memory of the residents who have passed during the year. Presenting the Colors as well as leading the assembly of 109 in the Pledge of Allegiance was Boy Scout Pierce Thompson from Troop 738. The National Anthem was sung by Lyndon Institute Junior Hailey Bean. The Moderator introduced the Selectboard members, Chair Kermit Fisher and Christian Thompson; Town Clerk, Dawn Dwyer, Municipal Administrator, Justin Smith, and Gatekeeper Linda Lee. Pierce Thompson was our runner.

The Moderator introduced Lyndon's House Representatives Marty Feltus and Patrick Seymour. Mr. Benning asked the assembly for permission to allow Patrick to speak as a non-resident, Kermit seconded the motion and it was approved by the assembly by voice vote. Mr. Benning then stepped down from the podium to speak as State Senator. Marty Feltus & Patrick Seymour spoke to the assembly about the work being done in the committees they are on in Montpelier. Patrick spoke to the record number of bills introduced with very few of them making it to the House for consideration which he is grateful for since many of them are not good for the Northeast Kingdom (NEK). Patrick asked the assembly to take part in the survey that he and Marty put together so that they know what issues are important to their constituents. Marty mentioned the summary sheet composed by her and Patrick. A couple of the issues they are working on are increased weatherization and broadband. State Senator Benning is aware that the roads are the worst they have been, but that he is not on the Transportation Committee. He informed the assembly that there are 100 bills pending in the Senate. He reviewed a few bills that have already passed into law such as S23 increasing minimum wage, S44 testing and remediation of lead in drinking water of schools and child care facilities, S54 tax and regulated sale of cannabis, and S86 increase legal age for buying and using cigarettes, electronic cigarettes and other tobacco products to age 21. Questions were answered from the assembly regarding Act 250 study committee report, abortion, possibility of reducing sales tax in towns along the Connecticut River, vaping and enforcement regarding underage smoking and raising the minimum wage. All three thanked the assembly for allowing them the privilege to represent them in Montpelier.

Mr. Benning returned to the podium and as Moderator, reviewed with the assembly the rules used to conduct the Annual Meeting and commenced with the reading of the Warning.

Article 1: Shall the voters of the Town of Lyndon authorize the Selectboard to borrow money for the operation of the Wastewater Department not to exceed one hundred thousand dollars (\$100,000) in anticipation of revenues and to execute and deliver the note or notes therefore?

Motion made by Patricia Jauch, seconded by Stephanie Jackson, to adopt Article 1. There being no discussion, Article 1 carried in the affirmative by voice vote.

Article 2: Shall the voters of the Town of Lyndon authorize the Selectboard to borrow money for Town expenses not to exceed one million dollars (\$1,000,000) in anticipation of taxes and to execute and deliver the note or notes therefore?

Motion made by Carol Fisher, seconded by Steve Gray, to adopt Article 2. There being no discussion, Article 2 carried in the affirmative by voice vote.

Article 3: Shall the voters of the Town of Lyndon adopt its Special Appropriation articles by Australian ballot pursuant to 17 V.S.A. §2680 (c)? (If approved, this method of voting would become effective for Town Meeting 2020.)

Motion made by Steve Gray, seconded by Mike Schlesinger, to adopt Article 3. Carol Fisher informed the assembly that in 2018 there were approximately 3,300 voters, only 109 attended Town Meeting and 472 cast Australian ballots. She thanked the Selectboard for putting this article back on the Warning since there appeared to be a lot of confusion and the vote only failed by twelve. After last year's discussion by the assembly regarding Special Appropriations being voting by Australian ballot and the lack of discussion, the assembly then voted to approve the appropriations as a bundle which ceased discussion. Mrs. Fisher feels it is a better

representation if Special Appropriations were voted by Australian ballot. Ashley Van Zandt asked if voting by Australian ballot would eliminate the ability for organizations to ask for money if they did not meet the deadline to get on the ballot. It was explained that the General Fund budget could always be amended with the suggestion to the Selectboard where to allocate the increased funds. A member of the assembly asked if the special appropriations would be voted on Australian ballot individually or as a bundled group. It was answered that voters could make the decision per appropriation if voted individually by Australian ballot. Mike Schlesinger made the motion to call the question, seconded by Bernard Ruel. The motion to call the question passed by voice vote. There being no further discussion, the article went to voice vote and the moderator was unable to determine the yeases or noes. Therefore he requested a hand count by asking all those in favor of voting the Special Appropriations by Australian ballot to stand to be counted by the four Justices of the Peace. Then the moderator asked those not in favor of the article to stand and be counted. Article 3 was adopted by a hand count of 46 yes, 44 no.

Article 4: Shall the voters of the Town of Lyndon vote to raise, appropriate and expend the sum of \$10,000 for the support of Caledonia Home Health Care & Hospice to provide services to the residents of the Town? Motion made by Stephanie Jackson, seconded by Debra Smith, to adopt Article 4. There being no discussion, Article 4 was adopted by voice vote.

Article 5: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$1,000 for the support of Catamount Film and Arts to provide services to residents of the Town? Motion made by Dona Jackson, seconded by Mike Schlesinger, to adopt Article 5. There being no discussion, Article 6 was adopted by voice vote.

Article 6: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$5,981 for the support of the Fairbanks Museum and Planetarium to provide services to residents of the Town? Motion made by Mike Schlesinger, seconded by Ashley Van Zandt, to adopt Article 6. There being no discussion, Article 6 was adopted by voice vote.

Article 7: Shall the Town of Lyndon appropriate the sum of \$2,000 to assist the Lyndon Area Chamber of Commerce in maintaining and operating of the Information Booth on Broad Street in Lyndonville? Motion made by Steve Nichols, seconded by Robert Kantor, to adopt Article 7. There being no discussion, Article 7 was adopted by voice vote.

Article 8: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$4,400 for the support of Lyndon Area Meal Site to provide services to residents of the Town? Motion made by Mary Jane Miller, seconded by Dona Jackson, to adopt Article 8. Andrea Day asked why it is listed in the General Fund budget as \$4,000. Dawn Dwyer, Town Clerk & Treasurer, pointed out that it was an error and the actual appropriation request was \$4,400. With no further discussion, Article 8 was adopted by voice vote.

Article 9: Shall the Town of Lyndon appropriate \$6,000 to the Lyndon Outing Club? Motion made by William Beaulac, seconded by Stephanie Jackson, to adopt Article 9. With no discussion, Article 9 was adopted by voice vote.

Article 10: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$6,000 for the support of Northeast Kingdom Council on Aging to provide services to residents of the Town? Motion made by Sara Simpson, seconded by Mike Schlesinger, to adopt Article 10. With no discussion, Article 10 was adopted by voice vote.

Article 11: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$6,280 for the support of Northeast Kingdom Human Services to provide services to residents of the Town? Motion made by Debra Smith, seconded by Dixie McFarland, to adopt Article 11. With no discussion, Article 11 was adopted by voice vote.

Article 12: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$2,750 for the support of Northeast Kingdom Youth Services to provide services to residents of the Town?

Motion made by Kathy Gray, seconded by Dona Jackson, to adopt Article 12. With no discussion, Article 12 was adopted by voice vote.

Article 13: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$6,441 for the support of Rural Community Transportation, Inc. to provide services to residents of the Town?

Motion made by William Beaulac, seconded by Stephanie Jackson, to adopt Article 13. With no discussion, Article 13 was adopted by voice vote.

Article 14: Shall the Town of Lyndon appropriate \$7,500 to Umbrella, Inc. to serve victims of domestic and sexual violence and their children, and to ensure families have access to affordable, high quality child care?

Motion made by Sara Simpson, seconded by Kathy Gray, to adopt Article 14. With no discussion, Article 14 was adopted by voice vote.

Article 15: Shall the Town of Lyndon vote to raise, appropriate and expend the sum of \$7,500 for the support of Village Improvement Society for the purpose of supporting the operation of the Powers Park Summer Program in 2019?

Motion made by Robert Kantor, seconded by Stephanie Jackson, to adopt Article 15. With no discussion, Article 15 was adopted by voice vote.

Article 16: Shall the voters of the Town of Lyndon authorize the transfer of \$140,000 of the approximate \$190,366 in Special Sanitation Revenue Fund to be used to help fund a Restricted Maintenance Fund in the General Fund?

Motion made by Steve Gray, seconded by Carol Fisher, to adopt Article 16. Christian Thompson informed the voters that the Special Sanitation Revenue Fund was established through user fees years ago when the Town was entertaining the thought of buying a garbage truck. The Restricted Maintenance Fund would be used in 2019 to repair the Public Safety Building roof and sprinkler system, to replace the snow guards on the Municipal Office Building, repair the front entry and doors, fix the leaking roof in the gymnasium and if possible fix the gymnasium floor. Nancy Blankenship asked if this work would go out to bid and was assured it would. Terry Dwyer asked when the large pool of water in front of the Municipal Office Building was going to be taken care of. Justin Smith, Municipal Administrator said that the water was a Village issue. There was discussion regarding what would happen to the remaining monies in the Sanitation Fund and was told that it would be brought before the voters in the future to put towards other projects as needed. Dona Jackson called the question with Patricia Jauch seconding the motion. The motion to call the question passed by voice vote. With no further discussion, Article 16 was adopted by voice vote.

Article 17: Shall the voters of the Town of Lyndon vote to adopt the proposed General Fund budget for the ensuing year? (NOTE: Total General Fund budget is subject to increase by amounts approved on previous special appropriations.)

Motion made by Bethany Thompson, seconded by Stephanie Jackson, to adopt article 17. Kermit Fisher gave a brief overview of the 2019 General Fund Budget. Nancy Blankenship thanked Kermit for his many years of service. Justin Smith, Municipal Administrator, presented Kermit with a plaque thanking him for his many years of dedicated service which included twelve years on the Selectboard, managing the Fenton Chester Ice Arena, being a part of the Lyndonville Fire Department and being the sexton for many years of the Lyndon Center Cemetery. This led to a standing ovation by the assembly. Motion made by Richard Lawrence, seconded by Fred Gorham, to amend article 17 by increasing the amount by \$600 to be appropriated to Lyndon Youth Baseball & Softball (LYBS). Debra Smith mentioned that the request, which was received after the deadline to appear on the ballot was for \$3,000. Sarah Whittemore spoke on behalf of LYBS. Richard Lawrence withdrew his motion. Motion made by Sarah Whittemore, seconded by Robert Kantor, to amend the General Fund budget by \$3,000 to be appropriated to Lyndon Youth Baseball & Softball. Sue Mason asked if all other towns had been asked for a special appropriation. Ms. Whittemore responded that all other towns received their

request in time and that Lyndon did not receive theirs until January 12, 2019. With no further discussion, the article was amended to read “Shall the voters of the Town of Lyndon vote to adopt the amended General Fund budget in the amount of \$2,416,761” and was approved by voice vote. (Note: this amount includes the previously approved Special Appropriations in the amount of \$65,852, as well as the \$3,000 requested increase.) With no further discussion, the amended Article 17, in the amount of \$2,416,761, was adopted by voice vote.

Article 18: Shall the voters of the Town of Lyndon vote that taxpayers pay real property taxes to the Treasurer on or before 4:30 PM on Friday, November 1, 2019, with delinquent taxes having an eight percent late penalty charge against them from the due date of November 1, 2019 at 4:30 PM, and interest charges of one percent per month for the first three months, whereafter interest rates will be one and one half percent per month? Motion made by Patricia Jauch, seconded by Stephanie Jackson, to adopt article 18. With there being no discussion, Article 18 was adopted by voice vote.

Article 19: Shall the voters of the Town of Lyndon vote to authorize its Selectboard (for a period of one (1) year) to enter into contracts with new industrial and commercial owners, lessees, bailees, or operators of industrial and/or commercial real property, (including additions to existing real property), for the purpose of fixing and maintaining the valuation of such real property in the Grand List – or for the purpose of fixing and maintaining the tax rate applicable to such real property pursuant to the provisions of 24 V.S.A. 2741? Motion made by Nancy Blankenship, seconded by Marty Feltus, to adopt Article 19. Hilary Adams asked what does this mean. Kermit Fisher explained that it is a tax incentive for new businesses coming into town. There being no further discussion, article 19 was adopted by voice vote.

Article 20: Shall the voters of the Town of Lyndon vote to authorize its Selectboard (for a period of one (1) year) to enter into contracts with agricultural owners, lessees, bailees, or operators who construct or acquire new agricultural real property, (including additions to existing real property), for the purpose of fixing and maintaining the valuation of such real property in the Grand List – or for the purpose of fixing and maintaining the tax rate applicable to such real property - pursuant to the provisions of 24 V.S.A. 2741? Motion made by Steve Gray, seconded by Marty Feltus, to adopt article 20. With no discussion, article 20 was adopted by voice vote.

Article 21: Do the voters of the Town of Lyndon desire to transact any other proper business? Julia Tucker asked if there will be any more Bulky Days. It was explained that the Town will no longer sponsor Bulky Days in the spring and fall. There is a Fast Trash set up at the old highway garage and the attendant will accept bulky items on the days he is open at your own expense. Moderator Benning shared that he was able to get rid of a queen sized mattress for a fee of \$7 the previous week instead of having to wait until May or October. Ms. Tucker also asked about the delinquent accounts. Justin Smith, Municipal Administrator, explained that the office was currently working on collecting the remaining delinquent balances. He also explained that Sanitation is a lien against the property and that collection methods could include selling the property. Carol Fisher asked where the delinquent monies will go and was told that they would be put into the Restricted Sanitation Fund. Steve Feltus asked about the Selectboard’s plans to enforce fines for illegal dumping. Christian Thompson explained that both the Police Chief and the Municipal Administrator both have gone through illegally dumped trash to find the owner. The Town Ordinance addresses the fines for illegal dumping. Mary Jane Miller asked if there was anyone that could comment on the four or five focal groups. Marty Feltus spoke in regards to bringing broadband to the area. Nancy Blankenship asked who was running and about the process to fill the vacated Selectboard seat due to Kermit Fisher not seeking re-election. Moderator Benning explained that there were a couple candidates according to the Caledonian Record. Dawn Dwyer explained that a candidate must receive thirty write-in votes in order to win an election. If there are two or more candidates, the candidate with the most write-in votes above thirty will win the race. If no candidate receives thirty write-in votes, a notice will be placed in the Caledonian Record announcing the vacant seat and inviting letters of intent. The Selectboard will then appoint a member to fill the vacancy until the next election, at which time any interested candidates will petition to appear on the ballot.

Article 22 the NEK Waste Management District Budget and the Kingdom East School Board open positions to be voted on by Australian ballot on Tuesday, March 5, 2019, at Lyndon Town School, Lyndon, VT, between the hours of 10:00 AM and 7:00 PM.

Article 22: To elect the following Town officers as required by law: Town Moderator, Selectperson for three (3) years, Lister for three (3) years, Town Agent, Town Grand Jurors (2), First Constable, Second Constable, Cobleigh Public Library Trustee for five (5) years, Cobleigh Public Library Trustees for the remaining four (4) years of a five (5) year term, Cobleigh Public Library for the remaining one (1) year of a five (5) year term and a Sanborn School Fund Trustee for three (3) years,.

There being no further discussion, motion made by Stephanie Jackson to adjourn the meeting. Motion carried in the affirmative by voice vote and the meeting was adjourned at 11:49AM.

TOWN OF LYNDON MINUTES OF THE 2019  
ANNUAL TOWN HIGHWAY DISTRICT MEETING

The Annual Town Highway District Meeting of the Town of Lyndon was gavelled to order at 11:49 AM on Tuesday, March 5, 2019.

Article 1: Shall the voters of the Town Highway District vote to adopt the proposed budget for the highway expenses for the ensuing year?

Motion made by Stephanie Jackson, seconded by Bethany Thompson, to adopt Article 1. Kermit Fisher discussed the needed equipment for upcoming and future projects which include an excavator and a hydro seeder. Andrea Day asked about the \$175,000 State Highway Grant Money. Municipal Administrator Justin Smith explained that every couple years towns qualify for State Highway Grant funds. This year Lyndon came up in the que and we will be doing another section of South Wheelock Road. With no further discussion, article 1 was adopted by voice vote.

Article 2: Shall the voters of the Town Highway District vote that taxpayers pay their Town Highway taxes to the Treasurer on or before 4:30 PM on Friday, November 1, 2019, with delinquent taxes having an eight percent late penalty charged against them from the due date of November 1, 2019 at 4:30 PM and interest charges of one percent per month for the first three months, whereafter interest rates will be one and one-half percent per month? Motion made by Patricia Jauch, seconded by Nancy Blankenship, to adopt Article 2. There being no discussion, article 2 was adopted by voice vote.

Article 3: Do the voters of the Town Highway District desire to transact any other proper business?

Patricia Jauch thanked the Highway Department for their continuous efforts and long hours during the long winter this year. The Highway Department received a round of applause in appreciation. Motion made by Stan Baranowski to adjourn the meeting. There being no further discussion, the motion carried in the affirmative by voice vote and the meeting was adjourned at 11:56 AM.

A True Record:

ATTEST:

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Kermit Fisher, Selectboard Chair

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Joe Benning, Moderator

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Dawn R. Dwyer, Town Clerk