

VILLAGE OF LYNDONVILLE
TRUSTEES MEETING

September 12, 2016
6:00 PM

Trustees

Ray Durocher, Chair
Doug Conly
Ron Aiken
Heather Bollman

Press

Amy Nixon
News 7 LSC

Public

Justin Smith
Ken Mason
Clay Bailey
Steve Gray
Wanita Gardner
Bill Humphrey

1. Ray Durocher called the meeting to order at 6:00 PM.
2. Minutes: Ron Aiken made a motion to approve the August 29, 2016 minutes. Heather Bollman seconded, and the motion carried 3-0-1 with Chris Hunter abstaining. Ron Aiken made a motion to approve the September 7, 2016 joint meeting minutes. Heather Bollman seconded, and the motion carried 3-0-1 with Ray Durocher abstaining. Ron Aiken made a motion to approve the September 7, 2016 Trustees' meeting minutes. Heather Bollman seconded, and the motion carried 3-0-1 with Ray Durocher abstaining.
3. Water Connection Application: Justin Smith asked the Board to please add the water connection application for Brendan Mold to the agenda. Mr. Smith then presented the Board with a water connection application from Brendan Mold and stated the fee had been paid and the Village has adequate capacity to serve the new use. Ray Durocher made a motion to approve the Water Connection application of Brendan Mold. Doug Conly seconded, and the motion carried 4-0.
4. Demonstrations on the corner of Depot and Broad Streets: Justin Smith noted that the Board of Trustees had discussed this topic at the last meeting and had sought legal advice from Bob Gensburg. Mr. Smith indicated he had received some guidance from Mr. Gensburg, but noted first that Wanita Gardner had sent a letter to him regarding the issue of demonstrations as well. Mr. Smith continued by stating that Mrs. Gardner was present, so he wanted to allow her to present her feelings prior to reading Mr. Gensburg's opinion. Mrs. Gardner felt that it was important for the group of abortion demonstrators to use posters and images that were more acceptable. She commented that the group might be surprised that they receive a little more support if they provided images that were a little more acceptable. Mrs. Gardner noted that she knows many individuals that stay away from the downtown on the weekends that this group demonstrates (see attached letter). Mr. Smith supplied the board with an opinion from Attorney, Bob Gensburg, which was requested by Police Chief, Jack Harris regarding the Municipality's ability to prohibit or curtail the display of posters that others find offensive. Mr. Smith gave the Board a generalized statement of Mr. Gensburg's findings. Basically the government may put restrictions on the time, place, or manner of protected speech on public streets, but only if the restrictions pass a series of tests, 1. It cannot reference the content of regulated speech, 2. It must be narrowly tailored to serve a significant governmental interest; 3. Ample alternative channels for communication are left open. Since the opposition to the posters is caused by their content; an attempt to regulate the posters would run afoul of the first element of the Supreme Court's three element test (see attached letter).

5. Executive Session: Personnel Ray Durocher made a motion to enter executive session with the Municipal Administrator at 6:16 PM to discuss the LED General Manager finalists under the provisions of Title 1, Section 313(a) (2) of the Vermont Statutes. Ron Aiken Seconded, and the motion carried 4-0.

Ray Durocher made a motion to come out of executive session at 6:37 PM. Ron Aiken seconded, and the motion carried 4-0.

Ray Durocher made a motion selecting Bill Humphrey as the new General Manager of Lyndonville Electric Department. Doug Conly seconded, and the motion carried 4-0.

Ray Durocher read the following prepared statement: “The past few months we’ve had a search committee, along with the Village Trustees looking for a new manager of Lyndonville Electric, due to Ken Mason retiring on October 21st, 2016. We had 12 applicants from New England, to New Mexico, and Texas. We narrowed our search down to three applicants. Because of Bill Humphrey’s qualifications and 17 years of experience with Lyndonville Electric, we have selected him as our new manager of Lyndonville Electric starting October 3rd. We would like to welcome Bill as our new manager and extend a thank you to all of the applicants and also to the search committee for their time and effort during this process.”

Bill Humphrey thanked the board for the opportunity and said he was looking forward to serving as the new General Manager of Lyndonville Electric Department.

Ron Aiken made a motion to adjourn at 6:45 PM. Doug Conly seconded, and the motion carried 4-0.

The meeting was turned over to LED.