

TOWN OF LYNDON MINUTES OF 2014 ANNUAL TOWN MEETING

The 224th Annual Town Meeting of the Town of Lyndon was held as warned at the Lyndon Town School Gymnasium on Tuesday, March 4, 2014. Moderator Joe Benning gaveled the meeting to order at 9:00 AM. Mr. Benning asked the assembly for a moment of silence for those who have passed during the year. Sherb Lang asked the assembly to thank military personnel, past and present, as well. Zach Wilson from Boy Scout Troop 738 and Pierce Thompson from Cub Scout Troop 738 presented the colors and led the assembly of 111 in the Pledge of Allegiance. Hailey Bean, a 6th grader from Lyndon Town School, sang the National Anthem. Mr. Benning introduced Linda Lee, Justin Smith, the Selectboard, Town Clerk and Dan Hill, Municipal Administrator. Dan Hill was given permission to address the assembly during the meeting although he is not a Lyndon Resident.

Marty Feltus and Richard Lawrence, Representatives to Legislature addressed the assembly, along with Joe Benning, State Senator, regarding the happenings in Montpelier. They answered questions from on the topics of education (pre-k and rising costs), health care, wind production and water quality. Mr. Benning addressed the assembly with the rules used to run 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 Susan Teske, seconded by Patricia Jauch, to adopt Article 1. Marty Feltus, Selectperson, addressed Ken Burchesky's concerns regarding odor from the plant. There being no further discussion, the article carried in the affirmative by voice vote.

Article 2: Shall the voters of the Town of Lyndon authorize the Selectboard to set charges, by residential unit, to defray the cost of sanitation service for the period January 1, 2014 through December 31, 2014, and to set the date of collection of same?

Motion made by Patricia Jauch, seconded by Susan Teske, to adopt Article 2. Carol Fisher's question was answered by David Dill, that the cost will remain at \$160 per residential household. Carol commented on what a wonderful job the current contractor was doing. Chris Thompson was told by David Dill that we changed contractor in 2013 and the fee dropped from \$175 to \$160 and that there was pressure from the State in regards to Act 148, Vermont's Universal Recycling Law. There being no further discussion, the article carried in the affirmative by voice vote.

Teresa Vasko made a motion to add Retired Senior Volunteer Program's special appropriation amount of \$1,700 to the General Fund Budget. Mr. Benning informed Mrs. Vasko that he has to rule the motion as not germane to Town Meeting because it has not been warned. The assembly can suspend the rules with a 2/3 majority vote or they can amend the General Fund Budget, Article 14. Mr. Benning made it clear that if the Fund Budget does get amended, the assembly cannot dictate to the Selectboard where to spend the money. It is solely up to the Selectboard's discretion. Mr. Benning then ruled the motion out of order and proceeded to Article 3.

Article 3: Shall the Town of Lyndon appropriate \$5,700 to assist the Area Agency on Aging for Northeastern Vermont in providing services to senior citizens in the ensuing year?

Motion made by Dave Cobb, seconded by Susan Teske to adopt Article 3. Edson (Ned) Birchard spoke on behalf of the organization. There being no further discussion, the article carried in the affirmative by voice vote.

Article 4: Shall the Town of Lyndon appropriate \$1,000 to Catamount Arts?

Motion made by Cathy Boykin, seconded by Stephanie Jackson to adopt Article 4. There was not a representative for the organization to answer Jennifer Hartsock's question. There being no further discussion, the article carried in the affirmative by voice vote.

Article 5: Shall the town of Lyndon appropriate \$4,000 to the Darling Inn Senior Meal Site, Inc. to provide services to resident of the Town?

Motion made by Susan Teske, seconded by Teresa Vasko, to adopt Article 5. There being no discussion, the article carried in the affirmative by voice vote.

Article 6: Shall the Town of Lyndon appropriate \$5,981 for the support of the Fairbanks Museum and Planetarium to provide free unlimited general admission to the Museum to the resident of the Town?

Motion made by Cathy Boykin, seconded by Dave Cobb, to adopt Article 6. There was not a representative there to answer Carol Fisher and David Stahler's questions. The Selectboard noted that the check goes directly to the Museum. Nancy Blankenship offered that free admission is given to approximately 150 Lyndon Town School (LTS) students each month to attend programs. Amy Gale, Principal of LTS clarified that the school pays \$8,000 to the Museum for the student's programs. Teresa Vasko pointed the assembly to the report from the Museum on page 80 of the Town Report. Al Dilley, Robert Patton and Sherb Lang offered comments regarding the cultural asset of the Museum. There being no further discussion, the article carried in the affirmative by voice vote.

Article 7: Shall the Town of Lyndon appropriate \$1,500 to the Lyndon Area Senior Action Center, Inc.?

Motion made by Susan Teske, seconded by Jeff Houde, to adopt Article 7. There being no discussion, the article carried in the affirmative by voice vote.

Article 8: Shall the Town of Lyndon appropriate \$5,000 to the Lyndon Outing Club?

Motion made by Susan Teske, seconded by Sarah Smith, to adopt Article 8. Susan Teske gave an overview of the work that needs to be done at the Outing Club and answered questions from Carol Fisher. There being no further discussion, the article carried in the affirmative by voice vote.

Article 9: Shall the Town of Lyndon appropriate \$1,000 to Lyndon Youth Baseball/Softball?

Motion made by Susan Teske, seconded by Stephanie Jackson, to adopt Article 9. There being no discussion, the article carried in the affirmative by voice vote.

Article 10: Shall the Town of Lyndon appropriate \$6,280 to Northeast Kingdom Human Services to support their work with individuals in our community?

Motion made by Dixie McFarland, seconded by Stephanie Jackson, to adopt Article 10. Jeff Houde's question was answered by several in the assembly. There being no further discussion, the article carried in the affirmative by voice vote.

Article 11: Shall the Town of Lyndon appropriate \$6,441 to Rural Community Transportation for services provided to residents living in the Town of Lyndon?

Motion made by Daisy McCoy, seconded by Stanley Francis, to adopt article 11. Patricia Francis referred Jeff Houde to RCT's report on page 85 of the Town Report for the answer to his question on the number of people who use the service. Robert Patten commented on the fact that you can ride the bus to Montpelier from Lyndonville, but that you cannot get back to Lyndonville from Montpelier using their service. There being no further discussion, the article carried in the affirmative by voice vote.

Article 12: Shall the Town of Lyndon appropriate \$4,800 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 Dave Cobb, seconded by Susan Teske, to adopt Article 12. There being no discussion, the motion carried in the affirmative by voice vote.

Article 13: Shall the Town of Lyndon appropriate \$7,500 to the Village Improvement Society (VIS) to use towards operating the Powers Park Summer Program?

Motion made by Kathy Hebert, seconded by Patricia Francis, to adopt Article 13. Chris Thompson, Vice President of VIS, answered Carol Fisher's questions regarding the number of children in the program, the cost and if other Towns

were being asked for appropriations. There being no further discussion, the motion carried in the affirmative by voice vote.

Sarah Smith called a Point of Order to suspend all rules and to appropriate \$2,750 to Northeast Kingdom Youth Services. Mr. Benning again called the motion out of order as there is no article on the floor at this time.

Article 14: Shall 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 Susan Teske, seconded by Marcie Smith, to adopt Article 14.

David Dill gave an overview of the General Fund budget and noted that the budget, excluding special appropriations, reflects no tax increase. Special appropriations on the warning this year compared to last year reflects a half cent decrease in the tax rate. Dawn Dwyer, Town Clerk, answered Sue Teske's question regarding two line items for the Lyndon Outing Club. One is revenue and the other an expense, which zero each other out. Dave assured Ned Birchard that there is still plenty of time to make up the high snow removal costs. Ken Burchesky asked about the status of the flooding at the Cobleigh Public Library, if it has been determined who was at fault and is it possible to have the repairs done before it is settled with the insurance companies. David Dill couldn't say for sure who was at fault, but that an engineering solution was needed. It is the Board's intent to have the repairs done before it is settled.

Motion made by Steve Nichols, seconded by Cathy Boykin, to appropriate \$2,000 to the General Fund for the consideration of Lyndon Area Chamber of Commerce who was unable to get the required number of signatures on their petition. Carol Fisher objects to any amounts being added to the budget for special appropriations. Everyone has the same criteria and she feels people are not signing petitions as their way of saying no. She asked the Board to use the money for Town purposes, not special appropriations.

Motion made by Sarah Smith to increase the General Fund budget by \$2,750 for consideration of Northeast Kingdom Youth Services.

Sue Teske asked for a point of order. Should we entertain one amendment before moving to another? Mr. Benning explained that he will address each amendment as they were offered. Leslie Gensburg was confused as to how many amendments were on the floor? She thought three. Joe explained that at that time there were two. It was also asked if all amendments could be voted collectively. Mr. Benning explained that each amendment would be voted on separately. Ellen Hinman also felt that if the process wasn't followed, the money should not be appropriated. She included the Caledonia County Special Olympics for whom she is a part of and was unable to get the appropriate number of signatures. Jen Hartsock thought amending the budget was not a good idea. Last it was for one special appropriation, this year for six. Sarah Smith of Northeast Kingdom Youth Services said they were only three signatures short. Joanie Hahr wanted to know if Northeast Kingdom Youth Services received any funding from Northeast Kingdom Human Services. Ms. Smith knew they partnered with Human Services but did not receive any funding from them.

Motion made by Teresa Vasko, seconded by Daisy McCoy, to increase the General Fund budget by \$1,700 the same amount Retired Senior Volunteer Program asked for. Mrs. Vasko explained that she stood in front of the Post Office getting signatures and 18 of them were not registered Lyndon voters. Mrs. Vasko answered Joanie Hahr's question regarding to what RSVP was.

Jeff Houde asked for more information regarding Caledonia County Special Olympics. Ellen Hinman and Jack Harris both gave a short presentation.

A motion made by Kelly Harris, seconded by Susan Mills, to amend the General Fund budget by \$1,000 for consideration of the Caledonia County Special Olympics. Sarah Simpson was told by Dawn Dwyer that Caledonia County Home Health had submitted a petition but was short signatures. Carol Fisher again stated that all the organizations are good organizations, but they didn't meet the criteria, therefore it wasn't fair to those organizations that did. She asked that the Selectboard use the money to fill pot holes and requested the amendments be cast by paper ballot. Mr. Benning asked the assembly if there were seven voters to second the motion. Being enough, all amendments would be voted by paper ballots. Sue Teske again asked if it was appropriate to vote all amendments

collectively. Mr. Benning explained that with a 2/3 majority vote they could suspend the rules. Motion was made by Susan Teske, seconded by Stephanie Jackson to suspend the rules and vote all four amendments as one aggregate amount. It was defeated by a vote of 47 in favor and 27 opposed. This only being 64%, the motion failed to carry.

1st Amendment: Shall the voters of the Town of Lyndon approve a \$2,000 increase to the General Fund budget for consideration of the Lyndon Area Chamber of Commerce? There being no further discussion, the motion carried in the affirmative by a paper ballot count of Yes – 56, No – 36.

2nd Amendment: Shall the voters of the Town of Lyndon approve a \$2,750 increase to the General fund budget for consideration of Northeast Kingdom Youth Services? There being no further discussion, the motion carried in the affirmative by paper ballot count of Yes – 63, No – 38, Blank – 1.

3rd Amendment: Shall the voters of the Town of Lyndon approve a \$1,700 increase to the General Fund budget for consideration of Retired Senior Volunteer Program? There being no further discussion, the motion carried in the affirmative by paper ballot count of Yes – 53, No – 36.

4th Amendment: Shall the votes of the Town of Lyndon approve a \$1,000 increase to the General Fund budget for consideration of Caledonia County Special Olympics? There being no further discussion, the motion carried in the affirmative by paper ballot count of Yes – 61, No – 28.

Motion made by Susan Teske, seconded by Dave Cobb, to adopt the proposed General Fund budget, including all special appropriations and amendments, in the amount of \$2,039,986 for the ensuing year. There being no further discussion, the motion carried in the affirmative by voice vote.

Article 15: 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 7, 2014, with delinquent taxes having interest charges of one percent per month for the first three months, where after interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 7, 2014, at 4:30 PM?

Motion made by Sue Teske, seconded by Pat Jauch, to adopt Article 15. Dawn Dwyer told Carol Fisher that taxpayers on payment plans still paid the interest and penalty. Wanita Gardner mentioned that after pre-paying her taxes last year, she received a tax bill with a one cent balance. Dawn Dwyer explained that it was the difference between being calculated on a calculator and a computer. There being no further discussion, the motion carried in the affirmative by voice vote.

Article 16: 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 Dave Cobb, seconded by Sue Teske, to adopt Article 16. Dave Dill explained to Carol Fisher that this article is tax stabilization for new business. It is for a one year period by State Statute and it applies to new projects, increased infrastructure valued at \$200,000 or more or increase value of the business. It is subjective to the number of jobs created. Dave Dill informed Robert Jauch that it has never been used. There was one attempt but they didn't qualify. Being no further discussion, the motion carried in the affirmative by voice vote of more than a two-thirds majority.

Article 17: 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 of 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 Patricia Jauch, seconded by Stephanie Jackson, to adopt article 17. There being no discussion, the motion carried in the affirmative by voice vote.

TOWN OF LYNDON MINUTES OF THE 2014
ANNUAL TOWN HIGHWAY DISTRICT MEETING

The Annual Town Highway District Meeting of the Town of Lyndon was gaveled to order at 1:25 PM on Tuesday, March 4, 2014.

Article 20: 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 Sue Teske, seconded by Patricia Jauch, to adopt Article 20 in the amount of \$1,312,710. There being no discussion, the article carried in the affirmative by voice vote.

Article 21: Shall the voter 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 7, 2014, with delinquent taxes having interest charges of one percent per month for the first three months, where after interest rates will be one and one-half percent per month, and an eight percent late penalty charged against them from the due date of November 7, 2014, at 4:30 PM?

Motion made by Sue Teske, seconded by Patricia Jauch, to adopt Article 21. There being no discussion, the article carried in the affirmative by voice vote.

Article 22: Do the voters of the Town Highway District desire to transact any other proper business?

Motion made by Sue Teske, seconded by Kelly Harris, to adjourn the meeting. There being no discussion, the motion carried in the affirmative by voice vote and the meeting was adjourned at 1:27 PM.

A True Record:

ATTEST:

David Dill, Selectboard Chair

Joe Benning, Moderator

Dawn R. Dwyer, Town Clerk