

**Select Board Members**

Peter Hood, Chair  
 Mary Just Skinner,  
Vice Chair  
 Mary Alexander  
 William Callnan  
 Steve Martin

**MIDDLESEX SELECT BOARD**  
**Tuesday, January 28, 2014**  
**5:00 p.m.**  
**Middlesex Town Clerk's Office**  
**5 Church Street**  
**Middlesex, Vermont 05602**  
**(802) 223-5915**

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Present: Chair Peter Hood, Vice-Chair Mary Just Skinner, Mary Hood Alexander, Steven Martin, Fire Chief Doug Hanson, Fire Department Lt. Louis Ormiston, Conservation Committee member Dave Shepard, Bill Rossmassler, Chuck Davin and Select Board Assistant, Sarah Merriman.

**Call to Order**

1. Peter called the meeting to order at 5:03 p.m.

**Coordinating with Montpelier during Flood/Ice Jam Emergencies**

2. Doug said several residents on Three Mile Bridge Road complained after Montpelier officials broke up an ice jam on the Winooski River the night of January 18, 2014, and didn't alert the Middlesex Fire Department. By the time Montpelier broke up the ice jam, another had been created a little past the Dairy Crème. "We dodged a bullet," he said, but next time the Town might not be so lucky. He wanted to know if the Select Board would send a request to the Montpelier City Council asking the city to notify Middlesex whenever they were breaking up an ice jam.
3. Peter said that before the Select Board makes such a request, the Fire Departments needs to determine if it wants to take on the responsibility of alerting residents on Three Mile Bridge Road and other low-lying areas that a flood might be imminent. This isn't a duty the Fire Department can execute sporadically because people will come to rely on that kind of warning.
4. Lou, who lives on Three Mile Bridge Road, noted that his neighborhood has already assumed that responsibility by setting up a phone tree for such emergencies. Doug said he would just appreciate being notified by Montpelier regardless.
5. Mary Skinner suggested writing a letter to the Montpelier City Manager and copying the City Council. Peter said first he would try discussing this with Montpelier City Manager Bill Fraser.

**Donation of Phelps Hoyt Land to the Putnam State Forest**

6. Kate Willard of the State of Vermont Department of Forest, Parks and Recreation wrote the Board requesting that it approve the donation of 43 +/- acres owned by former Middlesex resident Phelps Hoyt to the Putnam State Forest. Bill Rossmassler, who had been involved in negotiating the potential property transfer, noted that Phelps had formerly offered to donate the land-locked parcel to the Town, but the Town decided that since the property did not abut the Town Forest, it would be better donated to the State. That said, it was customary before the Governor signed off on the donation to receive the local Select Board's approval first.

7. **MOTION: Mary Skinner moved and Mary Hood Alexander seconded a motion to approve the donation of 43 +/- acres owned by Phelps Hoyt to the Putnam State Forest. The motion passed.**
8. Bill also said that Ann Villeneuve had decided that she was not interested in establishing formal public access through her Notch Road property to the Town Forest. According to Bill, Ann was perfectly happy with people crossing her property to get to the Town Forest and saw no need to designate an official right of way. He said that the only time not having that kind of legal designation be an issue would be if the Town decided to log the Town Forest for timber management, in which case there were few routes for heavy equipment. The solution might be to coordinate forest management plans with Ann's forester.
9. The Board agreed that Bill should discuss coordinating land management plans with forester Rose Beatty and then update the Board in three months.

#### **Conservation Commission Update**

10. Dave Shepard said the Conservation Commission was proceeding with plans to put a conservation easement on what had been 191 and 195 Three Mile Bridge Road, a section of riverfront the Town purchased through a FEMA buyout the year before. Since a conservation easement required a public hearing, he wanted to know if the Board was willing to piggy back such a hearing with a Select Board meeting. The board agreed.

#### **Petitioned Article 20 re: Student Data**

11. Chuck Davin, who described himself as "just a dad," appeared before the Board to answer any questions it might have regarding a petition he had circulated among the five U32 towns, including Middlesex, asking that an advisory article be placed on their warnings for upcoming Town Meetings. The article included a resolution urging the Rumney and U32 school boards to store student data locally and to impose limitations on the release of such information. (See Article 20 attached.) Since it could be argued that the article did not necessarily fall under Town business, the Select Board had the legal authority under state statute to not place the article on the Town Warning, even if the accompanying petition had been signed by 5% of the registered voters.
12. Peter said he thought this was more of a school issue than a Town issue, so why hadn't Chuck dealt with the U32 School Board? Chuck said he initially approached the U32 school district - with scant success. The next step was to petition the article that, granted, could not force the U32 or Rumney school boards to act; it could only strongly suggest.
13. Peter questioned whether this would be like the school board telling the Town how to manage roads or town finances? And Mary Alexander noted there had not been a Town-oriented resolution on a school ballot. Chuck said part of the problem was that there was no town-wide school meeting.
14. However, Mary Skinner said that it had been the tradition of the Select Board not to interfere with properly petitioned articles, even if they concerned non-Town matters such as ending wars, single-payer health care or tar sands. If this is an issue the people in Town feel strongly about, then it should be on the Warning, she said.
15. Peter suggested that Chuck find a Middlesex resident who supported this petition to answer questions at Town Meeting.
16. **MOTION: Mary Skinner moved and Steve seconded a motion to include Article 20 on the 2014 Town Warning. The motion passed.**

## 2014 Town Warning

17. **MOTION: Mary Skinner moved and Steve seconded a motion to approve the 2014 Town Warning. The motion passed. (Please see signed 2014 Town Warning, attached.)**

### OTHER BUSINESS

18. **MOTION: Mary Skinner moved and Mary Alexander seconded approval of the January 14, 2014 Select Board Meeting Minutes. Steve abstained. The motion passed.**
19. Correspondence:
- a) A January 24, 2014 letter from the Vermont Department of Property Valuation and Review regarding notification by the Middlesex Listers that they wished to appeal the 2013 Common Level of Appraisal of 95.6% for the Town.
20. The Board decided that the Board of Civil Authority should meet after the February 25<sup>th</sup> Select Board meeting to prepare for Town Meeting.
21. All orders were signed.

Respectfully submitted,

Sarah Merriman, Select Board Assistant