

Select Board Members
 Peter Hood, Chair
 Mary Just
Skinner,
Vice Chair
 William Callnan
 Steve Martin
 Liz Scharf

MINUTES
MIDDLESEX SELECT BOARD
Tuesday, July 14, 2015
5:00 PM
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

Present: Chair Peter Hood, Vice Chair Mary Just Skinner, Member Steve Martin, Bill Callnan and Liz Scharf, Treasurer Cindy Carlson, Middlesex Country Store owner David Specht, Animal Control Officer Erika Holm, Paul Dayton and Select Board Assistant Sarah Merriman.

Call to Order/Amendments

Peter called the meeting to order at 5:00 p.m. The agenda was amended to add the following:

- a) David O'Brien's request to ditch and fill a section of Class 4 Road
- b) Approving Joe D'Anna's driveway permit.

Considering David Specht's Offer to Purchase Morse Property

The Board reviewed David's July 2, 2015 email in which he withdrew an offer he made at the June 23, 2015, Select Board meeting to pay for designing a septic system on the Morse Property because fellow investors did not like the potential risk of paying for that design without the guarantee of taking ownership. Instead, he tendered an offer of \$19,350 – 90% of his original offer of \$21,500 to buy the land free and clear – which would include granting the town rights to a septic system on the property.

At the meeting, David said he wanted the land so he could add septic, gas tanks and parking abilities to his store. However, he was willing to buy it even if by granting the town septic rights that meant he wouldn't be able to install a septic system for himself. The Board appreciated David's offer but felt that paying for the septic design directly was more appropriate than reducing his offer amount. The Board agreed to hire Gunner McCain to design a septic system on the Morse Property that would accommodate the town hall's needs before considering David's offer.

MOTION: Bill moved and Steve seconded hiring McCain Consulting in Waterbury to design an alternative Town Hall septic system on the town-owned "Morse Property." The motion passed.

Setting the 2015 (FY2016) Tax Rate

The Board reviewed the Education Tax Rate for the 2016 Fiscal Year: \$1.5761 per \$100 of valuation for non-residents; 1.7572 for residents. After debating whether to transfer \$15,000 or \$20,000 from the fund balance to lower the town rate, the Board decided on the latter and the town rate was reduced to .4377, exclusive of the Local Agreement.

MOTION: Bill moved and Steve seconded adding \$20,000 from the fund balance to the general fund in order to set the 2015 (FY2016) tax rate at .4377 per \$100 of valuation, exclusive of the Local Agreement. The motion passed.

Reserving Unanticipated Recreation and Learn-to-Swim Funds

MOTION: Bill moved and Steve seconded reserving unanticipated Recreation and Learn-to-Swim funds so they can be used to offset further expenses. The motion passed.

Granting David O'Brien Permission to Ditch and Fill a Road

Peter said he and Road Foreman Paul Cerminara met with David O'Brien of East Bear Swamp road who wanted to improve the Class IV road by his house at his own expense. Citing precedent with other owners who had done the same thing, Board gave permission for David to improve the road and use any leftover material Paul might have from roadwork as long as David paid for the trucking. Peter noted that David is a principal in Noyle Johnson Insurance which Peter used to own.

Joe D'Anna's Driveway Permit

MOTION: Bill moved and Liz seconded approving a driveway permit for Joe D'Anna at 424 Notch Road. The motion passed and Peter signed the permit

Nuisance Dog Hearing: 81 Wood Road

After receiving numerous complaints about four barking and aggressive dogs owned by Lauren Heyl at 81 Wood Road, the Board convened this hearing. While Lauren was notified by email, phone, regular mail and certified letter of the hearing and while she'd informed the Town Clerk on July 13 that she planned on attending, she did not appear. Therefore, the hearing was conducted in her absence.

Paul Dayton said he has been attacked on Wood Road by these dogs, though he has never been bitten. Animal Control Officer Erika Holm said that for months she has been receiving complaints about the dogs' all-night barking as well. Since being notified of this hearing, Lauren has kept the dogs in at night so they don't bark. However, there is still the matter of their licenses. They have never been licensed and it is unclear whether they are vaccinated, Erika said.

The Board discussed the immediate importance of protecting the public vs. the logistics of seizing, boarding and possibly euthanizing all four dogs. Mary suggested asking Lauren to voluntarily give up for adoption the smaller and more aggressive dog while laying down conditions that unless Lauren immediately vaccinate, license and contain the other three, they would be seized, too.

It was agreed that the board would outline these conditions in a letter to Lauren and that Erika would follow up with a visit. Peter said the letter should note that the Board was very disappointed she did not appear at the hearing.

OTHER BUSINESS

MOTION: Steve moved and Bill seconded approval of the 6.23.2015 Select Board minutes. The motion passed; Mary and Liz abstained.

The Board reviewed a letter from Efficiency Vermont urging the Town of Middlesex to apply for its LED Municipal Streetlight Program which would reduce lighting costs. The Board agreed it was a good idea.

All orders were signed.

Peter adjourned the meeting at 6:35 p.m.

Respectfully submitted,
Sarah Merriman, Select Board Assistant

DRAFT