

Select Board Members

X_ Peter Hood, Chair
_ X_ Mary Just Skinner,
Vice Chair
_ X_ Phil Hyjek
_ X_ Steve Martin
_ X_ Liz Scharf

MIDDLESEX SELECT BOARD
Tuesday, October 10, 2017
5:00 PM
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

Present: Vice Chair Mary Just Skinner, Members Steve Martin, Liz Scharf and Phil Hyjek and Chair Peter Hood by speakerphone. Treasurer Dorinda Crowell. Road Foreman Paul Cerminara, Scott Skinner, Brian Hannon, VT State Senator Anthony Pollina, VSAB Middlesex Representative Kim Bolduc, and Select Board Assistant, Sarah Merriman.

Call to Order/Welcoming of Guests/Amendments

Mary called the meeting to order at 5:01 PM since Peter was calling in. She welcomed guests. There were no amendments.

Zdon Road Turn Around

Paul reiterated that the Highway Department wanted to extend the Town's turn around on Zdon Road to the driveway Paul Otenti is installing in the Class 4 portion since the current turn-around is on the downside of a hill. Town trucks have been stuck there twice. Mary asked if there would be a town expense to this change; Paul said no. Since the Board had yet to inspect the area, this issue was tabled until October 24.

Debris on Dolan Road's Legal Trail

The Board reviewed a complaint from Beth Holtzman that Donna French has dumped so much debris on the legal trail portion of Dolan Road that it is impassable. In response to this complaint, Peter confirmed that he drove his truck to the site and almost got stuck due to the thick layers of debris. Liz said the accumulation of material has increased over the past year. The Board decided to send a letter to Donna requesting that she clean up the debris on what is the Town's legal right of way. If she fails to remove the debris, then the Town would have to perform the maintenance itself and charge Donna the FEMA rates for doing so.

Skinner Objection to Upgrading on Leland Farm Road

Scott told the Board that the upgrading being commissioned by the new owners of Owen Ward subdivision on the Class 4 portion of Leland Farm Road essentially amounts to an unauthorized upgrade. He argued that the grading and the top coat exceed normal maintenance the Road Commissioner may approve under the Town's Class 4 Roads and Trails Policy. He asked the Board to halt the improvements because they constitute an illegal and unauthorized upgrading of the road to Class 3.

Steve, who is also Road Commissioner, said he gave permission for the new owner to take up grass and lay down gravel, all of which falls within the definition of maintenance that the Road Commissioner may approve. He said the base had not been widened.

Brian said his brother owns the New Jersey realty company that purchased the subdivision last year. He said his brother's goal is to build a house on the land and sell off the other lots but that two cars could not pass on the road before it was improved.

Liz asked Scott what his worries were, if he was concerned about impending development or the wide road. Peter noted that it has been the Town's practice to allow abutting land owners to upgrade Class 4 roads at their own expense. He could understand why Scott doesn't like the top coat, but noted the new owner is not asking for a legal upgrade to the road. They are maintaining a Class 4 road and staying within the scope of Steve's permission.

Liz said the problem is how everyone is defining "maintenance" and "upgrade." When does a road improvement go beyond maintenance? And then there is legal upgrading which is a whole process the landowner is not seeking. Scott said in this case the upgrade has been to turn the road into a "huge highway." Phil said the Board and Scott were having a semantic discussion and moved to pass over the question. Mary abstained. There was no second.

Peter suggested that the Board review minutes and documentation from at least five years ago when Scott first raised this issue. Meanwhile, the new owner can continue to work on the road if he is simply top coating an existing base. If it turns out to be an improper upgrade, the Board will order him to rip it off. The Board decided to revisit the issue on October 24 after reviewing the record. Paul, Scott and Brian left the meeting.

S. 27 – Obligating Towns to Provide Their Own Police Protection

Appearing at the Board's invitation, Anthony, a former member of the VT Senate Government Operations Committee, said he would be surprised if S. 27 moved forward despite numerous public hearings being held on the proposed legislation this fall. He said Jeannette White, chair of Gov Ops, put forward the bill as a "placeholder" to spark a discussion about police protection, especially since the Vermont State Police are stretched so thin. He expected most towns to object since they don't have the resources to pay for a full-time police force.

Kim said the current, and soon-to-retire, commander of the Middlesex State Police barracks has encouraged towns to proactively head off problems before they reach the level that the state police need to respond. However, she suspected that even the state police would object to S.27. She said she planned to attend the public hearing in Waterbury and would report back to the Board. Kim and Anthony left the meeting.

Treasurer's Report

In response to Dorinda's questions about the PACIF renewal for coverage of Town buildings and equipment, Peter said he reviewed the policy and that the good news was that all main buildings will be covered to the full replacement value regardless of the policy limit. Exemptions included the Town bandstand and the recreation department's shed. He wanted to review the policy with Dorinda later.

Dorinda also questioned the cost of the remote access program RBTech had installed on her laptop earlier in the day. To her surprise, the cost \$49 per month. Phil agreed that was too expensive and agreed to contact RBTech to talk to them about that and the most affordable way to get all town officials a municipal email address so they could stop using their personal emails.

OTHER BUSINESS

MOTION: Peter moved and Steve seconded approving the September 26, 2017 Select Board minutes. The motion passed with Phil abstaining because he was not present at that meeting. The minutes were signed.

MOTION: Phil moved and Liz seconded approving the September 12, 2017, Select Board minutes. Steve and Peter abstained because they were not present.

All Orders were signed.

Mary adjourned the meeting at 6:40 PM.

Respectfully submitted,
Sarah Merriman
Town Clerk/Select Board Assistant

ABOVE MINUTES APPROVED OCTOBER 24, 2017

PETER O. HOOD, CHAIR

MARY JUST SKINNER, VICE CHAIR

STEVEN MARTIN

ELIZABETH SCHARF

PHILIP HYJEK