

Select Board Members

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

MINUTES
MIDDLESEX SELECT BOARD
Tuesday, May 19 2020, 2020
5:00 PM
HELD REMOTELY VIA ZOOM

MINUTES

PRESENT: Chair Peter Hood, Vice Chair Mary Just Skinner, Members Steve Martin, Phil Hyjek and Liz Scharf. Treasurer Dorinda Crowell. Planning Commission Chair Sandy Levine. Eric Phaneuf and Nils Behn from Aegis Renewable Energy, TJ Kingsbury from KCOS. Road Foreman Paul Cerminara, Collector of Delinquent Taxes David Smith, Vic Dwire and Select Board Assistant Sarah Merriman. This meeting was recorded by ORCA.

Call to Order/Amendments

Peter called the meeting to order at 5:06 PM and welcomed guests. The agenda was amended to include access permit on Nellie Chase Road for Seth Stewart

Reviewing Timeline for Energy Plan Hearings and Town-wide Vote in 2020

Sandy said the MPC has been working with the Central Vermont Regional Planning Commission to draft an Enhanced Energy Plan which would be an addendum to the Town Plan and needs follow same procedure. The Board reviewed the MPC's proposed timeline of public hearings and public notifications. Sandy wanted to run it by the Select Board since the timeline is based on a minimum of time. Peter asked why the Town is approaching this project now. Sandy said the CVRPC approached the MPC to talk about the advantages of doing this and the Commission decided to take them up on their offer of assistance. Theo Kennedy has been working it. An Enhanced Energy Plan outlines where the Town is in terms of energy and what townspeople would like to see going forward, Sandy said, noting it has some weight regarding energy projects in the future. The draft is a starting point.

Peter asked if this is something we need to do now, if it's an urgent priority. Sandy said no, but energy projects are often part of a Town Plan and certainly the Board has been dealing with energy issues such as the proposed solar array at 58 Center Road. Peter said it was his understanding that after passing the Town Plan in 2019, the MPC would focus on updating the Town's zoning regulations. Sandy said that's true, but then the CVRPC presented this opportunity and the Commission took it. She said the timeline was designed to bring this issue to a town-wide vote at the November General Election, thereby avoiding a Special Town Meeting. According to the timeline, the plan will be submitted to the Board in mid-July and hold the last public hearing in mid-September. The Board did not have issues with the timeline. Sandy left the meeting.

Approving Setback Waiver between KCOS and Emancipation Energy

On behalf of Emancipation Energy, which is proposing a 150 KW AC solar array on property near 58 Center Road, Aegis asked the Select Board to sign off on an agreement with TJ Kingsbury so the solar array can extend 15 feet into the 25-foot side setback of KCOS, LLC. TJ has approved this. Under the Vermont Public Utility Commission's rules, such agreements require local Select Board approval. Peter asked the Aegis representatives about the diagram regarding the setback since it seemed as if, with repositioning, you could change the length of the array and not intrude into the 25-foot setback. TJ said the topography doesn't allow such rearrangement. Eric also said they need to maintain buffer to the stream bank. Peter said he prefers not to waive the setback requirement. Eric said it's not the Town's setback as much as it is the PUC's requirement.

MOTION: Liz moved and Steve seconded approving the setback agreement on KCOS. The motion passed and Nils and Eric left the meeting.

Approving Mitch Osiecki as E-911 Coordinator

MOTION: Steve moves and Phil seconded appointing Mitch as the E-911 Coordinator to replaced retired E-911 Coordinator Maryke Gillis. The motion passed.

Treasurer's Report

5:00 PM

MAY 21, 2020

Dorinda said the Town has spent 92-93% of the 2019-20 budget and may come in over budget, though there is enough to make the final payment to the VT Agency of Education for statewide education property tax. However, she is concerned that the Town may come up short in tax revenue. As of this meeting, there was still \$422,000 remaining to be collected. She wondered if she should pursue short-term borrowing now and should that be six-months in cash? She said there is still \$270,000 in Town savings. Peter noted there is so much up in the air that he did not recommend borrowing now. Other than the potential loss of tax revenue, the costs of computers and highway equipment, the Town is doing a good job of managing expenses.

The Board discussed VT Senate bill S. 344 which Governor Phil Scott signed into law May 13th, effective immediately. This legislation gives Select Boards the authority to waive penalties and interest on late property tax payments until January 1, 2021. The Board agreed to hold a Special Meeting at 5 PM on May 21, 2020, to consider adopting some or all of this legislation. Dorinda noted that the Town has not imposed interest fees on late payments since March.

The Board discussed a \$2,000 contribution owed as part of a \$20,000 Village Enhancement Grant the Town received in December from the VT Dept Housing and Community Development. The grant agreement stipulated that Town would be on the hook 10% of that cost, though the Select Board understood this could be an in-kind contribution. Mary asked how there could be an in-kind contribution when the grant was to pay for hiring a consultant to study pedestrian/bike access in the Village. Mary suggested Planetary Matters, which owns the Red Hen complex and abutting properties, be approached to make a donation to the Town's obligation since they advocated for the grant and will be the largest beneficiaries of the consultants' research. The Board agreed to discuss this later. Dave left the meeting.

OTHER BUSINESS

MOTION: Phil moved and Mary seconded approving the May 5, 2020, Select Board minutes. The motion passed.

MOTION: Phil moved and Steve seconded approving the Listers' request to send a letter to the Vermont Department of Taxes informing the Property Valuation and Review Division that, due to COVID-19, the Middlesex 2020 Grand List may not be filed with the Town Clerk by the statutory deadline of June 4, 2020. Sarah said it was her understanding this was just a contingency; the Listers planned to file their Grand List the following week. The motion passed and Peter signed the letter.

MOTION: Phil moved and Liz seconded appointing Road Foreman Paul Cerminara the COVID-19 Health and Safety Officer for the Town employees. The motion passed.

MOTION: Liz moved and Steve seconded supporting CV Fiber's application for an Economic and Infrastructure Development Program Grant. The motion passed.

All orders were reviewed and approved via email.

CORRESPONDENCE: The Board reviewed an email from Betsy Davis expressing concern over recent movements to improve the Class 4 section of North Bear Swamp Road. Liz said she hopes Betsy understands that Town does not intend to bring the road to Class 3 conditions; it's more about making it passable for pedestrians and cyclists due to the beaver pond. Steve left the meeting.

MOTION: Mary moved and Phil seconded a driveway access on Nellie Chase Road for Seth Stewart. The motion passed.

Phil asked the Board for approval to let Paul Cerminara use the new Chromebook as a remote work computer since it cannot be used to access 20/20 Land Records in the Town Clerk's Office as was originally intended. The Board agreed. Peter said he, Steve and Paul planned to meet at the State of Vermont parking lot at Notch Road to discuss the parking situation.

Vic Dwire asked about the informal Town Highway forum with Steve and Paul that has been rescheduled for June 6, 2020. He said there needs to be more notification.

5:00 PM

MAY 21, 2020

The meeting adjourned at 6:26 PM.

Respectfully submitted by Sarah Merriman, Town Clerk/Select Board Assistant

THE ABOVE MINUTES WERE REMOTELY APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON JUNE 2, 2020.

PETER O. HOOD, CHAIR

MARY JUST SKINNER, VICE CHAIR

PHILIP HYJEK

STEVEN MARTIN

ELIZABETH SCHARF