

Select Board Members

Peter Hood, Chair
 Liz, Scharf, Vice Chair
 Brigid Browning
 Randy Drury
 Vic Dwire

Middlesex Select Board
Tuesday, June 20, 2023
Middlesex Town Hall and via Zoom*
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

PRESENT IN TOWN HALL: Select Board Chair Peter Hood, Members Brigid Browning, Randy Drury (who is also a member of the Budget Committee) and Vic Dwire (who is also Road Commissioner.) Treasurer Dorinda Crowell. Road Foreman and MVFD Chief Eric Metvier. MVFD President Jeff Koonz. Russ Bennett, from the Galaxy of Yes and Craig Jewett from Otter Creek Engineering. **BY ZOOM:** Former Road Foreman Paul Cerninara. The meeting was recorded by ORCA and Select Board Assistant Sarah Merriman took the minutes.

Call to Order, Welcoming Guests, Approving Minutes and Agenda

Peter called the meeting to order at 5:01 and welcomed guests.

MOTION: Vic moved, and Randy seconded, approving the minutes of the June 6, 2023, Select Board meeting. The motion passed and the minutes were signed.

The Board reviewed the agenda for the June 20, 2023, Select Board meeting. The agenda was amended to include scheduling the first Select Board meeting in July since July 4, 2023 is a holiday. **MOTION:** Vic moved, and Randy seconded, approving the amended agenda. The motion passed.

Continued Review of the Personnel Policy

Section 29: Overtime. After reviewing a previous discussion about this section, Peter said that he was leaning toward allowing the Road Crew to count paid time off (vacation, sick & personal days) in computing overtime. If the crew abuses this allowance, it's the responsibility of the Road Foreman to manage that, he said, adding that while there might be a small effect on the budget, there's always an effect on the budget. If making a change in the policy (which currently counts only hours actually worked in computing overtime) ends up favoring the Road Crew, then so be it, Peter said. It's up to the Road Foreman and Commissioner to manage those issues.

Eric said as long as 40 hours are covered by working, sick, vacation or personal time, then extra hours of work should be counted as overtime. Randy challenged this, arguing that, under this proposal, anyone could be paid overtime immediately. For him, it comes down to budgeting. Theoretically, one employee might see a \$6,000 difference in pay under this system.

Peter said if the issue is that employees are using sick time when they shouldn't, that's an administrative problem. Eric said once an employee uses sick time, it's used. And all PTO is paid at the normal rate of pay. Randy said there must be a monetary difference because otherwise why would the Road Crew want to be paid overtime?

Vic disagreed because the budget already includes PTO. Eric is budgeted for 225 hours of overtime but has taken only 216. That's in the budget. He has a certain number of sick days. Where's the impact on the budget?

Brigid proposed approving the changes to overtime and then watching expenses. That way, the Board is giving a little. The Board can see as a group whether these changes are palatable. If they're not, the Board can either increase the budget for overtime pay in the next cycle or reverse the policy.

Randy said the proposal needs clarification about working hours. He asked if normal hours for the Road Crew is from 7 AM – 3 PM. Eric said, regardless, employees won't be eligible for overtime until they've put in 40 hours per week, somehow – by actually working or expending their vacation, sick, personal-time hours.

Dorinda asked about vacation. Eric said the crew hasn't abused their vacations. They've given him advance notice of the time they want to take off.

Vic said the Board has hired Eric and trusts him and should let him do his job. If the Board doesn't like how things are going, then Eric will be on the line. Dorinda said she's asking questions about overtime for clarity; she is not making policy. Vic said certain members need to step back and let Eric do his job. Eric said he feels there are times when he feels he is micromanaged. Randy asked how. Eric said he was upset by Randy's comment at a previous meeting that overtime was a privilege not a right. Also, people should be fired if they refuse or cannot work overtime. Randy said that this was not the scenario they discussed last week.

Brigid said the Board needs to be more aware of Eric's feelings. Peter said the Board needs to listen and be polite to each other. If the Board approves this change and it's as bad as Randy projects, the Board will either need to budget for it or change the policy.

Vic said he and Eric agree to let's try the changes in the policy. Paul asked if the Treasurer could run some numbers based on past overtime charges. For example, there could be a scenario where someone could be on vacation for a week and then work that weekend and get overtime. How much would that cost? Peter said his only problem is how many hours of overtime varies from season to season. Eric said because of his job description that requires him to be on the job during storms, he's the one with the maximum overtime – and he still hasn't used all his hours budgeted for overtime.

Section 30: Employment Discrimination No change.

Section 31: Sexual Harassment No change.

The Board will vote on the revised policy at its next meeting. Eric said he could present a draft to the Road Crew and if there are any questions, he can bring them to the Board. The Board agreed with this plan.

Monthly Meeting with the MVFD

Jeff reviewed the Fire Department's activity (report below.)

Burglary – He said the MVFD station in Welch Park was broken into Monday night. The building door on the left side must not have latched correctly. There's also been the issue of homeless people living in tents in the park behind the station. He assumed they checked the doors and got in. It appears he burglars rifled through medical kits, thought there are no drugs on the premises. Someone also took a shower and slept in one of the beds. The MVFD has ordered outside cameras and may look into purchasing inside cameras and will double check doors. Currently, no alarms or cameras are installed.

Joe Picard Search – Jeff reviewed the May 23, 2023, search and rescue for Joe Picard who was eventually located near French Road. The MVFD served as the makeshift headquarters used by the State Police, MVFD and others. Jeff said the fire department could use a faster internet connection in such cases and will explore options. Jeff and Eric said the response and coordination was robust and organized that produced a satisfactory outcome. Peter congratulated them for their efforts.

Potential Used Rescue Vehicle – Jeff said North Hyde Park has a rescue vehicle they'll be selling because it's a larger truck. At 10-years-old, it would be the newest in the Middlesex fleet. The asking price might be \$145,000. The current rescue vehicle will likely not pass inspection next year. Randy said the capital plan has estimated \$140,000 for a rescue vehicle. The Board seemed inclined to purchase this after researching financing options. Jeff left the meeting.

Highway Department Report – Purchasing a 20-Ton Trailer for \$2,500

Eric said Shady Rill's pavement has been ripped up in preparation for repaving. Pike Industries said while it's in the area, it can pave a section of East Hill Road to Terrace Street that's about 464' by 24' wide for \$12,000. Paul cautioned that water radiates down from the telephone poles in that area and creates wetness that contributes to the poor conditions of that road section. He recommended basework to alleviate the wetness before adding new pavement.

A 20-ton trailer that could haul the excavator is available for \$2,500, used, Eric said. He said all eight tires hold air, the lights don't appear to be broken and the frame is solid. It hasn't been registered since 2019. Randy said it would pay for itself since towing fees are so high. Brigid asked about CDL qualifications. Eric said a Class A CDL is necessary and that many on the Road Crew already hold that.

MOTION: Randy moved purchasing 20-ton trailer for \$2,500. Brigid seconded. The motion carried.

Eric said he's still working to get the speed sign on VT Route 12 back online. He will need to access tech support; Randy suggested contacting a neighbor with WIFI to see if it's possible to use their connection. Eric left the meeting.

Surveying Middlesex Village Residents about Municipal Water

The Board reviewed a questionnaire, edited, and condensed by Planning Commission Chair Sandy Levine, to be sent to Village residents and others along Center Road surveying their opinions on whether they'd be interested in a municipal water system. Craig of OtterCreek said he would provide a map of the potential service area so the Town Clerk could create a mailing list for the questionnaire. Russ reminded the Board that if municipal water is approved, there will likely be more subdivisions, development, and users than those living here now.

MOTION: Peter moved and Vic seconded approving a survey about municipal water desirability to be sent to a designated list of potential users with the Town incurring the expense of preparing the mailing and postage. The motion passed. Russ and Jeff left the meeting

Treasurer's Report – Moving the July 4th Meeting to July 11, 2023

Dorinda said the financial office recently received eight invoice from RBTechnology going back to April. Meanwhile, RB has failed to upgrade or make changes as requested. Computers systems are waiting to be installed, the Town's email program needs to be changed and a backup battery has failed and not been replaced. Communication with RB has not been ideal. Brigid suggested a strongly worded letter, perhaps one written by the Chair. Randy reminded the Board that the it was under the gun when it renewed its contract with RB and did so only so the Town could look into being serviced by other IT companies. Peter said, like many Central Vermont vendors, RB has a shortage of staff and an overload of work.

The Board agreed to move its next meeting, which would fall on the July 4th holiday, to July 11, 2023, when it's likely the Board will set the 2023 town tax rate.

OTHER BUSINESS

Welch Park update: Peter said he's still waiting for documents from the attorney tasked with sorting out Welch Park's dissolution.

All members present signed the orders.

Randy pointed out discrepancies regarding vacation time on a recent time sheet of a highway-department employee that was approved by the Foreman. Randy said he didn't want to micro-manage the Road Foreman; he was just pointing out the issue. Brigid and Peter agreed that Randy should keep pointing out discrepancies. Brigid said if the Foreman wants the Board to grant him this supervisory role (over Road Crew hours), then these oversights can't happen. Randy said when he points out these errors he's accused of micro-managing. Dorinda said when she finds similar errors and tries to clarify them; she's criticized - simply for trying to adhere to policy. She said she doesn't appreciate that.

Vic said he doesn't like Dorinda's attitude and his problem goes back three months to a discrepancy over his pay as Road Commissioner. He asked Peter if he wanted him to continue. Peter said he'd prefer to adjourn the meeting. However, he added that Dorinda's just doing her job as elected Treasurer; errors like this cost her extra time and annoyance. Vic said others "in the room" have privately complained the Treasurer is a "micro manager." Dorinda said she was resigning as Treasurer and left.

Peter tried to adjourn the meeting twice, at 6:55 PM and 7:06 PM. The Board continued to meet. Randy said people should be held accountable. Vic said it's not necessarily what Randy and Dorinda say, but how they say it. He wanted an apology over the pay dispute, and it didn't come. Vic and Randy continued to rehash these issues.

Peter adjourned the meeting at 7:13 PM. Peter suggested the Board hold a special meeting after everyone cools off.

Respectfully submitted by Sarah Merriman, Select Board Assistant

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A SPECIALLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON JULY 11, 2023

PETER O. HOOD, CHAIR

N/A
ELIZABETH SCHARF, VICE CHAIR

BRIGID BROWNING

RANDY DRURY

VIC DWIRE