

Select Board Members

Liz, Scharf, Chair
 Randy Drury, Vice Chair
 Vic Dwire
 Peter O. Hood
 Zara Vincent

MIDDLESEX SELECT BOARD
Tuesday, July 9, 2024
Middlesex Town Hall and via Zoom*
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

PRESENT: Chair Liz Scharf, Select Board members, Peter Hood*, Vic Dwire and Zara Vincent (Chair of the Town Roads Subcommittee). Road Foreman/Road Commissioner Eric Metivier. Treasurer Cheryl Grandfield. Former Treasurer Dorinda Crowell. Town FEMA Coordinator Steve Martin. Richard Cowles. Former Road Foreman Paul Cerminara*. Planning Commission Chair Sandy Levine. CVRPC Senior Transportation Planner Reuben MacMartin*. Select Board Assistant Sarah Merriman* took the minutes and the meeting was recorded by ORCA. (*indicates attended via Zoom)

Call to Order

Liz called the meeting to order at 5:00 PM. Guests were welcomed.

MOTION: Zara moved, and Vic seconded approving the minutes from the June 18, 2024, Middlesex Select Board meeting. The motion passed and the minutes were signed by those present.

MOTION: Zara moved, and Vic seconded approving the agenda for the July 9, 2024, Special Middlesex Select Board meeting, which was amended to include a question about a legal trail being blocked at 105 Lower Sunny Brook Road.

Setting the 2024 Town Rate

The Board reviewed a tax sheet compiled by Cheryl and Dorinda detailing the FY25 expenses and income, including the budget and special articles approved at the 2024 Town Meeting. The Town will need to raise \$1,667,080 to cover those costs; Dorinda said the proposed municipal rate is a 7-cent increase over FY24, though budget increased 14%. Vic asked about the current (FY24) budget which is overspent by \$2,109,000 due to unanticipated expenses incurred in the July 2023 flood, Cheryl said. Dorinda said there is no fund balance to offset the tax impact and she wouldn't recommend using it if there were since doing so "only puts a Band-Aid on the problem." Liz noted the education rate hasn't increased as much as other towns.

MOTION: Vic moved and Zara seconded approving a 2024 Town tax rate of \$0.6972 per \$100 of property valuation plus a local agreement tax of \$0.0026 for a total homestead tax rate of \$2.7266 and non-homestead rate of \$2.6393 per \$100 of valuation. The motion passed; Peter had not yet joined the meeting. Liz read off the rates and noted the 2024 homestead tax rate was less than feared; it's an 11.5% increase over 2023. Cheryl said bills will be mailed July 18th.

Highway Department Update

Eric provided an update of Highway Department activity since the last Select Board Meeting (Please see below.)

Liz thanked Vic for taking care of some road issues. Zara asked about Norm Ellms culvert's concern on Wood Road; Eric said it's been addressed.

FEMA UPDATE: Steve said Dirt Tech completed work on Macey and Wood Road, though they have to go back and realign a culvert. Government Hill, Culver, Bolduc and Zdon roads are completed. Temporary work has to be completed within one year. Lower Sunny Brook received a delay because a hydraulic study is required; FEMA will do an assessment on Thursday so the Town doesn't have to worry about completing last year's temp work within one year. East Hill is being worked on. A new squash culvert - a big round culvert that's put it in a machine and squashed so it's elliptical - will be installed in mid-August. On Portal Road, ditching and stone lining are complete. Also, a new box culvert has been ordered for Portal Road and it's scheduled to be delivered on October 1. The temporary staging area at the corner of Center and Brook roads on Steve's farm has been returned to its natural state. All Seasons Excavation is doing work left over from a contract and change order on Davy Road and Upper Sunny Brook. They have a bit of ditch lining and top gravel to put in. Currently, they are not on site.

Vic asked several questions, including about a clearer schedule notifying residents of road closings. Zara said she'll submit postings on Front Porch Forum, Facebook and Next Door.

Liz asked about the \$2 million over budget for flood repairs. Dorinda said that included everything in fund balance. The town borrowed 1.5 million, dipped into its ARPA funds and also fund balance. Cheryl said Dirt Tech has also been paid in the FY24 fiscal year. The Town spent \$1.949 million in flood repairs before paying Dirt Tech, she said.

Liz asked about the forecasted storm. Eric said the storm will be a good indicator of how the roads are holding up. Dorinda said she's worried about the rocks built up near and under the bridge at McCullough Hill Road. Steve agreed this was a concern. Zara asked about the permit to clear the stream. Eric said the Town needs to hire someone to clean out under the bridge. Sarah will put out an RFP. Peter entered the meeting.

Richard Cowles's Culvert Issues: Liz summarized an email from Richard Cowles at 305 East Hill Road raising concerns that the Town is dumping water on his property via a culvert for the past ten to 15 years. Recently, Dirt Tech upgraded that culvert from 12" to 24". He said it's putting silt into his pond and killing his fish. Liz forwarded the emails to Eric and he and Steve checked out the property. Eric said he checked out the culvert yesterday. The culvert needs to stay there to reduce volume of water down the road. Ditching will not hold the water. He said Richard doesn't like that idea. A lot of factors that have happened over the years. The culvert failed above and that created more water heading down the hill, Richard said. He said if a ditch were constructed properly and built well, there's better chance of water being diverted than through a 24" culvert creating more erosion and silt. He said he's lost four feet of property. Eric said if the culvert's removed, then the distance between culverts on that road would be 1,200 feet, which is too far. Richard offered to put a culvert in his neighbor's driveway for free. He thinks a well-built ditch can handle the problem. Steve said that's a long way to allow that water in the ditch. He suggested improvements around the culvert to slow the water.

Paul said he knows the culvert in question and he agreed with Steve, Eric and Vic it should stay. He said that culvert's been there for 25 years. Town hasn't changed the amount water; it simply upgraded the culvert size. He said the town is not obligated to deal with erosion of private property. Richard said he's brought this up for 15 years. Is it okay for the Town to install a culvert and dump water on private property without asking permission? Richard said the culvert wasn't there when he built his house in 1999. Peter asked if the culvert is where it is now when built the pond. Richard said there was a 12" culvert there.

Steve said the culvert could be relocated, but then it would send water into Richard's house. Liz said she'd like to visit the culvert to get a better sense of the problem. The state has recommendations for cross culverts and spacing. She said the Town may need to consult with the town attorney and the state to figure out how to solve a problem like this. The Board will resume this conversation at its next Select Board meeting, provided the Board has the necessary information.

Temporary Demonstration Project for Traffic Slowing at Camp Meade

Sandy said the Planning Commission is looking for approval and support from the Select Board to build a temporary demonstration project in the village. This builds on a walkable Middlesex Village proposal to improve safety for pedestrians and bikers. This is a small, temporary demonstration project that will be in place for three-weeks and involve temporary plastic orange poles and a cross walk. The CVRPC will provide all the materials. The Town would be responsible for the temporary installation and Camp Meade has volunteered to help. But the Town needs to take responsibility for the project, Sandy said, and she wasn't sure how long the construction would actually take. The PC is meeting with residents in the village on July 10th to get their feedback. The PC would also like feedback from the Town's Road Foreman and VTrans will need to sign off. The PC would like to have this installed by late summer/early fall and is particularly interested in seeing if it calms traffic during the Camp Meade events.

The Board inquired about installing the posts, which are about 10-12 feet apart. Reuben said the spacing is comparable to parallel parking risks. Liz asked about costs; Sandy said there are no out-of-pocket costs, though the road crew may have to provide an in-kind contribution by installing the posts. Reuben said VTrans will specify the method and material for securing the posts. However, the Town is responsible for installation and removal or any traffic management during that time. Liz asked about liability. There is liability that attaches to municipalities if they pursue demonstration projects, Reuben said, though he wasn't sure of the details. Vic said the road crew should be spared doing this work. Also the Town doesn't have the necessary signage or certification for traffic control. He suggested hiring a private company. Sandy said she was reluctant to go through that trouble and expense for a project lasting no more than three weeks. Reuben said VTrans's engineers will make recommendations. Liz said it would be helpful to explore the costs for traffic control during installation and removal. Peter asked if this is only for three weeks, can't it be done with barrels and cones? Reuben said the concern with cones is going to be if someone hits it at 40 MPH, can turn into a projectile. Liz said the Board likes the idea but they need more info.

Planning Commission Update

Sandy said the PC has two new enthusiastic members. She said Elle O'Casey is examining affordable housing in Middlesex. There may be a workshop on accessory dwellings in the fall. The Commission is also looking at walking paths and improving the safety in and around Rumney School. Paula Otenti is taking over this project that might involve reconfiguring some of the parking. Another possibility is neighbors in the area allowing kids to walk through backyards. Sandy said the Commission is interested in slowing traffic near the school, maybe with more flashing signs. The PC may apply for a planning grant this fall. Liz thanked the PC and Sandy, in particular, for being so proactive.

The Board passed over the personnel policy revision to dedicate an hour at the next meeting to this project alone.

OTHER BUSINESS

MOTION: Zara moved and Vic seconded moving the next Select Board meeting to July 23rd. The motion passed.

The Board, Treasurer and Town Clerk signed loan documents from Community National Bank for a \$182,000 loan paid over ten years at an interest rate of 5.97% to pay for the new excavator. The voters approved this indebtedness at the March 5, 2024 Town Meeting.

CORRESPONDENCE: in response to an anonymous complaint that Legal Trail #3 off Lower Sunny Brook Road was being intentionally blocked, Liz and Zara decided to investigate the complaint after the meeting.

All orders were signed by those present.

The meeting adjourned at 6:50 PM.

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A SPECIALLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON JULY 23, 2024.

LIZ SCHARF, CHAIR

N/A
RANDY DRURY, VICE CHAIR

VIC DWIRE

PETER HOOD

ZARA VINCENT

Bimonthly Road Report 6/18/2024-7/9/2024

Equipment

Kenworth- Back with a new engine
International- Running and no issues
Freightliner- Still down
Grader- Running no issues
Excavator- New one has arrived

Road Work/Issues

Brought gravel from the town pit to Nellie Chase (38 loads) trying to put gravel on the road so we can grade it.
Worked on Shaddy Rill repairing the shoulder in spots that washed from the rain on 6/23
Brought Gravel to Notch rd. from the town pit to fill in washing that happened on 6/23 (6 loads)
Received the new excavator.
Graded part of Nellie Case, Zdon, Notch, Center, and part of Brook
Hauled gravel to the shop for inventory.
Prepared for the upcoming rain by making sure culverts were clear. Cleaned out the big ones on lower sunny brook rd.