

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

MIDDLESEX SELECT BOARD
Tuesday, April 24, 2018
5:00 PM
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

PRESENT: Chair Peter Hood, Members Phil Hyjek, Steve Martin and Liz Scharf. Treasurer Dorinda Crowell. Conservation Commission members Dave Shepard and Ross Lieblappen. Cross Vermont Trail Association Executive Director Greg Western and Select Board Assistant Sarah Merriman.

Call to Order, Amendments, Guests

Peter called the meeting to order at 5:00 PM. The agenda was amended to omit the VT Human Services Secretary Al Gobeille's visit. Instead, at Peter's request, the Secretary wrote a letter.

Human Services Secretary Al Gobeille's Update on the Temporary Secure Facility

The Board reviewed the April 24, 2018, letter from Secretary Gobeille regarding the future of the Middlesex Therapeutic Community Residence on US Route 2. The letter noted the VT General Assembly was still finalizing pertinent legislation while the House had allocated \$2.5 million in capital funds to purchase land and/or a building to replace the Middlesex facility. In addition, the UVM Health Network has indicated it might construct additional psychiatric beds at CVMC. Both proposals are currently under discussion. Peter said the bottom line is the facility will be in Middlesex longer than anticipated. The question is whether the State of Vermont will have to abide by the federal government's conditions when it granted funds for the facility (to temporarily replace the psychiatric hospital flooded in the 2011 Tropical Storm Irene flood). Those conditions included mandating that the facility not become permanent; if it did remain permanent, the State of Vermont would have to repay the \$2.1 million grant. On April 26, 2016, the Select Board denied the State's request for a third closing extension from the current deadline of January 1, 2018 until January 1, 2020.

Approval of the FY2019 Annual Financial Plan

(The Board skipped to this item to await the arrival of the CVTA representative.)

MOTION: Phil moved and Steve seconded approving the 2018 Annual Financial Plan for Highways. The Board signed the plan. The motion passed. Liz asked if the plan reflected the postponement of mud mitigation on East Hill Road. Steve confirmed it did and the money that would have been allocated to East Hill had been moved to non-winter maintenance.

Approval of the Certification of Compliance for Town Roads and Bridges

MOTION: Phil moved and Steve seconded approving the Certification of Compliance for Town Roads and Bridges. The motion passed and the certification was signed.

Proceeding with 19 V.S.A. §708-711, to Discontinue or Downgrade 5 Town Roads

The Board discussed its previous decision to embark on the process of downgrading Bolio, Warren, Merritt, Knapp and the north end of Chase Road and to inspect and hold a public hearing on the proposed downgrades on May 22, 2018. However, Steve said Barry Bolio, owner of property which contains Bolio Road, after receiving notice of the above inspection and public hearing, requested his road be discontinued entirely. Steve said that made sense since Bolio Road – like all the roads being considered for downgrading – is essentially a private drive surrounded by private property leading to a private residence. They do not connect with public properties, public hiking trails or public roads. Maintaining them as Town roads would not be in the general interest of the townspeople. Peter expressed reluctance about giving up public access to Town roads. But he and Steve agreed that, especially in the cases of Bolio, Merritt and Knapp, it is likely the property owners would not want the public driving up their roads, which they would have a right to do if the roads were downgraded from Class 3 to Class 4 or even trails. Steve said he would contact those property owners.

MOTION: Steve moved and Liz seconded commencing the statutory process as outlined in 19 V.S.A. §708-711 to discontinue Bolio (TH42), Merritt (TH11) and Knapp (TH4) roads and downgrade from Class 3 to Class 4 Warren Road (TH23) and the northern end of Chase Road (TH6). The motion passed. This vote voided the May 22, 2018 site inspection and public hearing.

Slating June 12, 2018 for Site Inspection and Public Hearing

Mindful of the 30-day notice to abutting landowners and the public regarding public hearings on the downgrading/discontinuing of roads, the Board agreed that it would meet at Bolio Road at 4:45 p.m. Tuesday, June 12, 2018 and from there inspect Warren, Merritt, the northern end of Chase and Knapp roads before returning to Town Hall to hold a public hearing at 6:30 p.m. on the downgrading/discontinuing of the above inspected roads.

Granting CVTA License to Maintain Parcel as Picnic Area

The Board reviewed a proposal from CVTA to improve and maintain the small parcel on Three Mile Bridge Road by the Moretown Bridge which the Town acquired as a FEMA buyout in 2013. Greg said the parcel is right on CVTA's bike route and would be an ideal stopping place for bicyclists. CVTA volunteers would mow the grass, install a bench and perhaps plant some trees along the riverbank as riparian restoration. At its own expense, CVTA would install a sign identifying the park. They would also cut the knotweed. The license that needed to be signed by the Board chair satisfied insurance requirements, Greg said.

The Board enthusiastically approved of this proposal. Peter asked if it met the conditions as outlined by the conservation easement placed on the land after it was transferred to the Town. Greg and Dave said they'd reviewed the 2014 VHCB Conservation Easement and it did. The Board noted that the Conservation Commission and/or CVTA should contact the highway department about its brush hogging schedule and mark the parcel appropriately.

MOTION: Phil moved and Steve seconded granting CVTA a license to maintain the Town's Three Mile Bridge parcel as a public picnic area. The motion passed. Peter and Greg signed the license.

OTHER BUSINESS

MOTION: Liz moved and Steve seconded approving the April 10, 2018, Select Board minutes. The motion passed and the minutes were signed.

All orders were signed.

The Board reviewed a proposal from Dick Picard of P & G Painting to paint the side of Town Hall facing US Route 2 and part of the tower for \$1,288. Dorinda noted his proposal broke down the labor by an hourly rate; usually Dick charges a flat fee. The Board also

reviewed his proposal to paint the roof of the old fire station for \$2,419. Steve suggested contacting the Barn Doctor who specializes in repainting metal roofs since Dick's proposal for the paint alone – over \$530 – was steep. The Board agreed to accept Dick's Town Hall proposal as long as his labor fee remained flat, and that a check for 50% of the down payment should be cut to him as soon as feasible.

The Board reviewed an April 18, 2018, memo from attorney Rob Halpert interpreting how money invested in an Edward Jones account associated with the North Branch Cemetery should be managed. Since the account was part of the assets quit claimed from the now defunct North Branch Cemetery Association to the Town in 2005, Rob said it was a "donation." As such, it should be managed by the Town's Trustees of Public Funds. However, since the Town has only ever had one Trustee of Public Funds, it's a moot point. Therefore, according to 18 V.S.A. §5384, the account should be managed by the Treasurer with the approval of the Select Board. Peter said the Board should consider asking the voters to eliminate the office of Trustee of Public Funds at the March 2019 Town Meeting since there are no other funds to be managed and one Trustee is useless.

Phil updated the Board on a seminar he attended re: municipal cybersecurity led by Vermont Secretary of State Jim Condos. One of the issues discussed was town-specific, .gov email extensions which added heightened security and authenticity as well as transparency to Town correspondence. Phil planned on presenting this to the Board at the next meeting.

The Board agreed to hold its May 8, 2018 meeting at 4:30 p.m. so Phil could attend the Central Vermont Internet meeting.

Peter adjourned the meeting at 6:25 p.m.

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

ABOVE MINUTES APPROVED MAY 8, 2018

PETER O. HOOD, CHAIR

MARY JUST SKINNER, VICE CHAIR

STEVEN MARTIN

ELIZABETH SCHARF

PHILIP HYJEK