

Select Board Members
<input checked="" type="checkbox"/> Peter Hood, Chair
<input type="checkbox"/> Mary Just Skinner, Vice Chair
<input checked="" type="checkbox"/> Phil Hyjek
<input checked="" type="checkbox"/> Steve Martin
<input type="checkbox"/> Liz Scharf

**MIDDLESEX SELECT BOARD**  
**Tuesday, June 15, 2021**  
**REMOTE VIA ZOOM**  
**Middlesex Town Clerk's Office**  
**5 Church Street**  
**Middlesex, Vermont 05602**  
**(802) 223-5915**

**MINUTES.**

**PRESENT:** Peter O. Hood, Chair, Mary Just Skinner, Vice Chair. Members Phil Hyjek, Liz Scharf and Steve Martin. Treasurer Dorinda Crowell. MVFD Treasurer Eric Metivier, Randy Drury. Road Commissioner Vic Dwire. Michael Levine. Select Board Assistant Sarah Merriman took the minutes and the meeting was recorded by ORCA.

**Call to Order**

Peter called the meeting to order at 5:00 PM. There were no amendments to the agenda.

**MVFD Reorganization Proposal**

The Board reviewed Steve's proposal to create a new fire department under the umbrella of the Town of Middlesex. The original MVFD – a separate 501C(3) - should be retained to organize fund raisers and social events to raise money for the department. Hopefully, the department would retain any and all current members. The tentative goal would be to establish this new Town Fire Department by August 15, 2021. Steve stressed that he'd like to have the cooperation and participation of the current members of the department.

Peter said the big question is whether the current MVFD will be willing to continue under this arrangement. If they don't stay on, then there might have to be an interim deal for fire protection with Montpelier and Waterbury. If that happens, there will be big budget issues that might require a special Town Meeting. At this point, the MVFD Zoomed into the meeting and Steve reviewed his proposal again. He stressed that it would still be "their" department, but it would be under the umbrella of the town. Liz asked about the process; Peter said a department can be created by Select Board vote. From an insurance perspective, PACIF, the Town's insurance provider, will be "delighted" that the Fire Department is a municipal entity. Waterbury Fire Chief Gary Dillon got in touch with Steve and is willing to help with training and so will the Waterbury equipment officer who is offering to assess the fire department's equipment.

Liz suggested adding compensation for fire fighters. Steve said he agreed that the MVFD compensation was atrocious. Liz asked that if the Town takes over, would the Select Board choose a chief? Steve said no. Peter said the fire department would make a recommendation and the Select Board would appoint officials.

Peter said he hopes the current MVFD would support this process; if not, the Town would be in a tough position because it would have to start from scratch. None of this is meant to be a slam or insult, he said. Eric said he'd just received the email so they haven't had time to process this proposal. Peter said this went out at the last minute and that the MVFD should think about this and come back to the Board with questions, concerns and/or recommendations. August 15 might be just a place holder. But a lot has to do with the process.

Eric asked what's the benefit of being under the Town umbrella; Peter said the department will be part of the Town as opposed to a separate organization. The Town will be providing oversight, help & support. It is difficult for the Town to provide all the financial support and yet have no oversight over the department. Liz said it also sends a message to Waterbury/Montpelier which have been telling the Board something needs to change. She said, we really want a Middlesex Fire Department. We have a great building and great volunteers. Liz said she doesn't see much changing on a day-to-day basis. More like, when someone from the town has a concern, the Board will know about it and be able to address it. Hopefully, this will strengthen the department and its relationship with Waterbury and Montpelier, she said. Peter suggested a joint meeting with the MVFD; Eric said he thought that was a good idea. Liz complimented Eric on the open house at the MVFD. Apparently about 20 townspeople showed. Liz said it was very illuminating. Mary asked about a memo from Jeff concerning response to calls. Eric and other members of the MVFD left the meeting.

**Highway Report – Approving VTrans Grant Letter/2021 Certificate of Compliance**

The Board reviewed a Letter of Intent to participate in the VTrans Municipal Roads Grants-in-Aid program which would grant the Town of Middlesex \$13,750 (with a \$2,750 Town match) to meet Municipal Roads General Permit standards. Dorinda noted that Road Crew must meticulously account for time they spend on grant work. Vic said he discussed this with Shane, the Road Foreman, and everyone's on board.

**MOTION:** Mary moved and Steve seconded agreeing to a Letter of Intent to participate in the VTrans Municipal Roads Grants-in-Aid program which would grant the Town of Middlesex \$13,750 (with a \$2,750 Town match) to meet Municipal Roads General Permit standards authorizing the Select Board Chair to sign electronically. The motion passed.

The Board discussed approving the 2021 Certificate of Compliance for Town Road and Bridge Standards. Vic confirmed that the Highway Department has an up-to-date inventory of roads and bridges and their conditions and follows the standards. However, he noted that in signing this agreement, the Road Crew must follow the aforementioned standards which exist for a reason. He said there are veterans on the Road Crew who still do things the way they used to be done twenty years ago. That is not acceptable and Shane the Road Foreman agrees, he said. The Town must comply. Randy and Mary asked for specifics. Steve cited as an example a certain member of the Road Crew not following standard procedure for compacting soil in preparing for culverts. Peter said if additional training is required, the crew should have it. Victor said he just wanted to be clear that if the Board is going to pass these road and bridge standards, then they need to be followed.

**MOTION:** Mary moved and Steve seconded approving the 2021 Certification of Compliance for Town Road and Bridge Standards and Network Inventory and authorizing Sarah to sign on the Board's behalf. The motion passed.

Peter asked about the paving grant. Vic said the grant will be awarded soon, but the repaving won't begin on Center Road in spring of 2022. He said the Highway Department has received another grant of \$4,720 to apply toward the purchase of an \$8,858 "rotative grizzly" which breaks up frozen sand. The Town will make up the difference. He also said the Road Crew will be working from 81 McCullough Hill Road to East Hill Road over the next four weeks repairing/replacing culverts.

**Treasurer's Report – Ongoing Welch Park Issues/Benderson's Failure to Pay**

Dorinda said Benderson, which owns property at Welch Park and, like the Town, is a member of the Welch Park Association, has not responded to requests to pay \$4,500 of Welch Park bills going back to April of 2020 for their portion of insurance, road permitting and well maintenance. Mary suggested putting a lien on the property. Dorinda said the Town has been approached by Attorney Brooke Dingleline regarding payment; in the past Brooke has appeared before the Board representing Consolidated Communication, Benderson's tenant. Peter said the Town should withdraw from Welch Park. Dorinda asked for direction on how to proceed. Phil said the Town should put them on notice that we're not going to pay their portion because we're going to withdraw from Welch Park. Dorinda says it's not right that the taxpayers are incurring the cost to temporarily carry these costs as well as expend administrative costs. Peter said he's going to ask Attorney John Riley to work on extricating the Town from Welch Park. Mary said the Town should stop paying the bills; Phil said the Town should put the others on notice. Peter said that won't work with insurance.

Dorinda submitted documentation to VTrans so the Town can draw down \$72,000 from a \$80,000 grant awarded to mitigate damage from a 2019 storm. Ashley Bishop of VTrans said the submission was perfect. Since the Town has already spent its own money on repairing the damage from two years ago, this will be a reimbursement. Dorinda asked the Board to consider how it should be spent Victor said put it toward the grader. Dorinda said because the Town has already expended the funds, the money does not have to be used for highway. Dorinda said if the Town incurs extra unbudgeted costs such as creating a Town fire department, this money might help with that.

Auditor Bonnie Batchelder has not replied to an inquiry about whether she can do audit the Town's fiscal 2021 year. The latest payment to the WCUUSD was accidentally left off the orders and will require special orders. Peter said the end-of-year report is heartening. Dorinda said the Town will probably be right on target.

**OTHER BUSINESS**

All orders were reviewed and approved electronically.

**MOTION:** Steve moved and Phil seconded approving the June 1, 2021 Select Board minutes. The motion passed. Mary and Liz abstained because they did not attend that meeting.

The Board reviewed a WEC permit requesting to work in the Town's right of way to extend a power line on Leland Farm Road. Mary, a resident of Leland Farm Road, suggested the permit be amended to include the following conditions: "That WEC agrees to chip all brush, mark all trees to be cut,

cut all fire wood (ash, maple, birch and dead trees) in log lengths and move the logs to a location selected by the landowner, and to stack all non-fire wood trees."

**MOTION:** Steve moved to approve the permit with those conditions; Phil seconded. Michael Levine said he wanted to remind people that there are specific boundaries marked for tree clearing and that WEC should not cut outside those lines. Michael said it's not in the Town right of way. The Board said since it's not in the Town right of way, then the tree warden doesn't need to be contacted. Mary recused from voting. The motion passed.

The Board reviewed the Washington County Sheriff's contract to provide speed enforcement in Middlesex. Though voters at the March 2020 Town Meeting approved spending \$7,500 on speed enforcement, the Sheriff's Office has billed only for \$4,500 and the fiscal year is almost over, Dorinda said.

**MOTION:** Liz moved and Steve seconded approving the FY22 contact with the Washington County Sheriff's Department to provide 4.5 hours of speeding enforcement per week. The motion passed. The Board lamented that, due to labor shortages, neither the Sheriff nor the State police can provide adequate speed enforcement. The Board discussed buying signs. Sarah was designated to sign on the Board's behalf.

**Correspondence:** Sarah said Gretchen Beaudin has appealed the Listers' grievance decision on the 2021 valuation of their property on Zdon Road. Within the next two weeks, a hearing will be scheduled before the BCA. The Board briefly discussed times.

**MOTION:** Steve moved to enter an Executive Session under V.S.A. § 313 (a) (7) (A) and to include Dorinda and Sarah; Phil seconded. The motion passed and the Board entered Executive Session at 6:37 PM and exited at 7:40 PM. There was no action.

The Board adjourned its meeting at 7:41 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 JULY 6, 2021.

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PETER O. HOOD, CHAIR

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MARY JUST SKINNER, VICE CHAIR

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PHILIP HYJEK

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STEVEN MARTIN

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ELIZABETH SCHARF

DRAFT