

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, December 21, 2021
REMOTE VIA ZOOM + Town Hall
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES.

PRESENT VIA ZOOM: Peter O. Hood, Chair. Mary Just Skinner, Vice Chair. Members Liz Scharf and Steve Martin. Treasurer Dorinda Crowell. Budget Committee members Randy Drury (who was at Town Hall), Mark Harris, Bill McManis and Elias Gardner. Road Commissioner Vic Dwire. MVFD members President Jeff Koonz, MVFD Treasurer Eric Metivier, former Emergency Management Coordinator Paul Otenti, Select Board Assistant Sarah Merriman took the minutes and was present at Town Hall, which was open to the public.

Call to Order, Welcoming Guests, Amendments

Peter called the meeting to order at 5:03 PM. The agenda was amended to include discussion of the Trails Committee work plan.

FY23 Budget Workshop

Dorinda said there weren't many adjustments to the budget that was presented at the previous meeting on December 7th. Therefore, the proposed FY23 budget represents a 10.89% increase over last year's budget if it includes a 5% increase in wages for COLA. Steve asked about special articles. Dorinda said not much has changed from 2021 except the Kellogg-Hubbard Library is requesting \$32,022 - an increase of 7.45% over last year's request of \$29,801.

Peter asked for the Budget Committee's opinion. Randy said the Budget Committee hasn't taken a vote as a whole about the proposed budget. However, as an individual, Randy said the 5% COLA - on top of the sweeping market adjustments to employee compensation the Board imposed in November - is tough to swallow. He would have been okay with the 5% if there hadn't been a market adjustment. Mark asked if there had ever been a budget increase of this size placed before the voters; Peter and Dorinda couldn't remember one. Mark said the other unknown is how much of this increase will be absorbed in the tax rate by a higher-valued 2022 grand list. Peter suggested this might be the time for the Board to use its fund balance to offset the impact.

Randy asked if the proposed budget includes increased health care expenses and whether there was a policy change that said now the Town is covering 100% of the premium costs for spouses. Dorinda said the proposed budget does not reflect that possible change in policy. Peter said the tricky part is that this has been done for two employees. So, the Board needs to decide if this will be the Town policy for all married employees and also figure out what to offer employees who do not take health insurance. Randy said his understanding was that paying for spouses was to secure a bookkeeper/Assistant Town Clerk and not a change in policy, but a matter to be discussed in the future. Peter said he's nervous about backsliding again. Mark asked if a budget increase of 10% can be sold to the voters. Peter said he's never witnessed voters turn down budget, but that's chancy considering the budget may be on an Australian ballot and, therefore, unable to be amended from the floor. Peter agreed that it's safe to say that there will be an increase in the tax rate. Mark said the Board has to think about that in relation to inflation and what will be the impact on taxpayers. Peter said he just wants to make sure employees are adequately compensated and that inflation is not projected to decrease anytime soon. Peter said he hopes to explain to voters that with the higher-value grand list and the fund balance, the increase in the actual tax rate will be less.

Steve said \$25,000 from the fund balance could bring the increase to 9.01%. The unallocated fund balance is \$188,000, Mark said. Randy asked about the purpose of the fund balance and whether the Town will find itself in a tough position of having to dip into the fund balance to cover other costs, such as delinquent taxes.

Dorinda said re: health insurance, if the Board increase HSA contributions for spouses (provided the Town pays 100% of premium spouses), the budget increases by 12%. She argued against dipping into the fund balance; the money is better spent paying off debt. The reason why there is so much in the fund balance is because of COVID money and an unbudgeted grant reimbursement.

Liz suggested trimming the budget by removing \$10,000 for improvements to the tennis court (and transferring money into that fund from the fund balance instead), and eliminating \$5,000 for unforeseen road repair. She said Randy does have a point about the salaries and perhaps the Board should reduce the 5% COLA to 3%. Elias said while 10% is a lot, he's not sure how to avoid it. Mark said in order to get the budget under 10%, about \$30,000 needs to be cut from the budget. If the Town historically underspends its budget, are there places where that can be cut now? Peter said most of the Town's budget goes toward road maintenance and it's hard to find places where to cut there.

Vic said shouldn't the 12% increase the employees received mid-year be taken into account when considering a 5% COLA increase? Peter said he felt the mid-year raises caught the Town up to where it should have been. Peter suggested that if the Town pays the other half of the premium for the spouses, but not necessarily double the HSA, would that help?

Dorinda brought up the paving fund. She wanted to know what's the difference between the cost of the paving project and the grant award, the difference of which would come out of the fund balance. Vic said that shouldn't be a problem. Dorinda asked about not making an annual contribution of \$30,000 to the paving fund in this budget year.

Mark suggested taking out \$10,000 from the paving fund. That, combined with \$15,000 of Liz's cuts and reducing the COLA from 5% to 3% and reducing the HSA contribution to \$1,000 might do the trick. Dorinda said she thinks it's a mistake not to fund the tennis court when the fund was started just last year. Peter agreed. He supported reducing the paving fund by \$10,000 and imposing a 4% COLA raise.

Steve and Vic suggested reducing roadside mowing to one time per year. That would save \$7,000. Dorinda said the Highway Department was at 45.5% of its budget at the end of November and that the fund balance will have to be dipped into to cover the wage from the mid-year raises.

In sum: leave the HSA contributions the same and set a 4% COLA. Cut contribution to the paving fund by \$10,000 so the contribution will be \$20,000; reduce the contribution to the tennis court from \$10,000 to \$5,000; remove the total \$5,000 allocated for unforeseen road repairs and remove \$7,000 from roadside mowing. That will bring the proposed budget to 9.5%. The Board will vote on this at its January 4, 2022 meeting. The Budget Committee, aside from Randy, left.

Joint Meeting with the Middlesex Volunteer Fire Department: No Town Vote

Jeff ran through the calls the MVFD have addressed since the November meeting. He said Eric is the new Chief effective January 1, 2022. Jeff is still President. Doug Hanson has stepped down from all administrative positions, but is still a volunteer with the MVFD. Peter thanked Doug for his 30 years of service, ten years of which was as Chief.

Peter said he spoke with Jeff and Eric on Monday night about Phil's suggestion that moving forward in a collaborative way with the MVFD to consider the future structure of the fire department would be a better path instead of putting the question of whether to form a municipal fire department before the Town voters at the March 1, 2022 Town Meeting. Peter suggested this approach with the Select Board and the MVFD taking votes on the fire department in 2023.

Jeff agreed. He said since holding these joint meetings he's felt the relationship between the MVFD and the Select Board has improved by leaps and bounds. He also said he's worried about getting information out before the March 1, 2022 Town Meeting. He said there's enough common ground to go forward. There are also budget issues that won't align if the Town takes this vote in March while approving a FY23 budget that won't reflect a municipal fire department.

Mary said she was under the impression this question was going to go to the Town voters. Liz said she was confused, too, but then reread the minutes. She mentioned an email from Paul Otenti about making sure what's at stake is clear to the voters. Mary asked for clarification. Will both the Select Board and MVFD vote on merging into a Town fire department? Yes.

Peter noted the non-profit arm of the MVFD could still exist for fundraising. Peter said he appreciates the non-combative approach and also remarked on the Board's improved relationship with the MVFD. The Board agreed the question of forming a municipal fire department would not be on the Town Meeting ballot. Jeff asked if the FAST Squad should be included in this process; the Board agreed. The MVFD left at 6:29 PM.

Highway Department: Sick Time vs Vacation Time

Vic read an email from Highway Department employee Charles Pelchar complaining that when he came down with COVID last summer, he was told he would not have to go into the hole for sick time. However, when he took six hours off to take his child to the emergency room recently, he was docked vacation time. This should have been sick time.

Dorinda said he also worked 8 hours of overtime during that pay period. Dorinda said he physically worked 48 hours. He added 14 hours of overtime. Dorinda reduced the overtime from 14 to 8 to compensate for the 6 he took off as sick. She changed those 6 hours to vacation because her understanding was that while they could go into the hole for COVID, this incident was not related to COVID. She said he should not have gotten additional 6 hours. Dorinda said technically he shouldn't have been paid for the 6 hours since he'd worked 8 hours of overtime. Six of those 8 overtime hours should have

been straight time. Should 6 hours be deducted from his pay? Or should he take 6 hours of vacation? Dorinda said she's frustrated because she's following the Town Personnel Policy and, yet, put in a bad position because of that. Liz suggested returning 6 hours of vacation to his vacation allotment, but remove 6 hours of pay. Peter concurred. Randy suggested that Shane be apprised of the policy, since he's approving the time sheets. He said it sounds like they're computing overtime on a daily basis instead of on a weekly basis. Dorinda said the same employee worked 45.5 hours and used 3 vacation hours that week. Steve asked if Charles would have worked overtime that day if he hadn't taken off the six hours; Dorinda said yes. Liz asked if all employees are vaccinated because, with the Omicron variant of the COVID virus, there will be sick employees this winter. Dorinda said the first issue is that the Road Foreman needs to understand the personnel policy and how overtime works, which is that overtime doesn't kick in until the employee works a full 40-hour week. The only exception is the holiday week. Dorinda said part of the confusion is that, due to COVID, employees are under the impression they can go into the hole for any sick time, period. Shane and Vic will deliver the news to Charles that he has a choice: either transfer the 6 hours back to his vacation allotment and deduct 6 hours from the following paycheck or keep the pay and allocate those 6 hours as vacation time used. Vic said he's confident Shane understands the policy. Peter said the Board still needs to clarify about going into the hole in sick time for COVID-related illnesses; what if the employee gets sick for three months? Mary asked what if an employee had a heart attack? Dorinda reminded the Board that when a former employee got seriously ill, the Board covered the cost and that, after a while, disability kicks in. Liz said the Board should discuss this at a future meeting and think about imposing caps on sick days. Disability kicks in after three months. Randy asked about whether there's an accrual of sick time. A Town employee can accrue a maximum of 720 hours of sick time after which disability insurance will kick in. Peter suggested allowing employees to go into the hole for 14 days. Randy suggested hours. Dorinda said the Town provides life, long-term and short-term disability and the employee automatically pays \$6/month. Liz said if an employee goes too far in the hole, he/she will never be able to dig themselves out. However, the Board should act fast because of the omicron variant. The Board will take up this issue at its January 4, 2022 meeting.

Heating the Town Garage

Vic said there's a heater problem in the Town Garage. The cost to replace it will be \$6250 plus another \$250 because they need a lift. Should the heater be replaced or should the department limp through? And where the grader is, it's unheated. Peter suggested using a block heater to keep the grader warm enough to start on a cold day. No action was taken on replacing the heater in the Town Garage.

Driving on the Class 4 Section of North Bear Swamp Road

The Board discussed the problem Rupert Thouron faces every winter/spring when vehicles attempt to drive down the Class 4 section of North Bear Swamp Road past his house, even though it is unplowed, and get stuck in Hunger Mountain parking area. He often has to use his equipment to pull them out. The Board agreed that he should be allowed to place a large boulder at his end of that road to prevent vehicles from going down the road until hiking is allowed to resume. Randy suggested a time start and end date; the Board agreed that was weather dependent. There was no decision about blocking off the other end of the North Bear Swamp Class 4 section.

OTHER BUSINESS

MOTION: Mary moved and Steve seconded approving the minutes from the December 7, 2021 Select Board Meeting. The motion passed.

MOTION: Mary moved and Steve seconded approving a five-year Certificate of Location for Bolduc Salvage Yard at 239 Bolduc Road. The motion passed and Board members will sign the certificate.

WCUUSD Board Member Chris McVeigh's letter about the procedures for using Rumney School based on the Town's 2019 easement with the WCUUSD. The letter arrived in an email during the meeting, so the Board did not have time to review. However, Peter said the easement is clear that the Town should have access to the school it built not only for Town Meeting, but for all activities such as bandstand concerts, etc. The Board will send the proposal to the Town Attorney and revisit the issue at the January 4, 2022 meeting.

The Board discussed complaints about Carole Picard's animals wandering Brook Road. Sarah said she'd received phone calls from people worried about hitting pigs, geese, etc. However, she said there's nothing in the Town's animal-control ordinance that addresses farm animals. Vic said he and Shane had spoken to Carole about the fence being in the Town's right of way and that it's his understanding that the animals are being moved across the stream. This should solve the problem.

Correspondence: The Board acknowledged receipt of Michael Levine's email about the Trails Committee's workplan, agreed there did not seem to be an issue, and will take up the matter at their January 4, 2022 meeting.

All orders were approved.

The meeting adjourned at 7:30 PM.

Respectfully submitted by Sarah Merriman, Select Board Assistant

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON JANUARY 4, 2021.

PETER O. HOOD, CHAIR

MARY JUST SKINNER, VICE CHAIR

PHILIP HYJEK

STEVEN MARTIN

ELIZABETH SCHARF