

Select Board Members

Peter Hood, Chair
 Steve Martin,
Vice Chair
 Randy Drury
 Phil Hyjek
 Liz Scharf

MIDDLESEX SELECT BOARD
Tuesday, April 5, 2022
REMOTE VIA ZOOM
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES.

PRESENT: Peter O. Hood, Chair. Steve Martin, Vice Chair. Members Randy Drury, Phil Hyjek, and Liz Scharf. Treasurer Dorinda Crowell, CVRPC consultant Christian Meyer, Planning Commission Chair Sandy Levine, and Planning Commission members Theo Kennedy and Mitch Osiecki. WCUUSD Member Chris McVeigh. Road Commissioner Vic Dwire. Zoning Administrator Kevin Thompson and residents Barbara Thomas and Sue Bettmann. Select Board Assistant Sarah Merriman took the minutes. The meeting was recorded by ORCA.

Call to Order/Amendments

Peter called the meeting to order at 5:01 p.m. and greeted guests. There were no amendments to agenda.

PUBLIC HEARING on VCDP Resolution

Peter called the public hearing to order at 5:03 p.m. Liz, a member of the Capital Planning Committee, said the public hearing is regarding an application for a grant under the Vermont Community Development Program that would help the Town determine the fate and future of the Town Hall. The grant would pay for an engineering study, assessing aspects of Town Hall such as its structure, weatherization, plumbing and heating and anything related to the existing building in order to bring it to 2022 standards of efficiency and safety. The grant would also pay for examining other options, such as moving the building, building a new Town Hall or relocating to an existing space. Liz said the committee hopes to apply for a \$45,000 grant with a 10% match (in-kind allowed). Christian has been writing the application for the grant. Liz said believe she believes apply for the grant is in the best interest of the townspeople because it will pay for an engineering study and options that can be presented to the voters.

There was no public comment during the public hearing.

The Board discussed Peter as CEO on the application, which Liz says is Chief Elections Official. Liz said the Central Vermont Regional Planning Commission will administer the grant. Liz said she will write the program reports. She said this is a very competitive grant. In the grant application, Liz said there will be a component of adding a food shelf since the Middlesex Food Shelf in the United Methodist Church burned down after it was closed to COVID. Christian reached out to Dubois and King about how much a study of Town Hall would cost, which is why the Capital Planning Committee came up with about \$45,000. If approved, the application will be submitted next week. Liz said the maximum award is \$60,000. The Board discussed if \$45,000 is enough; Liz noted the amount applied for has to be justified. Peter closed the public hearing at 5:19 PM.

MOTION: Liz moved to approve the Vermont Community Development Program Resolution for the grant application; Steve seconded. The motion passed and Board members signed the Resolution.

Appointing Listers

The Board reviewed applications from three candidates for the three Lister positions: Shelly Desjardin, Gary Waring and Annette Halasz. Sarah said since Eric Young technically has yet to resign and is needed to sign official paperwork, the Board can appoint only two. The pay is \$24/hour. The Board discussed appointing two now and one as an alternate or, alternatively, as a lister effective upon Eric's resignation. Randy said the Board should appoint two and a third after Eric resigns. It's possible candidates with more experience may step forward. The Board will address the issue of the third remaining lister after Eric formally resigns. Peter said Eric should be brought on as a consultant to help train the new Listers and paid at his current rate if he is willing.

MOTION: Phil moved to appoint Shelly Desjardin and Gary Waring effective immediately; Steve seconded. The motion passed.

Treasurer Report - ARPA Funds

Dorinda noted that any municipality receiving under \$10 million of American Rescue Plan Act (ARPA) funds can take a one-time standard deduction which will not require detailed itemization. However, notification of that deduction must be filed before the end of April, Dorinda said. Otherwise, since no ARPA money has been expended, there is nothing to file on the first quarterly report. Peter said the standard deduction gives the Town maximum flexibility

MOTION: Phil moved to elect to take the standard deduction for the ARPA funds and ask the Treasurer to declare that and file a report at the end of the month, Randy seconded. The motion passed.

The Board decided to devote an hour and a half at the April 19, 2022 Select Board meeting on allocating ARPA funds.

Dorinda suggested spending some of the funds on purchasing remote-meeting technology: an "owl", computer and monitor. Sandy said the Planning Commission would support this.

Joint Meeting with the Planning Commission

Sandy called the Planning Commission meeting to order and welcomed fellow member Theo and Mitch. She told the Board that the possibility of creating Development Review Board to replace the Zoning Board of Authority emerged while drafting updating Town land-use regulations. The DRB would also assume permitting responsibilities currently with the Planning Commission. Occasionally zoning applicants have had to appeal to the ZBA and PC for different aspects of the same application. A DRB would streamline the process for the applicants while unburdening Town committees by not obligating volunteers to attend extra hearings. In addition, it might ease the need to fully fill a ZBA and PC. The DRB would be appointed by the Select Board and Sandy suggested that members of the Board and/or the Planning Commission join the DRB on a rotating schedule to provide consistency and legislative intent.

Mitch, who is the Zoning Administrator in Northfield which has a DRB spoke in favor. Since more zoning review elements are forwarded to one board instead of two, that board is more likely to meet on a regular basis. Theo spoke in favor as well, noting the DRB would save time and money. Meanwhile, the PC could devote its time to developing Town planning and process. Sandy said the downside is the DRB eliminates an elected body from deciding on permitting. Peter said he has a hard time coming up with negatives. It would be up to the Select Board to follow a process outlined in State statutes to create a DRB, Sandy said. The Board agreed it would be worth considering.

Sandy also provided a quarterly update on what the Planning Commission has been up to. She said the PC is close to completing a draft of updated land-use regulations. Currently, there is a redline draft on What's Next Middlesex? [Planning Commission \(whatsnextmiddlesex.org\)](https://www.whatsnextmiddlesex.org)

On the same site, the Walkable Middlesex Scoping Study will be available soon. The study will include sidewalks and partially barricaded bicycle lanes that will provide comfort and safety for bicyclists for the State to consider when this part of US Route 2 is upgraded in the next five years. Sandy also said there are two new PC members: Nicole D'Agostino and Jon Liebowitz. The Planning Commission portion of the meeting concluded at 6:15 p.m.

Revised Rumney Access Procedure

The Board discussed a revised procedure policy for allowing Town access to Rumney School drafted by Chris. He said, since the latest revision, he incorporated a suggestion that a timeline be instituted if access to the school is denied for health reasons (one day) and when health officials must gather to determine the health concerns (one week). Chris stressed that this document simply outlines a procedure for requesting access; ultimately, access is granted through an easement granted to the Town on June 30, 2019. Peter asked if the process outlined here doesn't work, can it be revised? Chris confirmed it can be amended. The WCUUSD Board must also sign off on this agreement.

MOTION: Liz moved and Phil seconded approving the policy outlining the process for Town access to Rumney School with the amendments about the health timelines. The motion passed.

Town Highway Report

Vic said all the roads have been graded. The road crew will be heading to Center Road and then Brook Road. Conditions need to be drier to fix excess material. Peter said the slate should be used to fill holes on Class 4 Roads, not put back on the Class 3 Roads. Vic said it might be able to fill in spots at the North Bear Swamp trails. The grader broke. Vic said it will be covered by the warranty.

Vic said he hopes the Town will receive money from the federal infrastructure package being allocated through the AOT to reimburse the Town for time, equipment and materials spent on the roads. No one's been interviewed for the Road Crew because everyone's been busy. Liz asked about long-term improvements of the roads by removing old material and putting in new material permanently. Peter said if the Town is \$50k in the hole for material this spring, that will be a hard sell. Liz said the infrastructure money from the Feds could pay for improving roads and the Town needs to prioritize which roads so the Town can access that federal money to get the work done. Vic said it's a huge undertaking. A foot of material – and the Town does not put down a foot of material – for a mile is \$70,000. That doesn't include shipping and removal of the old stuff. Randy encouraged the road crew to keep detailed track of grader repairs, etc. Dorinda said grants require detailed accounts of expenses. Keeping tracking goes beyond bills and extends to employee hours, etc. Vic said he would go over this with Shane.

Worcester Cell Tower

Peter said Worcester Select Board member John Kaeding called him requesting a supportive letter opposing installation of a 300-foot cell tower on Norton Road. John Kaeding said Worcester followed all the steps recommended by the Vermont League of Cities and Towns to prevent installation of cell towers without community input and they were worthless. Worcester offered four alternative sites and none was approved. Barbara Thomas of East Hill Road said she was concerned about negative health effects from cell towers. Sandy said a proposal to expand a cell tower on East Hill was recently brought before the Planning Commission. Despite the meeting being noticed, no one from the public objected. She said the East Hill cell tower expansion is not going through the state process. Health concerns, however, are not taken into consideration. Kevin said he has Zoning Administrator has not seen a permit application for that expansion. As a resident of Putnamville, he spoke in opposition to the cell tower on Norton Road which will be seen by most of Putnamville. He and Sandy concurred that due to Town zoning regulations, which are enforced, Middlesex is in a much stronger position to be taken seriously by the State re: cell tower placement than Worcester, which has no zoning. Randy referred to the letter and the 240A process. Kevin encouraged the Board to write the letter because the tower is so far beyond the scale of what's needed. Peter will sign as Chair.

OTHER BUSINESS

MOTION: Phil moved and Randy seconded approving the minutes of the March 15, 2022 Select Board meeting. The motion passed.

MOTION: Randy moved and Liz seconded approving an access permit for Steve and Marissa Melamed on North Bear Swamp Road, 1.1 mile from Nellie Chase Road.

The Orders were signed.

Dorinda wanted to know if she could add a service charge for the Accounting Department's time processing Welch Park bills. Peter said it's her discretion as Treasurer, but that \$20 seemed reasonable. He updated the Board on a conversation with the Town attorney re: extricating the Town from the Welch Park Association.

Dorinda referred the Board to an email she sent about boots purchased by Road Foreman Shane Brickey. The Town pays up to \$200 per year for safety boots; these are not safety rated per personnel policy, she said. Liz said the Road Foreman should not approve purchases for himself. Plus, he bought two – one for \$155 and another for \$145. He covered the \$100 difference. Dorinda said perhaps the Town should reimburse road crew employees after they buy boots instead of being billed directly. Randy said he researched the ratings for the boots. One is just a hiker. There is a question about height requirements, but the toe meets standards. Also, Randy noted the personnel policy states the boot purchases must be pre-approved. Peter said in the future, anything the road foreman buys for himself should be pre-approved by Vic. Peter said Shane owes the Town \$45. Randy said that's reasonable since it's a 6" boot instead of an 8" boot. Peter said from now on, any purchase Shane buys for himself should be signed off by Vic. Peter said he will talk to Vic and either he or Victor will deliver the message to Shane.

The meeting adjourned at 7:40 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 APRIL 19, 2022.

PETER O. HOOD, CHAIR

STEVEN MARTIN, VICE CHAIR

RANDY DRURY

PHIL HYJEK

ELIZABETH SCHARF

DRAFT