

Select Board Members

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

MIDDLESEX SELECT BOARD
TUESDAY, MAY 17, 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 and Phil Hyjek. Treasurer Dorinda Crowell. Planning Commission Chair Sandy Levine and PC Members Theo Kennedy and Mitch Osiecki. Russ Bennett. MVFD Chief Eric Metivier and Firefighter Scott Isham. Stephanie A. Smith, State Hazard Mitigation Officer, Vermont Emergency Management. Jennifer Evans. 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 5:00 p.m. There were no amendments to the agenda

Considering a Development Review Board

The Board reviewed a draft resolution submitted by Sandy to create a five-member Development Review Board made up of at least one – but no more than two - members of the Planning Commission. The DRB would replace the Zoning Board of Adjustment and assume all permitting duties assigned to the Planning Commission such as site-plan review and approval of subdivisions. Sandy said once the Board makes the appointments, the DRB can start at any time. The Board can advertise for new members or it can appoint three members of the ZBA to the DRP and the two remaining ZBA members could be alternates. Everyone who now serves could continue to do so.

Peter suggested making this transition effective July 1. Sandy said she would talk to the PC and reach out to the ZBA and return with a list of members who could be plugged into the DRB resolution.

Theo discussed zoning bylaws that are being redrafted and to what extent a Select Board member be interested in serving on a rotating basis. Phil asked if there's a conflict of interest having a Board member serving on DRB in the case of appeals. Sandy said an appeal would go to the Environmental Court, but the Board would have to make a decision regarding hiring counsel. Theo said the more common conflict is someone having to recuse themselves. Mitch said state statutes might speak to conflicts and noted the Select Board might have authority to negotiate an appeal. Dorinda asked about the budget, assuming money allocated to the ZBA would be folded into the DRB. The Board agreed.

Peter said the Board would like time to think about serving. In the meantime, the Board could discuss the context of Sandy's resolution. Steve suggested holding off on voting until Sandy returns with a list of potential candidates. Sandy said she would have a slate of potential appointees ready for June 7th meeting.

In other updates, Sandy said there is a draft of a final report for scoping study which will be discussed at the PC's meeting on the 18th. That will be sent to the Board for review and acceptance. Zoning regulations update: the PC will hold a public hearing on the redrafted zoning regulations in June. Board will have a hearing in July and the regulations could be on the ballot in November. Sandy said the draft regulations will refer to a DRB, instead of a ZBA, which was why she was bringing this to the Board's attention now.

Road Foreman Bonus

The Board revisited a conversation from the May 3rd Select Board meeting regarding 2021 bonuses to cover spousal health insurance for the Road Foreman and agreed those one-time bonuses were given because of exigent hiring concerns. The Town will pay for the health insurance premiums of the foreman's spouse starting July 1, as budgeted. Randy said there was no need for a motion because the resolution will be documented in the minutes.

Russ Bennett

As the new co-owner of the Colby property on Center Road by the interstate, Russ told the Board he drilled two wells, each of which produces about 50gallons/minute. Currently, the new owners are considering building 6-12 multi-family units on the property in condominium ownership with a day care. Therefore, there might be enough water left over for hydrants or perhaps water for the Middlesex Village. Russ wanted to apprise the Board of this and get the Town thinking about creating a water district.

Peter said the Board would be interested in considering this down the road. He mentioned that, in the past, villagers were reluctant to spend extra money for water. Russ said he was bringing this to the Board's attention so the town could consider rules for hydrants and sprinkler systems, beneficial to long-term growth in the village. He also warned that federal funding for water supplies might be closing soon, so the Town should act sooner than later to seek grant funding. Peter said the Board was on standby. Russ left the meeting.

Joint Meeting with the Middlesex Volunteer Fire Department

Eric met with the Board at 5:32 PM and presented the following monthly update:

Total calls to date: 26
 Calls over the last month: 7
 Mutual Aid out: 3
 Mutual Aid in: 1
 Max members respond: 7
 Avg members respond: 3.6

Calls:

21 Apr, I-89 vehicle roll over, E-1, R-1, 5 responders
 25 Apr, MA out, Worcester, brush fire E-1, 2 responders
 01 May, MA out, Berlin, structure fire, T-1, 2 responders
 01 May, Bolduc Rd, Fire alarm activation, false alarm, 4 responders, K-2 direct
 02 May, MA in, Montpelier FD, Rt 12 & Bolduc, car vs power pole, 1 responder
 02 May, MA out, East Montpelier, barn fire, T-1 & R-1, 7 responders
 12 May, MA in, McCullough Hill Rd, shed/woodland fire, E-1, T-1, R-1, Montpelier FD, Worcester VFD, Moretown VFD, Berlin VFD

Training: Pumper operations with dry-hydrants

Repairs: Replaced light bulb on R-1 scene light

Purchases: multi-gas meter using donation money

Members of the Department continue to work at vaccine pop-up clinics.

FAST Sq:

12 total for the reporting period
 10 medical only calls
 2 in conjunction with FD calls

Randy asked about the current size of the department; Eric said there are 10 members of the MVFD. Peter asked for documentation about costs for turnout gear. Peter said the Board should hold an informational meeting about making the MVFD a Town department and get info out to the public this fall assuming all is going well. Eric said he thinks it's the only way to go forward. Steve thanked Eric for the report ahead of the meeting. Randy wants the town residents to understand this is a joint effort from both sides. Likely, an informational meeting on the merger will be held in September. The joint meeting ended at 5:42 PM and Eric left.

Highway Department

Vic wanted to know if ARPA funds could be used to cover the cost culvert crossings in the Center Road paving project. The Board has a list of potential ARPA projects and asked Vic to return with a cost estimate. Vic notified the Board that the State had awarded a \$200,000 grant to pay for paving a portion of Shady Rill from the Town Garage to where the dirt begins. The grant will be used in 2023, though there are some "environmental

requirements” that have to be met. The Center Road paving project will be underway in August and September to coordinate with the contractor’s work on US Route 2.

Vic said the 1984 Town chloride truck broke down last Tuesday. Difficult to grade summer roads without chloride to keep down the dust, he said. The truck would not pass inspection. The electrical cord to the headlights is what keeps the hood from falling to the ground. Peter said he likes the idea of using a trailer to distribute chloride. Randy asked if the chloride truck breakdown is the reason why there’s been no grading. Vic said partially. The Board discussed the Road Crew’s schedule, particularly why some attended an equipment show in the morning and then took the afternoon off. Peter complained the crew did not make the most of a dry week with lots of maintenance opportunities. Randy agreed. Peter said he wants Shane to take control of the Road Crew. Randy said if the crew wants their afternoons off, maybe they should go to a five-day work week. The Board invited Shane to attend the next meeting and to let him know the Board supports him taking more control.

The Board discussed filling a vacancy on the Road Crew since advertisements for drivers with current CDLs aren’t producing any candidates. In conclusion, advertise widely for anyone willing to learn the equipment and pursue his/her CDL.

Vic said flooding at Iona Kemp’s property may be caused by an issue that will be relatively easy to resolve, but that wasn’t necessarily caused by the town’s work on Wood Road.

Treasurer’s Report

Dorinda discussed the CV Fiber committed letter in which the Town pledged \$100,000 of ARPA funds to bringing broadband to underserved parts of Middlesex with a \$100,000 match. She noted this was considerably more than neighboring towns were offering. She also discussed a bill from Main Street Law regarding Welch Park and whether that should be divided among the Welch Park members or paid by the Town. Peter said the issue was solely Middlesex’s and concerned the Town Attorney so only Middlesex should pay.

In response to Board Member Liz Scharf’s suggestion at the May 3rd meeting that the Treasurer draw up a statement of wages and benefits to be distributed annually to the Town employees in order to provide them with a more accurate explanation of their wages beyond just the hourly rate of pay, Dorinda provided the Board with a draft letter for their review. The Board approved. Randy said he liked the idea of full-time employees receiving those letters at the start of every fiscal year so they have a complete picture of their total compensation.

OTHER BUSINESS

The Board passed over approving the minutes of the May 3, 2022 Select Board Meeting and the May 12, 2022, Emergency Meeting.

All orders were signed.

Update on FEMA buyout of 28 Rich Road. Sarah updated the Board about her progress as Town Clerk executing a buyout of 28 Rich Road. The application to FEMA was submitted in 2018 and approved in 2020. The pandemic threw up some roadblocks. Finally, the appraisal came in at \$100,000 higher than the original value of the house as stated in the application. Now, the deadline to finish the buyout was approaching this summer and it hadn’t even started.

In response, Stephanie said there is an additional \$11 million in federal funding in a new round of grants that would cover this buyout. There’s no reason why this project wouldn’t qualify as long as the scope hasn’t changed, she said. Neither time or money is an issue, she said, because she is requesting a 15-month extension. Jennifer Evans, the home owner, is still interested. Steve asked if the Town would be liable for any money; Stephanie said no. There is plenty of third-party funding to make up the 30% match required by the federal government. Dorinda asked about finding contractors and the costs of materials and labor. Stephanie said there are delays, but if the project is moved to the next funding round, this shouldn’t be a problem. Peter said he suggests the Town move forward. Phil agreed. Randy said he’d like to see it all work out. Jennifer said she feels frustrated because this is a conversation she’s had with the Town before.

Trash on Bolduc Road. Peter said he met with Dr. Robert Penney, the Town Health Officer, to discuss complaints about a massive amount of trash at Shawn Maranville’s property at 34 Bolduc Road. Apparently, Shawn is renting the house to a relative and has promised action. The Board agreed to send him a letter.

Trash on VT Route 12. Robert Bowers said he’s been unable to completely clean his property at 570 VT Route 12, despite letters and phone calls from the Town, due to ongoing health issues. He said he’s trying the best he can. Peter said he’s made excuses before and needs to clean up the property and especially to remove debris from the State’s right of way on VT Route 12.

Peter said the Bandstand Committee wants to build an 8X10 storage building up against the woods on the Town recreation field to store items. Peter said would like it to have a pitched roof and stained a dark color so fits in with tree line. The Board discussed the pros and cons of using the old fire station instead. In addition, the Bandstand Committee thinks the sign at the Town field is delaminating and looks ugly. The recreation director will contact the sign’s designer.

Meeting adjourned at 7:06 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 JUNE 7, 2022.

PETER O. HOOD, CHAIR

STEVEN MARTIN, VICE CHAIR

RANDY DRURY

PHIL HYJEK

N/A
ELIZABETH SCHARF