

**Select Board Members**

Peter Hood, Chair  
 Liz, Scharf, Vice Chair  
 Randy Drury  
 Vic Dwire  
 Phil Hyjek

**MIDDLESEX SELECT BOARD**  
**TUESDAY, SEPTEMBER 20, 2022**  
**Remote via Zoom and in Town Hall**  
**Middlesex Town Clerk's Office**  
**5 Church Street**  
**Middlesex, Vermont 05602**  
**(802) 223-5915**

**MINUTES.**

**PRESENT:** Peter O. Hood, Chair. Members Randy Drury and Vic Dwire. Treasurer Dorinda Crowell. Road Foreman and MVFD Chief Eric Metivier. Dexter Lefavour, MVFD President Jeff Koonz, Lister Shelley Desjardin and E911 Coordinator Mitch Osiecki. The meeting was recorded by ORCA and Select Board Assistant Sarah Merriman took the minutes.

**Call to Order**

Peter called the meeting to order at 5:00 PM. The meeting was amended to include discussion of the rbTechnologies contract renewal and a request from resident Mike Hill to speak to Peter one on one. In addition, Dexter would like to make a public comment.

**PUBLIC HEARING****Proposed Revised Land Use Regulations**

Peter called the public hearing to order at 5:02 PM. He reviewed a PowerPoint outline of the changes in the proposed Land Use Regulations which was presented to the Board on August 2, 2022, and [is available here](#). The goals of the proposed regulations are to clarify, simplify, modernize and align the regulations with the current municipal plan, Peter said. Part of streamlining the permitting process includes eliminating the Zoning Board of Adjustment and creating a Development Review Board, which includes members of the Planning Commission, to consider appeals of the Zoning Administrator's decisions along with such issues formerly under the aegis of the PC such as major subdivisions. This has already been done and the DRB is now in place.

For further information, Peter encouraged everyone to read through the complete proposed regulations which are available in the Town Clerk's Office and [also found here](#). Peter said the Board was waiting for public input at this hearing to address the regulations. If no significant changes are made, the Board will likely vote to place them for voter approval on the March 7, 2023, Town Meeting ballot. Another public hearing will be scheduled if the Board makes significant changes, however. Vic asked if a property that lands in the newly designated flood-plain areas will be devalued on the grand list to reflect that; Peter said that's usually the process. The public hearing ended at 5:18 PM without comments from the public.

**Dexter Lefavour Running for the Washington 1 Senate Seat**

Dexter, of Middlesex, announced he is running for the Washington 1 Senate seat on the November 8, 2022, General Election ballot as an independent, though he's received endorsements from Republicans and Libertarians. He said his platform concentrates on making Vermont affordable for lower-income, young and older people; bridging the partisan divide, and a sensible energy policy that doesn't impose regressive taxes on energy bills. Peter thanked him for running for public office. Dexter left the meeting.

**Monthly Joint Meeting with the MVFD**

Peter said he met with the MVFD president and chief to discuss how to transition the fire department from a separate 501 (c) 3 into a Town department this year. The Board will hold a public hearing on this change at its October 4, 2022, meeting. Jeff said the fire department was meeting tonight to discuss this change as well, but he doesn't foresee any major issues. Jeff presented the monthly MVFD statistics (below). After the Board on August 16, 2022, approved spending \$70,000 of ARPA money to purchase air packs for the fire department, Jeff said that order is being processed. The MVFD will spend \$738 of its own money to make up the difference due to add-ons, Jeff said. He expressed appreciation for improved relations between the department and the Board since these regular monthly meetings and discussions were implemented over a year ago. Jeff left the meeting.

**Executive Session: Hiring Richard Dudley of Middlesex**

**MOTION:** Vic moved, and Randy seconded entering Executive Session to discuss hiring a new member of the road crew as permitted under 1 V.S.A. § 313(a)(3) and to include Eric, Sarah and Dorinda. The motion passed and the Board entered Executive Session at 5:30 PM. The Board exited Executive Session at 5:38 PM

Peter announced that the Highway Department has hired Richard Dudley of Middlesex to join the Road Crew. He will start October 3, 2022. It will be the first time in a year that the Town Road Crew has been operating at full capacity.

**Highway Department Report**

Eric said E. J. Hutchins will start the Center Road repaving project September 22 and likely it will be complete by the end of the month. The new truck should also be available by the end of the month. There was no massive damage from the September 19<sup>th</sup> storm; only minor washouts. He said the Freightliner needs an oil-pressure sensor. Due to a change in storage availability, the Town needs to look into getting a salt shed. Eric envisions a 30' X 32' shed with a canvas top that would hold the 200 tons of winter sand. He is applying for a State grant to cover part of the cost; the application deadline is in the beginning of the meeting. There was no objection to building a salt shed. Eric left the meeting

**Listers Request for Errors and Omissions Corrections**

Shelly said when Sarah Seidman's property on Culver Hill Road was subdivided in 2021, an error was made in assigning the correct SPAN. In addition, the square footage of the garage needed to be adjusted. She confirmed approving the errors and omissions would not affect the 2022 Grand List.

**MOTION:** Vic moved and Randy seconded accepting the change on the 2022 Grand List Sarah Seidman and Scott Harrower's property due to Listers' errors and omissions. The motion passed.

**Treasurer Report: Authorizing the Treasurer to Take out a Loan from Community National Bank**

Dorinda said the FY22 audit on the Town's finances has been completed by Batchelder & Associates and no issues were found. Dorinda said she wanted to publicly credit bookkeeper Cheryl Grandfield for doing such an excellent job in gathering the necessary reports and preparing for a seamless audit. Peter noted it was good to have a qualified bookkeeper on the job. In order to lock in a lower interest rate, Dorinda said she had to seek approval from three Select Board members to go ahead with entering into an agreement with Community National Bank to take out a five-year note of \$200,000 at a 2.79% interest rate to pay for the Kenworth truck. (Waiting until this meeting for authorization would have resulted in an interest rate that was

higher by 1.25%, Randy said). Still, Dorinda needed a motion ratifying that authorization. She asked if the Board would like to authorize Peter to sign the note; Peter said he would prefer that a majority of the Board sign.

**MOTION:** Randy moved and Vic seconded ratifying the decision to authorize the Town Treasurer to enter into an agreement with Community National Bank for a five-year loan of \$200,000 at an interest rate of 2.79%. The motion passed. Vic asked about the trade-in for the current truck; Dorinda said she had no information.

#### **Renewing the Town's IT Contract with rbTechnologies**

Sarah relayed a conversation with rbTech regarding the Town's delay in renewing its contract with them for IT work. Apparently, rbTech used to annually roll over contracts so the last time the Town actually signed a contract with them was in 2018. That changed this year and if the Town does not sign by September 30<sup>th</sup>, rbTech will begin a "disengagement process" that will remove the Town's backups from rbTech's server, remove anti-virus software and the cloud WIFI. There would be a substantial fee to reengage. Plus, rbTech says the Town has been underpaying to store its data on rbTech's server. The Board discussed the contract and dissatisfaction with rbTech's increasing costs and service. That said, it will take time for the Town to find another IT support company, if it can, the Board agreed. Peter said the Town has no choice but to renew the contract while searching for replacements. He said he will talk to Rubin Bennett, owner of rbTech to discuss the ongoing issues.

**MOTION:** Randy moved and Vic seconded authorizing Peter to sign another annual contract with rbTech after meeting with rbTech founder and owner Rubin Bennett. The motion passed.

#### **Funding Request Requirements for the March 2023 Town Meeting**

The Board discussed whether to require all organizations seeking more than \$250 in funding at annual Town Meetings to submit petitions with signatures of 5% of the Town's voters not fewer than 47 days before an upcoming Town Meeting in order to appear on the that meeting's warning, according to 17 V.S.A. §2642(a)(3)(A). The Board waived this requirement for the past two years due to COVID restrictions discouraging physical contact and, therefore, petition gathering. Peter said the Board should discuss whether to raise the \$250 threshold; Sarah said that wasn't the immediate problem which is that, if this waiver is removed, organizations will have to seek signatures now.

**MOTION:** Randy moved to revert to the prior policy that any funding request over \$250 requires petitions with signatures of 5% of the Town's voters in order to appear on the Town Meeting Warning; Vic seconded. Peter voted against. The motion passed.

#### **Naming a Private Road off French Road to Luna Lane**

Mitch said now that there are three houses on a driveway off French Road, it needs to be converted to a private road. Residents on the driveway have suggested Luna Lane. This is okay with the E911 Board and the Post Office in Montpelier.

**MOTION:** Vic moved and Randy approved naming the private road off French Road as Luna Lane. The motion passed.

#### **OTHER BUSINESS**

**MOTION:** Randy moved moved and Vic seconded approving the amended minutes of the September 6, 2022 Select Board meeting. The motion passed.

**MOTION:** Randy moved and Vic seconded approving the Memorandum of Understanding with CVFiber and authorizing the Treasurer to sign and release the \$100,000 check from the Town's ARPA account to CVFiber. The motion passed.

The Board discussed the upcoming budget process, agreeing that the highway and fire departments along with the Town office require special presentations; all other committees/departments can submit letters with their FY24 budget requests, unless they have special projects. Dorinda reminded the Board that the Listers had been looking at an expensive software upgrade required by the State and considering the structure of the Listers' office had changed in the past year, perhaps they should meet with the Board sooner than later. Randy, who's also a member of the Budget Committee which is overseeing the Capital Improvement Project, said the committee will be meeting with Town organizations regarding these expenses, which also need to be considered.

Correspondence: The Board reviewed a letter from the WCUUSD noting that Middlesex resident Daniel Hill was resigning from the school board. The School Board is seeking a Middlesex voter to serve until the March 2023 WCUUSD meeting.

Peter asked the Board for guidance after a resident requested a private meeting to discuss an issue he brought before the Board at a previous meeting. Peter said he was inclined to suggest the resident ask to be place on an upcoming agenda instead. The Board agreed that this was a best practice.

All orders were approved and signed.

The meeting adjourned at 6:43 PM

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

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON OCTOBER 4, 2022.

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PETER O. HOOD, CHAIR

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N/A  
ELIZABETH SCHARF, VICE CHAIR

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RANDY DRURY

\_\_\_\_\_  
VIC DWIRE

\_\_\_\_\_  
N/A  
PHIL HYJEK

20 Sep SB Meeting Notes from the MVFD

Total calls to date: 44	E-1 out 2 times
Calls over the last month: 4	E-6 out 0 times
Mutual Aid out: 0	T-1 out 1 time
Mutual Aid in: 0	R-1 out 1 time
Max members respond: 6	
Min members respond: 2	
Avg members respond: 4.0	

Calls:

29 Aug, Fire Alarm Activation, Red Hen, False Alarm, E-1, T-1, R-1, 6 responders  
01 Sep, Vehicle Fire, Notch Road, no fire-oil leaking on engine, E-1, 2 responders  
02 Sep, Lower Sunny Brook Road, Possible Structure Fire, caller called about 25 minutes after seeing something that looked like smoke coming from the back of a trailer, nothing found, no equipment responded, 2 responders  
07 Sep, Rt 2 and Lower Barnett Hill Road, Grass Fire, no fire found cnx'd by P-8, no vehicles responded, 6 responders

Training: Fire extinguisher training

Repairs:

Purchases: Air Paks were ordered and had mask fitting for all members.

FAST Sq:

8 total for the reporting period  
8 medical only calls  
0 in conjunction with FD calls

DRAFT