

Select Board Members

X_Peter Hood, Chair
X_Liz, Scharf, Vice Chair
X_Randy Drury
X_Vic Dwire
X_Phil Hyjek

MIDDLESEX SELECT BOARD
TUESDAY, NOVEMBER 1, 2022
Town Clerk's Office and via Zoom*
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES.

PRESENT: Peter O. Hood, Chair, Liz Scharf, Vice Chair. Members Randy Drury, Phil Hyjek and Vic Dwire, who is also Road Commissioner. Treasurer Dorinda Crowell. Planning Commissioner Sandy Levine*. Road Foreman Eric Metivier. David Magida. The meeting was recorded by ORCA and Select Board Assistant Sarah Merriman took the minutes. (*signifies attendees via Zoom)

Call to Order

Peter called the meeting to order at 5:03 PM. The agenda was amended to include possible discussion of a proposed easement for CVFiber.

Approving for Vote Updated Town Land Use and Development Regulations

Peter said he's not heard from any members of the Select Board or members of the community regarding changes to the proposed land use (zoning) regulations developed by the Planning Commission and presented to the Board on August 2. Nor did anyone speak about the regulations at the warned public hearing on September 20, 2022. Peter reminded the Board that if there are any substantial changes, the Board will have to hold another public hearing before the regulations are put up for a town-wide vote at the March 7, 2023 Town Meeting. Randy asked about the streamlined process for residential buildings with three to six units and wondered why six was the cutoff. Sandy said the cutoff complied with zoning districts and density as outlined in the approved Town Plan. Seven units are more like what you'd find in an apartment building which would stand out in a rural area, whereas a farmhouse can be divided into multiple units to allow for families to purchase homes.

Vic asked Sandy about a 25% slope as a cutoff limit for building. Also, in trying to protect the ridgeline, is there an elevation limit? Peter referred to Section 3.11. Sandy said the slopes are an issue because of water runoff they create. The Board then looked at Section 6.1 (F) about building above ridgelines. Vic asked if that meant you couldn't build a cell tower on ridgelines. Sandy said there already is an overlay district that prevents cell towers in certain places, such as on Dumpling Hill and the Worcester range.

MOTION: Vic moved and Phil seconded approving the Middlesex Land Use Regulations for a Town vote at the March 7, 2023, Town Meeting. Sandy asked that the regulations be reviewed for grammatical errors. The motion passed.

Discussion of Updating Town's 1999 Speed Ordinance

Peter referred to page 9 of the 2016 VTrans guide – *Setting Speed Limits – A Guide for Vermont Towns*—that recommends not setting speed limits on gravel roads since people generally tend to drive slower on them. At issue is whether the 1999 Town Speed Ordinance is enforceable. Sarah relayed advice from the Central Vermont Regional Planning Commission about conducting traffic studies on certain Town roads as the basis for setting and defending speed limits. Sandy said there's a risk traffic studies might support higher speed limits than the Town would want. The Board discussed the varying speeds on Town roads depending on the weather. Randy said some people will always abide by the signs and others won't.

Dorinda said that from her conversation with a Washington County Sheriff on speed patrol, the problem with the ordinance is that the roads don't match up with reality. For example, the ordinance refers to the intersection of West Hill Road and Shady Rill. That is now outdated. Story Road now connects with Shady Rill. There are also several speed limits on Shady Rill and that creates problems.

Peter said the Town could measure road segments and update the ordinance. The question is whether it requires a traffic study.

Meanwhile, the Town might want to consider flashing alerts about speed changes as in Putnamville. Randy said the Town needs to take an inventory of roads and match to what's in the ordinance. The Board asked the Road Foreman to take on this task as his schedule allows.

Approving Vermont Integrated Architecture for Town Hall Feasibility Study

David, Sandy and Liz were part of a subcommittee that reviewed proposal from architectural firms who responded to RFPs for a feasibility study of Town Hall. Liz said five firms responded to the RFP. The committee graded the firms based on a rubric that included experience with municipalities, Vermont codes and how well the firms responded to the needs outlined in the RFP. David said four firms toured Town Hall. Liz commended Dave for being extremely helpful in sorting through costs and asking pertinent questions. The subcommittee narrowed the candidates down to two firms: Black River Design and Vermont Integrated Architecture. Between the two, the subcommittee felt VIA would provide the support and professional guidance the subcommittee was looking for.

David said the firm will consider three options: renovating Town Hall, renovating Town Hall with an addition or perhaps constructing a brand-new building. He said the hope is one option will rise to the surface quickly. He said VIA is familiar with this process and will consider the Town's needs not for 10 years, but for 50, planning, if possible, for any technological changes. He said VIA has worked with 42 other municipalities and received glowing recommendations when the subcommittee checked their references.

Liz said VIA's proposal came just under \$28,000, a little higher than the \$25,000 ballparked for the study. She said VIA has lots of experience with municipal planning grants and may be able to offer support in this area. The Town is applying for another MPG due December 1st with a decision by February 1, 2023. The grant cannot reimburse the Town for costs, but VIA will help create a budget.

David said VIA will produce a conceptual design with some numbers behind it, considering structural issues and such costs as, permitting, etc. They will not produce construction documents at this phase, though they will look at the building's deficiencies.

Peter said he didn't see anything in the proposals about the costs of renovating the current building vs. building new. David said that piece is going to be an unknown until the study is done. Peter said keeping Town Hall at 5 Church Street is attractive as is the idea of enhancing the village with a renovated Town Hall. David agreed, calling the possibility exciting.

Eric asked if anyone has thought about combining Town Hall and the Town Shed. Liz said the Board has. Vic said it's a lot easier to build a combination building than two buildings. He believes money is being thrown down the tubes by not just building a new Town Hall. Liz said if get a grant it may offset cost of this study.

Randy referred to a conversation he had with Eric Pembroke, director of Planning and Property Management for the State of Vermont, who said State money may be available for upgrading current buildings to be energy efficient or even paying for energy efficiency in new buildings. He said this could offset some big costs down the line. Dorinda asked if any money needed to immediately be expended; Liz said the Town may have to pay for some initial work while waiting for word on the grant.

Peter said this is the first baby step in the process that will likely involve getting a bond. Sandy said if the Board can okay move forward, the subcommittee can begin negotiations on a contract that will be broken down into phases. Vic asked if there was a study done by local architect John Rahill twelve to thirteen years ago about Town Hall. Peter said it wasn't anywhere near as comprehensive, though he agreed that any historical information might be helpful.

MOTION: Phil moved to accept the recommendation of the subcommittee to engage VIA to conduct the Town Feasibility Study and to authorize the subcommittee to negotiate the final budget with VIA to \$28,000 plus a 15% contingency. Randy seconded the motion. The motion passed. Peter recused himself from the vote due to his friendship with a principle in Black River Design. The Board said Liz should reach out to the two firms. David left the building.

Discussion re: Creation of a Town Social-Media Policy

Peter said he recommends some sort of social media policy. Vic said the Town can't stop an employee from using their own social media. Peter agreed this is not an easy question, though it's becoming a huge issue for governmental issues and private business. Randy said if there were town-sponsored social-media accounts, then there should be a policy, but personal accounts are very different. Peter said he's

just worried about employees discussing town issues online or perhaps disclosing information that was discussed in executive session. Eric said his only issue would be if the employee were claiming to speak on behalf of the Town. Liz suggested the Board consider social-media guidelines since some employees may simply not know what they should and should not do. The Board will revisit the matter next year when it updates the personnel policy.

Highway Department Updates

Eric said the repaving a portion of Center Road is complete aside from some trimming up. Eric has seen the new truck and the company will take the trade-in of the old truck for the original quote. Dorinda noted the new truck it was ordered a year ago on October 26, 2021. The Board reviewed an invoice from Hutchins for the repaving that was \$9,000 over its approved bid. Dorinda said she decided not to include payment in the orders until the discrepancy was resolved. The Board agreed no motion was necessary to pay a Highway Department employee a previously agreed upon “finders fee” of \$1,000 – broken into two, \$500 payments – for urging a local resident to apply for a job on the Road Crew, now that that resident has been hired.

**Treasurer’s Report
Approving Audit of 2021 Town Finances**

MOTION: Randy moved and Liz seconded approving Batchelder & Associates audit of the Town’s FY22 finances. The motion passed. Dorinda informed the Board it would need to purchase a laptop to run the Owl that allows for hybrid Zoom meetings. The laptop would cost around \$350 and the Owl would cost about \$1,200. The laptop would not be part of the Town’s computer system; it would exist only as a hookup for Zoom so that other boards and committees could hold virtual meetings without having to use their personal computers.

MOTION Randy moved and Phil seconded authorizing the Treasurer to purchase up to \$2,000 “Zoom-related” equipment: the Owl, a soundbar and a laptop. The motion passed.

The Board reviewed an expenditure of nearly \$1,800 for three chemical toilets around town for the past three months. Liz said they should now be removed, and Randy said he would ask the Recreation Director to do so.

Randy, who is also a member of the Budget Committee, asked where capital planning comes in the budget process. The Board agreed the Budget Committee, which will attend the Budget workshops over the next few months, should meet with the Board after the budget process to discuss allocating money for these longer-term capital projects. Randy said few committees and departments have filled out the Budget Committee’s form for requesting funding for capital purchase.

Eric said he is still waiting for word on possibly grant funding for a salt shed. In the meantime, he may store winter road site on site in the Highway Department. The Board encouraged Eric to spec out a 50X50 asphalt pad on which the winter road salt could be stored.

OTHER BUSINESS

MOTION: Vic moved, and Liz seconded approving the minutes of the October 18, 2022, Select Board Meeting. The motion passed. Phil abstained because he wasn’t present at the meeting.

All orders were signed.

The Board agreed to review the proposed CVFiber easement and take it up at the next meeting

The meeting adjourned at 7:28 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 NOVEMBER 15, 2022.

PETER O. HOOD, CHAIR

ELIZABETH SCHARF, VICE CHAIR

RANDY DRURY

VIC DWIRE

PHIL HYJEK