Select Board Members
X Liz, Scharf, Chair
X Randy Drury, Vice Chair
X Vic Dwire
__Peter O. Hood
X Zara Vincent

MIDDLESEX SELECT BOARD
Tuesday, September 17, 2024
Middlesex Town Hall and via Zoom*
Middlesex Town Clerk's Office
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

PRESENT: Chair Liz Scharf, Vice Chair Randy Drury. Select Board members, Vic Dwire and Zara Vincent (Chair of the Town Roads Subcommittee). Road Commissioner/Foreman/MVFD Chief Eric Metivier. CVRPC planners Will Pitkin and Keith Cubbon. MVFD President Jeff Koonz. Treasurer Cheryl Grandfield. Assistant (and former) Treasurer Dorinda Crowell. Select Board Assistant Sarah Merriman took the minutes and the meeting was recorded by ORCA. (*indicates attended via Zoom)

Call to Order

Liz called the meeting to order at 5:00 PM. Guests were welcomed. Regarding the minutes of the September 3, 2024 meeting, Randy said there was a discussion about the Cowles culvert issue that wasn't reflected in the minutes. The Board agreed to pass over approval until the minutes were amended to include that discussion.
MOTION: Zara moved, and Vic seconded approving the amended agenda for the September 17, 2024, Middlesex Select Board meeting. Vic asked to include a discussion about who should be responsible for maintaining culverts in the Town's rights-of-way. The motion passed.

Draft 2024 LHMP Presentation

Will and Keith presented the Board with a final draft of the 2024 Local Hazard Mitigation Plan. A digital copy will be posted on the Town's website for public comment. Will said the draft will be submitted to Vermont Emergency Management by Thursday, thereby meeting the deadline for submission within 30 days of the Hurricane Beryl Disaster Declaration. This means that instead of the Town being obligated to meet FEMA's match of 25% on its projects, the Town will be on the hook for a far less 7.5%. That's because the LHMP has been submitted and the Town is current with other requirements including complying with the 2019 Road and Bridge Standards, a current Local Emergency Plan and certain river-corridor and flood regulations. After the first round of edits from Vermont Emergency Management, the CVRPC may ask the Select Board for a preliminary adoption.
Liz asked if there are major changes. Will said the main change in this plan was the emphasis on flooding and landslides. Dam failure had been ranked high in the previous plan. Normal fluvial erosion became much more of a danger than dam failure. Three dams are in Middlesex. Vic asked about private dams. Two private dams exist and have been noted, Will said.
Liz pointed out that a 7.5% match of potentially a $3 million project is still significant. Randy noted there's confusion about a recent state announcement regarding a cutoff date for 100% of the 25% match on 2023 FEMA projects. Zara said she's been informed by FEMA that they can reject anything and everything.
Will said CVRPC will be meeting with Planning Commission and then return to the Board after edits from Vermont Emergency Management.
Emergency Watershed Project Update: Brian Voigt of CVRPC has met with the Natural Resource Conservation Service which toured damaged sites in town this week. Likely half of the 16 applicants for 2024 will qualify for funding, which is higher than the usual rate, Keith said. Next step: the NCRCS will issue damage-survey reports in early October. And the CVRPC will update the Board in mid-October. There will be a 25% match. Brian will come to the October 15th Select Board meeting.
Local Emergency Plan Changes: Keith said VEM has changed how to handle local emergency plans. They will go directly to Sid Pollock, Northeast Regional Coordinator at VEM, instead of to the regional planning commission. Liz attended an emergency management conference and came away with some ideas about better planning and communication.

Highway Report

FEMA Update: Zara said the last information on three roads – Government Hill, Shady Rill, and Culver Hill – worth about $721,527.78 in work is being delivered to the FEMA project coordinator to be submitted to Washington, D.C. Liz noted the town FEMA committee's been good about keeping the 2023 work from the 2024 work.
ROW Culverts: The Board discussed whether the driveway culverts should be the Town's responsibility or the homeowners' in light of the July 2023 decision to repair right-of-way culverts after the flood. Last year the Board decided that culverts damaged in the flood should be repaired by a contractor to ensure the repairs were done properly. Lo and behold, Eric said, some were not installed deep enough. Randy raised concerns about repairing driveway culverts that won't be reimbursed by FEMA.
Vic said it's important to resolve this before winter plowing. In some cases, culverts are sticking up in the air. The Town reviewed the Board minutes from 2023 and also the Town's Purchase Policy. Randy noted there are so many different scenarios the Town could be on the hook for. Example, what if a driveway is washed out where culvert isn't feasible? He said he wouldn't have an issue if reimbursement is guaranteed. Even so, is the landowner responsible for the 25% match? It's a deep conversation.
Liz said she's concerned about driveways that will end up damaging Town roads in the next storm if they're not fixed. She said that's a decision Eric can make. Eric said there are about three driveways that might meet that description. Liz said she wanted to stress that not everyone who has a driveway problem is going to get fixed. That will be addressed by rewriting the Town's highway ordinance. She suggested leaving the matter to Eric's discretion to decide which driveway connections must be repaired by the Town in order to preserve the Town's roads.
East Hill Road Culvert Issue: Liz contacted Richard Cowles after the last meeting to discuss the cross-culvert he opposes on East Hill Road. So far, the culvert has not been connected pending a decision on this matter. Liz said he wants a hydrological engineer to design an alternative; the Board agreed he is free to hire one himself, but the Town will not pay for an engineer.
The Board reviewed two letters, one from John Picard, the other from Steve Martin. John Picard wrote that the cross culvert in question was originally installed in the mid-1970s, long before Richard took title to his East Hill property in 2000. Steve wrote that replacing the 15" culvert with a 24" culvert doesn't increase the volume of water but does decrease the chance of East Hill Road washing out. Steve recommended installing the culvert as originally planned with the Town doing "the final ditching stone line and stone to protect inlet and outlet of the new culvert" while being careful to stay in the Town's right of way.
The Board discussed whether the Town should reach out to Richard first and agreed that's not necessary. There has already been an added cost to the Town in legal fees and two interruptions of Dirt Tech's plans because of this dispute. Zara said she doesn't like the idea of one citizen holding the town captive.
Vic said the Board should act as a body; one Board member should not be dealing with a constituent. The Board discussed this and agreed to take a vote.
MOTION: Zara moved to connect the culvert on East Hill Road as planned with the presence of law enforcement to ensure everyone's safety; Vic seconded. The motion passed. Randy asked Eric if he would prefer Dirt Tech or the road crew connect the culvert; Eric said he preferred Dirt Tech.

MVFD Monthly Meeting

Jeff said the Fire Department is up to 79 calls. (See report below).
Liz said she would be applying for a Municipal Energy Resilience Program (MERP) grant that would hopefully pay for a new heating system in the Welch Park fire station. She also praised MVFD firefighter Scott Isham for cleaning out a culvert. The Fire Department will clean out culverts for $150.

Executive Session

MOTION: Zara moved, and Vic seconded entering executive session under 1 V.S.A. § 313 (a) (1)(B) to discuss labor relations with a Town employee and to include Cheryl, Eric and Dorinda. The motion passed and the Board entered executive session at 6:12 PM. The Board exited executive session at 6:56 PM.
The Board discussed Steve Martin's tenure as Middlesex FEMA Project Coordinator which began August 17, 2023 and was to last until January 10, 2024 and whether he should continue as a temporary employee on the 2024 FEMA projects.
MOTION: Liz moved to thank Steve Martin for work done on 2023 flood projects and to notify him his duties as Town FEMA Project Coordinator will come to an end on October 1, 2024; Randy seconded. Zara abstained. The motion passed.

Treasurer Report

Cheryl discussed interest rates for the extension of the current line of credit from Community Bank to pay for flood repairs. The interest rate has risen from 3.99% to 5.48%. She said $1.5 million from the $3 million line of credit was drawn down. After the Vermont Bond Bank's flood loan, the Town

paid back $938,000 of that plus $5,048 in interest. Using FEMA funds, the Town paid back the Bond Bank $50,000 plus interest. The extended line of credit expires February 17, 2025. Cheryl said the 2024 school payment is $4,137,776.

Approving RFP for IT Services

MOTION: Zara moved and Vic seconded the request for proposal for IT services. The motion passed.

OTHER BUSINESS

MERP UPDATE: After being told not to apply because too many towns had shown interest in the Municipal Energy Resilience Program, the program opened up to everyone to apply, Liz said. Luckily, thanks to the Town Hall renovation, Middlesex is uniquely prepared with numbers from the architect and the construction manager, she said. The application is due next Friday and the Town will know by October 21st if it received the requested $537,000, less or nothing at all.

MOTION: Vic moved and Zara seconded approving a ROW permit for the Braun-Hamiltons. The Board signed the permit.

All orders were signed by those present.

The Board discussed dates of future meetings. A public hearing on the Town Hall bond question will be held at 6:30 PM October 22, with Board of Abatement and Board of Civil Authority meetings preceding that. The Board won't meet on November 5th due to the General Election, but will meet on November 12 and 19th. The Highway Department will present its FY26 budget on November 12th and the MVFD on November 19th.

The meeting adjourned at 7:23 PM

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON OCTOBER 1, 2024.

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LIZ SCHARF, CHAIR

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RANDY DRURY, VICE CHAIR

_____
VIC DWIRE
_____N/A_____
PETER HOOD

_____
ZARA VINCENT

DRAFT

17 Sep SB Meeting Notes

Total calls this year: 79
Calls during this period: 6
Mutual Aid out: 1
Mutual Aid in: 1
Max members respond: 7
Min members respond: 3
Avg members respond: 5.0

E-1 out 4 times
E-6 out 0 times
T-1 out 2 times
R-1 out 3 time
Tk-14 out 0 times
POV out 1 times

24 Aug, Rt 2 and Center, Two car accident, Canceled by Moretown K-1, E-1, 3 responders
25 Aug, Knapp Rd, Trash fire, POV, 6 responders
01 Sep, N Bear Swamp, Fire alarm activation, Canceled by CD was food, 4 responders
07 Sep, Cedar Dr, Structure fire, E-1, R-1, 6 responders
MA out to Berlin
12 Sep, Crosstown Rd, Burn pile not monitored, E-1, T-1, R-1 7 responders
MA in Montpelier, They were called by CD since the fire was reported from I-89
16 Sep, I-89 SB mm 55.2, Car fire, E-1, T-1, R-1, 4 responders

FAST Sq:
16 total for the reporting period
15 medical only calls

Training: Driver training

Repairs: E-1 new water tank gauge

Purchases: Vests for new members and to have in each truck, $469.81