Select Board Members
_X_ Liz Scharf, Chair
X__ Zara Vincent, Vice Chair
___ Stacey Skadberg
__ Larry Rooney
_X_ Paul Cerminara

Middlesex Select Board Special Meeting
9:00 a.m.
Monday, November 10 2025
Middlesex Town Hall and via Zoom
5 Church Street
Middlesex, Vermont 05602

Meeting Minutes

Attending: Dirt Tech reps. Tim Cole (company owner), Cameron Burnor, Dan Decker

9:00

- **Call to order and welcome and introduction of guests from Dirt Tech**

- **Approve the agenda for November 10th special select board meeting to address box culvert deficiencies as identified by Agency of Natural Resources (ANR) and Agency of Transportation (AOT) with contractor, Dirt Tech (DT)**
    - Paul moved to approve agenda, Zara seconded, motion approved

9:02

- **Provide brief overview of the timeline regarding box culvert deficiency communication between ANR and the town**
    - Liz shared that ANR is about to send a formal letter outlining concerns and deficiencies; their legal team is now involved because of aquatic organism concerns and other issues
        - MDX is considered in compliance because of town efforts to rectify the issues
    - Paul thanked the DT crew for their work in the town and good communication
        - Some findings are common among more than one site
        - Town wants to come up with collaborative solutions with DT and ANR; is not pointing fingers or assigning blame – looking for mutually agreeable solutions
        - Some issues could be safety concerns down the road

9:10

- **Discuss findings as reported in ANR's Middlesex Culvert Review_9-29-2025 as well as the Middlesex Culvert Items report dated 1027-2025 as written by the Town of Middlesex**
    - **Notch Road**
        - Material inside the culvert is an issue
        - State claims material in the culvert now does not have enough fine material
        - State found deficiencies – when they reached under the culvert they could not find the cut-off walls
        - DT explained there are cut-off walls and materials inventory verifies this; they need to prove they're there since no photos were taken
        - Two-part problem at this site – some of ditching material is causing flow problems, and it's narrowed up the road a bit so town would need to put up markers for safety
        - On the side looking downstream – town would like to see DT stabilize the bank
        - Ditch rock needs to be replaced with type 2 material
        - Head walls could resolve some of the issues – town would purchase these if DT would do the digging and replacing of material that ANR identified as not correct
        - Town would install guardrails in this area at their expense

- Dan from DT explained Notch Rd was narrow to begin with
- AOT was present for drive-through and said road was narrow but didn't have jurisdictional issues
- The town would look to DT to demonstrate they've met state requirements
    - Paul thought the repairs are a day's work
- DT insisted the headwalls and cut off walls are standard and there's no doubt they've been installed
    - Town will ask ANR if list of materials from DT would satisfy their concerns about headwall and cut off wall installation
- Permits from state described what's in the site now; have different instructions from two state agencies (AOT and ANR)
- Some concern about condition of stream at time of inspection which was during the drought when there was just a trickle vs. how it may be functioning now with plenty of running water
- Dan was in regular contact with ANR about delays in permitting process and they knew DT was going to start immediately once permits were in-hand
- The issue of better communication from ANR about holding pre-construction meetings when ANR knew work was being done throughout the summer was brought to Secretary Moore's attention in a phone call with Chair Scharf, and Secretary Moore agreed that communication could have been better and that she would share this feedback with the team.
- Next step: fix outlet flow restriction and make sure "fines" (sandy, silty material) are plentiful

- **Center Road #1 – near Zdon Rd.**
    - Cut off walls are a problem – state is worried about inadequate stream profile
        - No impact to wetlands – worried about transfer grade from inlet to wetlands; state wants to make sure it's a transferable slope; saw some undercutting of area to wetlands
        - Dan said that slope state gave DT defined how they did the work
    - There is no discrepancy with material
    - Paul explained that water coming off the road is undermining the material on the culvert; need to add stone to stabilize the culvert
        - Requires additional outlet sloping; stones didn't go high enough to support the shoulder; some of the rocks are becoming unstable; need to add stone to stabilize roadside
    - Town would add guardrails
    - Paul thinks additional conversations with ANR are needed to make sure jurisdictional issues are clear
    - Zara suggested town asks ANR about accepting inventory of materials as proof of work being done; select board members present believe DT did work as described

- **South Bear Swamp**
    - Paul explained there is an overreach into a wetlands area; will not ask DT to do anything at this time; probably multiple state depts. will be involved and town may need to consult a wetlands expert
    - Town will put up some markers in the area
    - DT asked if state knows why this was done – they stone-lined what they disturbed; explained that they wanted road to be safe for emergency and large vehicles

- One large rock identified in the state's photo on side of culvert is too large to move
- Ditch stone is referred to in the photos; some questions from state about the "fines"
- Paul said the town needs nothing from DT at this time – will wait to hear from state

- **Center Road #2 – near Weed's Flats**
  - Paul explained work needed: Outlet draining and shoulder work
    - Type of material on the outlet was beginning to undermine and state is concerned there is not enough "fines"
    - This site is one where town will provide waste blocks; ANR said town could put waste block on top of stones
  - Town recommends DT work with ANR to make sure they're not breaching; make sure there are enough "fines"
    - Need to prevent head-cutting into wetland
    - Use waste blocks and material currently
    - Make sure there is sufficient material so it doesn't head-cut into the wetland and make sure there are plenty of fines to help stabilize stone
  - Another site that needs more conversation with ANR since rainfall has changed stream action and possible material deficiencies
  - DT will need more guidance from ANR before they do more work

- **East Hill**
  - Eric explained that concern is about outlet – needs more material
  - Dan talked with ANR several times and was told what to do by them
  - State thinks more type 1 stone is needed because culvert is scouring – undermining of the culvert
  - No other issues with this site

- **Portal Road**
  - Need to let stone settle after several months and see what issues emerge
  - ANR agreed to let it be for time being and see what fixes may be needed in the spring

9:40

- **General Discussion**
  - Many of the concerns may have self-healed by spring
  - Paul thinks town and DT need to be in touch with ANR immediately
  - Town would like to leave cutoff wall work to DT to coordinate with ANR
  - Liz asked about water management plans that are needed before stream is diverted or worked on
    - Dan said pumps were used where needed to redirect flow to below the work
    - Water was very low when work was done
    - There is no remedy because work is already one
    - Per DT, ANR is supposed to send a package of material including approved water management plan and detailed specs that DT works from
    - Engineer submitted elevations and those were included in the permit request
    - Group reviewed email communication with ANR about rectifying some of the deficiencies
      - ANR responded that a formal written communication would be forthcoming with directives about deficiencies

        - ANR indicated that South Bear Swamp and Notch Rd remedies are needed before winter
    - Zara stated that a new ANR rep. Rachel Czar will be working with town and that Jaron may be working in a different part of the state.

9:50

- **Next steps**
    - According to ANR email, S. Bear Swamp remedies are needed before winter – town will put up delineating markers for safety
    - Notch Rd – town will put up guardrails after fixes are made by DT
    - DT is ready now to remedy things they are responsible for
        - Town needs ANR to go to all sites with all parties to clarify specific actions at each site before action is taken
        - Town will ask ANR to re-cap the issues at each site and then town and DT will come up with a collaborative fix
    - Liz is emailing ANR to request a meeting ASAP so a plan can be made with all interested parties present

10:08

- **Meeting adjourned**

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A MEETING OF THE MIDDLESEX SELECT BOARD 11/10/2025.

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LIZ SCHARF, CHAIR

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ZARA VINCENT, VICE CHAIR

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LAWRENCE ROONEY

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PAUL CERMINARA

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STACEY SKADBERG

Submitted by: Carol Maloney