Select Board Members
x Liz Scharf, Chair
x Zara Vincent, Vice Chair
x Stacey Skadberg
x Larry Rooney
x Paul Cerminara

Town of Middlesex
Special Public Hearing
Tuesday June 23, 2026
5:00 PM
Middlesex Town Hall

Public Hearing Minutes

Attendees who spoke: Rob Halpert, Steve Dennis, Sandy Levine, Shelly Desjardin, Matt Rkiouak, Sam Beaudoin, John Lund, Sarah Lund, Hal Ellms, Aaron Weed, Roger Hirt, Charles Merriman, Betsy Davis, Michael Levine, Michelle Johnson, Kelton Olney

5:45

- **Welcome and Introductions**
  - Zara Vincent introduced the topic of the meeting (S. Bear Swamp Road reclassification), the state law guiding the process, and read the guidelines for participation

- **Stacey Skadberg commented that procedural issues need to be addressed**
  - The published notice was late
  - Zara Vincent said that one of the processes required for a special hearing was not posted within 10 days of the meeting as required by law
  - After this acknowledgment the meeting proceeded

- **Mike Hill was granted three minutes to state his case to reclassify the road**
  - Stated that he is not free to express his opinions as he got a letter from town's counsel stating that he should not speak to the town about the issue
  - He said he has to honor the request to not make a comment about the issue; he needs to do it through the notifying attorney as of this afternoon
  - The opinion from the attorney was sent this afternoon

- **Rob Halpert, town attorney, asked Mike Hill if he was copied on the email letter from John Klesch sent to Mike**
  - Rob Halpert stated that his understanding is that the attorney was asking Mike Hill not to communicate directly with selectboard members about potential litigation with the town
  - Rob doesn't believe it precludes his participation in the special hearing and he is fully comfortable with Mike Hill speaking at the hearing

- **Charlie Merriman offered his perspective of attorney-client privilege**
  - The attorney client privilege speaks to the client; even if it is about the hearing the client controls the privilege

- **Sarah Lund,** a resident of S. Bear Swamp Road
  - She said there are others present who can speak to the issue, if Mike Hill cannot

- **Rob Halpert said he did not agree with Mike's opinion**
  - Does not want Mike Hill negotiating directly with the Select Board
  - That's not why there is a hearing (technically), but would recommend postponing the meeting in case someone else makes a claim an interested person didn't have opportunity to speak; resulting in the proceeding being deemed invalid or subject to challenge
  - Rob believes Mike Hill's interpretation of John Klesch's communication is wrong

- **Mike Hill decided to speak**
  - Mike has offered since 2022 to upgrade the road at his expense
  - He doesn't characterize his actions as a threat; thinks they have legal rights
  - He said to the five members of the board when confronted by Vic Dwyer, he would have to go to court

- **John Lund spoke – stated he lives on the Class 4 section of S. Bear Swamp Road**
  - Thanked people for being in the meeting

- Five years ago visited and moved to town; did choose to move onto a Class 4 road in 2021; have invested in the town; didn't come with expectations of special treatment
- Real problem is he was personally threatened in 2022; wouldn't be here if not for that threat; the road was a disaster
- Looked for phone number for road commissioner and called and asked for help
- Got a call in response – was treated badly and asked if he was associated with Mike Hill
- Being brand new in town, build a house, raise a family, and have that be the first interaction with the town was disheartening

- **Betsy Davis spoke against the reclassification**
  - When folks come to town and buy property on a Class 4 road, it doesn't seem reasonable to have it upgraded
  - It's a precedent that should not be set; it's a terrible idea

- **Charles Merriman said the way John was treated by selectboard member was awful; that was wrong; the board owes John Lund and family an apology**
  - If there were no financial considerations he would support the notion; he likes the people who live on the road; they have long driveways; said their situation is tough
  - One fatal problem – it will set a precedent that the town will not be able to overcome with other Class 4 roads; he was referring to town and private roads
  - The town will not be able to delineate this decision that inoculates the town from other requests
  - He is against it

- **Matt Rkiouak drew attention to state code**
  - It's explicit that the town doesn't have to upgrade or bear the cost of upgrading by citizens
  - Matt asked: What's unique about S. Bear Swamp Rd? If town pays to upgrade it will have to pay to upgrade the other Class 4 roads

- **Hal Ellms stated that comments are about economics of reclassification and climate change and precedent**
  - If town goes through the list reclassify the roads with this precedent, the budget will be challenged
  - Said if these were to be reclassified he'd be concerned about wildlife corridors that would be fragmented; board needs to consider these ramifications

- **Shelly Desjardin has lived in town since the 60s**
  - The whole of Notch Road looked like S. Bear Swamp
  - Some residents on Notch Rd asked for road to be declassified
  - Her concern is safety for number of house on the road – ambulance, fire access; the biggest concern is that the roads are maintained so they're passable

- **Aaron Weed sees that the town is working on changing the reclassification policy**
  - He asked – Is this matter going to be tabled until there is a new policy?
    - Paul responded the select board hoped to have new policy in place by this meeting; unfortunately, have not made the progress on it they had hoped
    - Zara Vincent said since that time they found 2023 ordinance that is against state policy; in this process of redoing the policy the SB has a road ordinance to consider; here because there is a statute requiring the special hearing about reclassification
    - Stacey Skadberg added that after last hearing about reClassof .7 (through section) on April 18, the advice the select board received from planning commission, the policy needed to be updated and clarified
      - She added that before that process, members of the board met with Mike Hill and agreed to hold a meeting; that meeting was warned and held before the special town meeting in May
      - At that time the policy was not complete and after workshopping, realize there's a lot more to do and a highway ordinance that also needs
      - She voted against this hearing because the policy was not updated; in an effort to govern with majority, the board is moving forward
      - The board is in an ambiguous situation because this hearing is before the work is done; the select board needs to fix the policy
      - Stacey recognized that this is the minority view
    - Zara Vincent added that there are lawyers involved and there was some fear in the doesn't know decision making

- Aaron Weed followed up by saying that as a town this topic should be tabled; this isn't the time
  - Wants to see the town get the house in order
  - Has lots of comment about where the policy goes; it's an important topic and he'd be on a committee if needed

- **Roger Hirt stated the town needs some time to ponder and explore the expenses**

- **Steve Dennis said he appreciates that the board is recognizing the house is not in order**
  - Road is in shape it is in because town has failed to follow its road policy; if town had maintained the road the way the law requires and town's own policy requires it would not be in the shape it's in; town has let residents of S. Bear Swamp down
  - It's very disappointing that knowing these facts and the road concerns aren't being corrected
  - There has been incorrect information on FPF and that should be corrected by select board members with accurate information; disappointing to see this on a regular basis without a response from town leaders
    - Zara Vincent – said there are rules and regulations about when the board could talk with each other; wish there was a way to share information
- **Sandy Levine commented from planning commission**
  - The PC submitted comments prior to the previous meeting about upgrading the entirety of the road
  - The PC recommended the select board look at town plan and examples from other towns and have standards in place before any upgrades; appreciates the town is moving forward with update of policy
  - Sandy Levine then spoke as a resident of S. Bear Swamp
    - It's hard to speak at this meeting; these are neighbors; knows them all
    - She thinks it's ill-advised for the select board to move on its own to upgrade
    - She wants the town to get to place to fix roads up for people to get through
    - As a member of road committee Sandy asks people to come and see the pressures on the roads already
    - She thinks there needs to be policies in place that guide how the town upgrades

- **John Lund stated that since threat in 2022 he has come to the select board a few times**
  - His fear is the town won't right the wrongs of past boards; it comes down to safety;
  - Environmental responsibility is not being observed now
  - He would like to see a commission or coalition come together to address these issues; town should all come to the table
  - He hopes this hearing sparks conversation about new policies; town has to expand its tax base and the road is a roadblock for young families
  - He wouldn't be here if I wasn't concerned about his family's safety
  - He was told the road might be turned into a trail; there's never been a refutation of that threat; he's here after four years of concerns about his livelihood
  - He's asking for upgrade because of that fear that the road will be downgraded as was threatened in the past

- **Matt Rkiouak said there are towns that are downgrading Class 4 roads to trails**
  - It's about legislature requirements for Class 4 and towns can't afford what it takes to maintain the roads; it doesn't seem material that there were historic threats about downgrading

- **Michael Levine asked what options the board has following this hearing? Can board table the decision? Are there obligations re: timeline?**
  - Zara Vincent said at end of the meeting she'll ask for a motion to reclassify the road; if there is no motion or no second
  - Rob Halpert said the board can make a motion; if the board votes no, the matter dies; a vote to reclassify requires findings and a written order
    - Select board has up to 60 days to issue a decision; Zara Vincent doesn't have to ask for a motion but can as the chair of the board
  - Mike asked about what it would cost the town
    - Paul Cerminara said he and Eric Metivier have done a substantial amount of estimating; 30% to 70% town to private funding split
    - $10,000 and 2-3 weeks of town's time would be town commitment at current layout;
    - Timeline would be in summer of 2026 which would interrupt current work plan

- **Michelle Johnson asked if board votes to do this, and the road is Class 3, is the town obligated to maintain; Is there a contract with the homeowners to take care of their share?**

- Paul Cerminara said the town could hold homeowners accountable for their 70%
- Rob Halpert said because there is no petition it would not be a binding agreement; the only way to hold them responsible is if there is a petitioner
- Sarah Lund asked if Mike Hill's offer in writing would satisfy
- Rob Halpert hasn't seen the written offer except for email that he would pay for 0.2 miles; hasn't seen a written agreement
- Zara Vincent said Mike Hill has been asked to bring a petition; the select board waived that requirement and held the meeting on its own
- Sarah Lund said she was told when she went to first meeting in 2022 – told they had two options: one by petition and one by appealing to the board; the residents of the 0.3 section of S. Bear Swamp Road felt best approach was to appeal to the board at the time
    - Is tired and feels othered and discriminated against; not what she signed up for

- **Mike Hill responded**
    - Stated that since January 2026 he has sent in writing his offer to Rob Halper and Paul Cerminara; has received estimates for the work; the town is being asked to pay for remaining 0.1 miles to help three families
    - Thinks the Class 4 families across the town should get together

- **Rob Halpert responded to Mike Hill's comments**
    - Stated Mike Hill is correct; Mike indicated that he would be willing to pay for a portion
    - Rob Halpert indicated he would need to speak to the board
    - He's heard promises, but nothing binding
    - Without a petition, the select board is at its peril to condition its reclassification on the residents contributing to the costs
    - The law does not support that
    - There may have been discussions between Mike Hill and the select board, but Rob Halpert can only speak to his discussion with Mike Hill
    - There is little in law that would allow the town to require that commitment
    - Mike Hill has many times agreed to pay a portion of the upgrade costs; his percentages have changed; there is no binding agreement about private citizens paying a portion of the upgrade
    - Zara Vincent said having residents of a Class 4 road pay for the work of upgrading is not unusual
    - Rob Halpert said it's quite common; the old highway ordinance from 2003 speaks to that

- **Sarah Lund spoke about the grey area of Class 4 roads**
    - There is a lot of ambiguity about what Class 4 means; her family was told when they purchased their property the road would be graded two times per year; they were fine with that
    - When weather happened, they did what was needed to keep road passable
    - They're asking not just for upgrading of the road but also that town create a clear and concise policy that reduces bias, a policy that protects residents and the board
    - The road technically is a through-road and at times has been the only way to access for 24 homes on S. Bear Swamp
    - The last time this came up was McCullough Hill Rd and no residents had to pay for that work
    - Regarding argument of precedent – doesn't see it as an argument but as a point of view
    - Progress is not a betrayal of tradition

- **Liz Scharf responded to the payment discussion**
    - If the road is upgraded the motion would have to say that it would be contingent on residents
    - The town would give permission to residents to upgrade to Class 3 standards and the approved by the town it's up to Class 3 standards
    - Town would not contract the work out; the town would give permission of residents to upgrade on their own and the town would verify that it was done to Class 3 standards

- **Rob Halpert said if town votes to let residents upgrade to Class 3 standards at their cost**
    - If there was s petition, the select board could require it or residents risk the select board reclassifying the road back to Class 4 because the work was not done
    - Have heard evidence of offers; if there's a binding agreement that the work is done he has not seen it

- **Sam Beaudoin said she lives on a Class 4 road**
    - Supports the upgrade
    - It's important that there are laws that require maintenance of roads; it's important all roads are maintained as they should be so residents can get to their homes
    - Regarding her Class 4 road, she was told her road would be graded

- She doesn't agree with waiting on the policy updates; they are time consuming and it can take years and it could fall on other selectboards and putting off for years doesn't seem right

- **Rob Halpert spoke about state law about Class 3 and 4 roads**
  - Doesn't know of any attorneys that agree Vermont requires maintenance of Class 4 roads
  - Said statute cited by Steve Dennis is related to when the town feels it's necessary to construct a ditch or watercourse
    - Rob and Steve Dennis shared differing perspectives about state laws regarding town obligations to maintain Class 4 roads

- **Liz Scharf asked about Stacey Skadberg's comment about an old road ordinance**
  - The most recent Class 4 and trails policy was adopted in 2003 and updated in 2017; is there a road ordinance the SB adopted?

- **Matt Rkiouak went to town website to look at highway ordinance**
  - The first thing is 2003 policy and it clarifies how roads are upgraded; 2023 policy is an upgrade to trails

- **Stacey Skadberg said Class 4 road and trails policy first adopted in March 2003**
  - Highway ordinance contains contradictory, redundant information in places and in May 2003 adopted a policy
  - 2016 and 2017 updates to policy, and in neither occasion was ordinance referred to or spoken of
  - Never dawned on her that town could have contradictory policy and ordinance

- **Aaron Weed said he hopes that board doesn't move forward**
  - It's not ready
  - Heard safety a lot
  - If residents are willing to put 70% into the road they should do so and fix the road with guidance from road staff; town is a ways from a good place

- **Sky Barsch asked a question about property taxes**
  - here was a comment about Class 4 roads being appraised lower
  - Sam Beaudoin said she doesn't believe that's true

- **Sandy Levine responded that fair market value of house on Class 4 is typically less than the same property on Class 3 road**
  - Assessments are based on fair market value of the property and fair market value of a house on a Class 4 is generally less than if the same house on Class 3
  - If that was in error, she'll own that

- **Brian Redmond lives on end of Notch Road**
  - Town conservation commission built a destination for hikers and he supports that
  - The safety issue is maintaining the road into a safe place for walkers and hikers; it's a safety issue

- **Sarah Lund said something that hasn't come up is that someone on the road has offered 200 acres of trails to the town**
  - Sarah looked into the taxable values and there is not evidence that tax values are different
  - Would see more houses as a positive thing for the town
  - Google maps directs people through the road and people have been rescued because the road is in such bad shape

- **Mike Hill said the road has already been declassified**
  - The culvert on the 0.5 section the whole section of the road has been degraded
  - Residents didn't know that the road would be degraded
  - Said he'd post his full comments on his web site
  - Some inaccurate statements have been made and said some of them were intentionally done so

- **Kelton Olney said he didn't come to the meeting pro or con**
  - Said he's hearing a lot of unknowns

- Would urge the board to table and as a resident it strikes him as unfair to the community to upgrade a road that people knew was a Class 4 road
- Always wise to wait until there's as much information as possible; doesn't seem like there's enough information at this time

- **Shelly Desjardin said she's has done a lot of research**
  - Hasn't found anywhere where people living on Class 4 road pay less for taxes than others

- **Aaron Weed said John Lund commented that when his family purchased the property on S. Bear Swamp Road it was what they could afford**
  - It boils down to value

- **Hal Ellms asked if is there discussion about list of Class 4 roads being downgraded?**
  - Zara Vincent said no
  - Knapp needs to be declassified because two properties were in FEMA buy out
  - Commented that if folks are being taxed the same it shouldn't be that way; should look at if they're not getting services others are getting
  - Seems like a short cut around a petition is being taken
  - He asked the board to be patient until there is a clearer path for a decision that has long term impact

- **Liz Scharf said there was a time when she was on the board when the board threw up a Class 3 road**
  - There is a history of the town doing that in the past

- **Matt Rkiouak said an assessment should be made on fair market value and for Class 4 roads that will include maintaining the road**

- **John Lund said no one came to the town with intention of getting higher home values**
  - It is a mischaracterization of why home owners are asking for this reclassification

- **Sam Beaudoin doesn't think there are wrong intentions**
  - Every town assesses differently; there are a lot of trainings for listers

- **Sarah Lund reiterated the benefits to the town for reclassifying the road**
  - Emergency access is important
  - Also have a town member who is willing to pay for 2/3 of the cost
  - Town could have access to more trails
  - Many things that have come up tonight and many of the things that have come up have been in writing since 2023
  - Why it hasn't been done she can't say; there have been many years

- **Select board deliberation**
  - Zara Vincent said the board has to evaluate the public good, town plan alignment, public necessity, emergency services, environmental impact, and other factors
  - Board members offered their perspectives

  - **Stacey Skadberg**
    - Central question faced with is whether it serves the public good and necessity and convenience for MDX residents
    - Little dispute that municipal documents are in serious need of updating; board and public are very much interested in the clarity those documents would provide
    - Correspondence received will be attached to these minutes
    - Struggles to see how reclassification benefits town; thinks those residents have serious concerns
    - The conduct of a particular select board member is not relevant to this discussion
    - If town initiates the upgrading it assumes the cost – or risk of that cost – of the upgrading; doesn't think residents of means should not be given special consideration
    - Big concern that similarly situated roads will result in significant consequences of rtrhe own
    - Any decision should be considered in context of upgrading similar roads; similar status and number of houses
    - Likes the idea of a Class 4 coalition – will help consider precedent going forward
    - Cannot support reclassification of S Bear Swamp

- **Paul Cerminara**
  - Thinks everyone brought valid facts and opinions
  - Better at maintaining roads than creating policy
  - Original considerations were to help improve a road utilizing a 70-30 split; making headway and helping neighbors
  - 10 years of experience; not seeing it as black and white and have an interest in the road
  - Is trying to bridge the gap between Mike Hill and the board; want to make headway with the community; trying to figure out how to work collaboratively
  - Tried to do this with Notch Road with COVID money and federal money that was available; no longer an option
  - Concerned about moving forward with information brought forward; not able to digest it all
  - The work on the policy does address a lot of concerns raised tonight; addresses safety and erosion
  - Hopes the board will continue to make strides

- **Larry Rooney**
  - Heard a lot of good comments
  - At several meetings have asked two questions:
    - 1. Do we have a binding agreement that will hold residents to getting it fixed?
    - 2. Need to upgrade the Class 4 policy, which the board has bene doing
  - Maybe the town needs a policy committee
  - Need to address Class 4 policy; is the right policy is in place
  - Need to get back to Class 4 roads being passable safely so emergency personnel can get through
  - With so many unknowns with policies and ordinances he can't support this measure at this time until Class 4 policy is in place

- **Liz Scharf**
  - Acknowledged she asked Paul Cerminara if he would go have a conversation with Mike Hill to talk face to face; wanted it to be clear it was not done to keep things secret or not share information with the town or not be transparent
  - When words like lawsuits and the offer to help pay for the repair, it was in the best interest of the town to try to have a conversation face to face
  - As chair, trying to look out for best interest of the town
  - Historically she's been in favor of upgrading this road
  - Also at this point wants to respect the opinions of people in the room who think town needs to have a good policy in place before moving forward with this decision

- **Zara Vincent**
  - Can't apologize for the bad behavior of the men who came before her; this board cares about every resident of Middlesex
  - The select board wants everyone to have everything available
  - With the policy discussion, there are ways the town can improve the condition of the roads without making them Class 3; need time to explore it
  - Want to make sure the board is doing it right; need as much information as possible
  - Some things that need to be addressed at another time such as a false equivalency of the upgrade of McCullough Hill
  - Also doesn't think the board is in a position to upgrade the road
- **Zara Vincent asked for a motion that select board upgrade the classification of S Bear Swamp Road**
  - No motion was offered so Zara Vincent announced that the selectboard will review the evidence, deliberate and report its findings, which will be filed with the town clerk within 60 days

7:50 meeting closed

THE ABOVE MINUTES OF JUNE 23RD 2026 MIDDLESEX PUBLIC HEARING WERE APPROVED ON JULY 7TH, 2026.

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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