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

Middlesex Select Board Meeting

5:00 PM
Tuesday February 3, 2026
Middlesex Town Hall and via Zoom*
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915
Meeting Minutes

Attending: Cheryl Grandfield, Carol Maloney, Eric Metivier, Brigid Browning, Shelly Desjardin, Brian Redmond, John Lund, Sky Barsch, Shelly Desjardin

5:00

- **Meeting called to order and guests welcomed**

Motion: Approve minutes of the January 20, 2026 regular Select Board meeting

- Paul moved, Larry seconded, motion approved

Motion: Approve agenda as proposed for Tuesday February 3, 2026

- Paul moved, Larry seconded, motion approved

5:03

- **Highway report from Eric Metivier**
  - Old Brook – Fitzgerald Eng. doing core drilling Thurs. and possibly Friday this week
    - Don't believe it will impact traffic
  - East Hill and Lower Sunnybrook Rd re: 2023/4720 flood
    - Liz read an mail from state about East Hill Road fixes
    - Eric reported the work will be done in the spring – minimal project – is part of corrective action re: state permits
  - Stacey thanked the road crew for its work during last week's snow storm

- **Approve Certificate of Highway Mileage Year Ending 2/10/2026**
  - Liz explained this is related to road classification mileage
  - State modified a couple of roads as their data was slightly incorrect – removed .6 mi of Class 3 roads – current inventory by state shows:
    - 15.9 miles of Class 2
    - 32 miles of Class 3
    - 9 miles of Class 4
    - 3.44 of legal trails
    - 65.05 miles of other classes
    - 17 miles of state highway
    - Town is responsible for a total of 48 miles of road maintenance

Motion: Approve the State of Vermont Certificate of Mileage with details as described above

- Stacey moved, Larry seconded, motion approved

- **Updates on FEMA payments; update on design work from Fitzgerald Engineering for future culvert projects**
  - Liz read Zara's report out on FEMA related work
  - Two of the last three roads from the 2023/4720 flood have been paid to the state from the feds and the money is on its way to the Town of Middlesex
    - 741371 East Hill Rd payment = $798,505.09
    - 741374 Lower Sunny Brook payment = $740,002.58
    - These payments followed the federal formula: 90% fed. share, 7.5% state share 2.5% town share
    - Zara believes this will allow the town to pay off its loans in full
  - Of the amount paid, $329,144 is prepayment for work that will be done spring/summer 2026
  - The last road/ project for 2023/4720 is Portal Rd., which was just pushed from "review" and will be "obligated" and repaid soon in the amount of $282,322.81
  - The last road unpaid from the 2024/4810 Flood is Brook Road
    - That has moved from "Large Project review" to "Obligated" this week – which means the money will be paid sometime in the next few months
      - This payment is based on 75% fed. share, 17.5% state share, and 7.5% town share
      - Brook Road repairs totaled $1,410,570.77
  - **What's next?**
    - For 2023/4720 the town has received extensions to complete some culverts still needed for these roads:
      - McCullough (which will be completed by the town road crew in the spring)

        - Lower Sunny Brook
        - South Bear
        - Norton Rd
    - Town has asked for extensions to continue repairs on roads related to 2024/4810 flood
        - All these roads are also being engineered – except McCullough Hill – and will go out to bid soon:
            - Old Brook Rd
            - Daniel's Farm Bridge Rd.
            - French Rd.
            - Bolduc Rd.
            - McCullough Hill Rd.
            - Norton / Notch Rds.
- **GOOD news:**
    - Many of town's projects were overestimated by FEMA due to all the work the town crew has done and other factors
    - Town can keep the overage as long as those funds are used to improve town roads or things related to improving the roads
    - As soon as the town has completed all projects and they are paid out, the town will be paid back at 100% of the interest on the loans and the salaries paid to FEMA coordinators

- **Updates on Agency of Natural Resources' Notice of Alleged Violation dated 11/17/25 and received by the Town 11/20/2025 regarding six box culvert installations and timeline for directives pertaining to corrective actions**
    - No updates shared

5:22

- **Middlesex Purchasing Policy – final review**
    - Version reviewed by SB largely models VLCT template
    - Stacey reported it streamlines process for select board to approve expenses within specific spending categories/limits
    - Town administrator position was added in case it's approved by town
    - Town attorney has reviewed and approved it
    - This policy would replace and supersede existing policy from 2015

Motion: Adopt the new purchasing policy, which will replace and supersede all previous purchasing policies created by the Town of Middlesex

- Paul moved Larry seconded, motion approved

5:25

- **Town Meeting Solutions Committee update**
    - Susan Clark shared committee update
    - Committee created in 2001 by Select Board to improve town meeting
    - Since COVID the committee has acted more like a network than as a town committee
    - Susan reported on some of the activities of the network
        - Organizing child care for town meeting – funded by MDX community fund
        - Coordinating dinner for town meeting – also funded by MDX community fund
        - Transportation for town meeting is offered
        - Organizes microphone runners for town meeting
        - Organizes a welcome new voter letter – starts by asking town clerk if there's a new voter
            - Shared info about the letter; signed by SB and committee; there are about 50 voters on average each year – town pays cost of postage
            - Asked if town supports spending funds on this
        - Organizes a candidate profile page for people running for office
            - Gives voters basic information about candidates
        - Publicizes town meeting and facilitates remote participation when it was allowed
        - Did a Happy Hour on-line to get people introduced to town committees and misc. town activities and committees
        - Did visioning process called, "What's Next, Middlesex?"
        - Puts handout on chairs at town meeting about Roberts Rules of Order
        - Makes candy available at town meeting
    - Purpose of tonight's update is to make sure SB approves of the group's efforts, to get ideas about other things they can do to improve democratic process, and to ascertain if the SB supports their informal structure as a network
        - Paul expressed support for network structure and likes the FPF updates; appreciates the operation and work they do
        - Liz reviewed some of the state statutes re: open meeting rules; she doesn't think a motion is needed for supporting the work
        - Stacey asked if committee would like another name to take away any obligation to abide by open meeting laws and other possible legal constraints or responsibilities

        - Suggestion made for a possible name: "Friends of Town Meeting"
        - Susan explained that the body is not a decision making or money-spending committee and thinks it's valuable to report the work in town report
    - Liz will ask town attorney if there is any reason to be concerned about state laws re: open meeting for this group of people working to improve democracy in the town
        - Stacey will write up the question Liz will relay to the attorney

Motion: Approve mailing a letter, which is written by the committee and signed by both the committee and SB members, to all new voters (since previous town meeting), at town's expense

- Paul moved, Larry seconded, motion approved

- **Town Meeting 2026**
    - Susan talked about the upcoming 2026 town meeting
        - Thinks there will be discussion about town administrator – this discussion needs to come under budget item
        - Liz said there will be discussion about town clerk being an appointed position
            - Could trigger a paper ballot during the meeting
            - Discussed the process for overseeing and counting the vote – town moderator is prohibited from being involved in that process
                - Susan will reach out to board of civil authority to discuss this possibility
    - SB thanked Susan for her work for the town

5:50

- **Reclassification of section or entirety of S. Bear Swamp Road that is currently classified as Class 4**
    - Liz gave background on the issue and offered clarification about relevant communication prior to the meeting
        - Two weeks ago Mike Hill and John Lund spoke at the SB meeting to request assistance plowing and maintaining the road
        - State law lays out the procedure for citizens to get a town to upgrade a road
            - Two options:
                1. Submit a petition signed by 5% of voters to SB requesting action
                2. SB can initiate the process without the petition
                    - Next step in the process for either of those options is a public hearing
                        - Public hearing is warned with 30 days notice from date of motion by SB
            - SB agreed at previous meeting it needed to see potential costs and assess community benefit before making a decision which pathway they'd choose
        - Liz clarified that tonight the SB is deciding whether to:
            1. Make a motion to authorize scheduling a public hearing to consider upgrading 0.3 of S. Bear Swamp Road,
            2. Make a motion to authorize scheduling a public hearing to consider upgrading the entire Class 4 section of the road, or
            3. Not take any action
                - In this instance a petition could be obtained to trigger a hearing
    - **Cost Estimate**
        - Paul and Eric drove the road and put information together about potential costs
            - Cautioned the winter conditions limited their ability to fully assess the work needed
            - Looked at each section separately
            - Summary of their findings:
                - Both sections of the road are narrow – 1 to 1.5 lanes
                - There are many unknowns because of snow cover – including culvert needs
                - Ledge on both sections
                - Substantial sub-base work and gravel material will be needed
                - Work to remove trees and stumps will be needed
                - Substantial ditching and stone lining of ditches are needed
            - Regarding the .3 mile section where residents are located:
                - In addition to above factors, this project would be invasive to residents and require lots of work to achieve Class 3 status
            - Regarding the .9 section improvements would be a significant project:
                - Long stretch that is a ravine
                - Heavy ledge presence
                - Need test holes to assess feasibility of doing this improvement work
            - Used FEMA wages to determine rough estimate of costs
                - Approximate costs for 3 mile section is $130,000 if town does the work and about $150,000 for a contractor
                    - Town doing the work would take up about 1/3 of the summer season
                - Approximate cost for .9 mile section is $200,000 if town does the work and $238,000 if it's done by a contractor
    - **General discussion**
        - Paul stated there are seven other Class 4 roads in town that include private homes
        - Road with lowest concentration of homes is upper Notch Road
        - John Lund from S. Bear Swamp spoke about the precedent, specifically noting:

- Other roads are not comparable because they don't lead to anywhere – they're not through roads
- Paul explained that his comparison only used sections where homes are located

- Brian Redmond from Notch Road spoke
  - He is one of three home owners on Notch Road
  - Has lived on the road for 14 years
  - Has engaged SB in the past about class 4 status
  - Noted that town purchased town forest at end of the road
  - Town trails use has increased concerns about safety on the road
  - Three homeowners living there year around maintain the road even though many others use the road to access the trails
  - Expressed interest in getting the road improved to improve safety

- State stipulates the road standards and pays the town differently for different classes of roads
- FEMA does not pay differently for different class of roads, and their standards are different – Class 4 costs less to maintain because standards are reduced
  - Shelly Desjardin referenced the history of some of the Class 4 roads in town
    - Notch Road used to go across to Waterbury Center long ago
    - Mead Road used to go to Class 2 road
    - Bear Swamp used to connect to another road
    - She made the point that some of the town's roads currently classified as class 4 roads were through-roads in the past
- Liz asked: Does SB want to make a motion to initiate proceedings to hold a public hearing to consider upgrading some section of S. Bear Swamp Rd – either the approximate 0.3 miles where the five residences are, or the entire road?

- Stacey – appreciated Eric and Paul's work to get approximate price tag and the work needed to upgrade the road
  - Because of the amount of work, capital required for the undertaking, she is no longer comfortable taking it up without the petition process
  - Would be a big line item to justify and would be a big public relations issue
  - The scale of the work strongly indicates that the petition option would tell the Board the town supports this expenditure related to this town obligation
  - Expressed concerns about keeping people to their word to contribute to town's expenses – in response to previous offers to pay from some residents of S. Bear Swamp Rd.
  - Doesn't want this point of view to be seen as punitive – the financial numbers warrant town buy in and signatures
- Liz responded she talked with town attorney about stipulation by town that homeowners pay a portion – state law is not clear about this
  - Public hearing is where that decision can be discussed and clarified
  - She agrees the budget does not include this work
- Larry sees the value of having a hearing where town residents can speak out
  - Agrees money is not available currently
  - Sees hearing as a way to invite the public and get the information needed to make a decision
  - Has concerns about setting precedent – sees point about Notch Road where public is using the road
  - Supports going forward with public hearing – expressed concern about amount of time homeowners on S. Bear Swamp Road have been asking the town to respond to their requests

- Liz said Rob Halpert wasn't concerned about contingency that current 5 homes pay for the upgrade even with ambiguity in state law
  - If SB finds out there is vagueness in the law about this, the SB can say they don't support the expense or reclassification
- Paul said he regrets past actions and wants to make sure residents know that
  - Believes it is not in the best interest of the board to initiate this
  - It's the SB's role to do what's in the best interest of the town
  - There are other roads that could be looked at also
  - Considering costs, other work is needed in town
  - If residents take up cost of upgrading he supports maintaining at town expense

- Sky Barsch asked if there is a policy around number of houses by length of the road – is there a point when number of homes triggers an upgrade to the road
- Stacey shared the language of the law – and said interpretations by the courts about benefit to homeowners and greater good of the town and supported by confident evidence
- Sandy Levine specifically spoke to address Sky's point
  - Other towns have Class 4 policies that clarify under what circumstances the town would upgrade a road
  - She's considering bringing this to the planning commission
- Liz doesn't mind taking this to a public hearing and hearing what residents have to say
  - Could be an opportunity to get point of view of residents of other Class 4 roads

- Concerned that petition requirement would mean they couldn't get that accomplished

Motion: Authorize the board to schedule a public hearing pursuant to VSA 19 sections 708 and 709 no earlier than 30 days from today to consider upgrading the 0.3+/- miles section of S. Bear Swamp class 4 road to a class 3 road

- Larry moved, Liz seconded, Larry and Liz voted in favor, motion failed

- Discussed the next step for the residents to urge action is to submit a petition to the SB with 79 voters' signatures – Cheryl has template for the form
- More discussion took place about potential public and community value to upgrading the full length of S. Bear Swamp Road

Motion: to authorize the board to schedule a public hearing Pursuant to VSA 19 sections 708 and 709 no earlier than 30 days from today to consider upgrading the 0.9+/- miles section of S. Bear Swamp class 4 road to a class 3 road

- Stacey moved, Larry seconded, motion approved

- **Public Hearing**
  - Decision about hearing: SB set **April 14th at 5:00** for the public hearing on reclassifying section of S. Bear Swamp Road
    - Liz will speak with Rob Halpert about details of holding the hearing

6:47

- **Miscellaneous Business**
  - Cheryl reported that there is a payment to Community Nat. Bank due in March, about same time as school payment is due
  - Will incur about $1,500 in lawyer fees for the loan if town needs to borrow funds to make payments
  - Town has 30 days from Feb. 20 to pay school bill – approx. $1.5M
  -
- **Correspondence**
  - Liz reported about conversation with town resident about options tax
  - Information was shared about what people can do about being assessed this tax

6:48

- **Adjournment**

Motion to adjourn:

- Larry moved, Paul seconded, motion approved

THE ABOVE MINUTES OF FEBRUARY 3, 2026 REGULAR MEETING OF THE MIDDLESEX SELECT BOARD WERE APPROVED ON FEBRUARY 17, 2026.

_____
LIZ SCHARF, CHAIR

_____
ZARA VINCENT, VICE CHAIR

_____
LAWRENCE ROONEY

_____
PAUL CERMINARA

_____
STACEY SKADBERG