

**Approved Minutes**  
**MAIDSTONE SELECTBOARD MEETING**

Monday, October 9, 2023

7:00 pm

Hybrid Meeting, both in person at Town Hall and by Zoom Video Conference

Members Present in Town Hall (in-person): Scott Lovell, Chair; Brad McVetty, Bruno McKenzie

Town Officials Present at Town Hall: Emergency Management Coordinator and Fire Warden Bill Sanborn; Administrative Assistant to the Selectboard Mary von Alt

Also Present at Town Hall: Representative Terri Williams of the Essex-Caledonia District, John Kascenska of the Vermont Community Development Board in the Agency of Commerce and Community Development

Town Officials and Staff Present via Zoom: Town Clerk and Lister Amy Pear; Treasurer, Delinquent Tax Collector, Lister, Zoning Board and Planning Commission member Bob Champagne-Willis; Zoning Board and Planning Commission member Bruce Barker; Zoning Board and Planning Commission Chair Chris von Alt; Lister, Auditor, and Health Officer Sandra Gray

Also Present via Zoom: Lin Mixer, Sam and Carol Gorham, Bonnie Lovell, Andy Champagne-Willis

Chairman Scott Lovell called the meeting to order at 7:01 pm. The first order of business was to approve the minutes for the September 11 Selectboard meeting.

**APPROVE SEPTEMBER 11, 2023 SELECTBOARD MEETING MINUTES:**

Brad pointed out that "A&R" in the Report of the Zoning Administrator needed to be corrected to "ANR" (Agency of Natural Resources). Brad made a motion to accept the minutes of the September 11, 2023 Selectboard meeting with that change; Bruno seconded the motion. All voted in favor.

Scott then welcomed Representative Terri Williams and John Kascenska of the Vermont Community Development Board in the Agency of Commerce and Community Development. He invited them to speak at the beginning of the meeting. Amy had notified them of the meeting, in case they wanted to be part of the discussion about the Essex North Supervisory Union (ENSU)/NEK School Choice District meeting that was held at Maidstone Town Hall on Tuesday, October 3, 2023, as well as the discussion about the Peaslee Bridge project and the Municipal Energy Resilience Program (MERP) grant.

**Representative Williams** began by reporting that she had sent a message to Spencer Howard, the Bridge Management and Inspection Program Manager for the Vermont Agency of Transportation, asking for an update about the repair of the Janice Peaslee bridge. He replied that they are waiting for the design to come back from the consultants; they will move forward when they have contract plans and have hired a contractor. Terri told him that did not sound promising for completion of the work by the end of 2023. Mr. Howard replied that they would have a contractor within a few months, but the bridge structure is complex, so he doesn't know how long the project will take. Once plans are in place, the timeline will be more clear; the fact sheet will be updated once they have more information.

Terri moved on to the MERP grant, verifying first that Maidstone had been awarded the \$4,000 grant, which was step one of the overall MERP grant application process. The grant-required free energy assessment of Town Hall is scheduled for October 25, 2023; it must be done on a day when Town Hall is closed. Amy asked if Terri knew when the State would open the application process for the \$500,000 Implementation Grants, part of the MERP. Terri said that she would find out and report back to the Town.

Amy said that the Town's energy burden assessment posted on the State website is lower than that of most towns and wonders if Maidstone has been assessed properly. She is concerned that this possibly inaccurate energy burden assessment will affect the Town's ability to be awarded the grant. Amy has contacted Allie Webster, Energy Planner for Northeastern Vermont Development Association (NVDA); Allie said she would look into this. Terri said she will look into this as well.

Next up for discussion was the ESNU/NEK Choice School District meeting on October 3, which Brad, Bob, and Terri attended. Terri asked Bob for his thoughts about the meeting, so Bob moved his report up from its scheduled place later in the Agenda.

The purpose of the meeting was for guest speaker Brad James, Education Finance Manager in the Agency of Education, to discuss the Vermont Pupil Weighting forecast. According to Bob, that forecast does not look good for Maidstone. The current focus of Bob's concern, however, is his belief that the Homestead Education Tax Rate this year was higher than it should have been for Maidstone as well as for other towns in the NEK Choice School District.

Bob explained how the Homestead Education Tax Rate for Maidstone is calculated:

1. Start with the School Budget approved at the annual Town Meeting;
2. Divide that budget number by the Equalized Student Count to determine the Per Pupil Spending; the Equalized Student Count is calculated by adding the number of full-time students in the current year to the number in the previous year, adding weights for students living in poverty or attending high school, then dividing by two to figure out the average, i.e., the Equalized Student Count. For calculating our current tax rate, the number of students in FY2022 and FY2023 were used;
3. Divide this new number by the "Yield" that the Legislature sets (*Note: "[Act 46 of 2015 introduced the "property dollar equivalent yield," often called the "homestead property yield" or just the "yield."](#) The homestead property yield is set to raise enough homestead property tax revenue for the State's education fund."* From [Education Tax Rate Calculations | Frequently Asked Questions](#));
4. Divide that by the Town's CLA (Common Level of Appraisal) to determine the Town's Homestead Education Tax Rate.

The problem is that the official student count submitted to the State for FY2023, which was actually taken over a two week period in September 2022, was understated; the student count was reported as 261, when it should have been around 312. That made the Equalized Student Count lower than it should have been, which resulted in a higher Homestead Education Tax Rate than should have been. Bob raised this topic at the NEK School Choice District meeting with Brad James of the Agency of Education. The response was that it is too late to change the Homestead Tax Rate that is on our tax bills due on Monday, October 16th, with the second half of the payment due in April 2024. Brad James told Bob that the situation needs a legislative fix. The legislature must direct the Agency of Education to return to the towns the amount of money that was overpaid. The administration of our NEK Choice School District has changed since last year. The ENSU Board is reaching out to the schools in the District, asking for an accurate FY2023 student count, a process that takes some time. Bob asked Representative Williams if we as a Town need to weigh in, i.e., to write to the Governor, the legislature, the legislative committees, etc. Terri responded, "Not at this time." She said the School Board will come up with the accurate count and will present that to Brad James and the Agency of Education; the amount due back to the Towns will then be calculated. That information will go to Terri who will present that to the Education Committee, of which she is a member, with an explanation of what happened. The School Board will also explain the situation. She thinks all of this probably won't happen until January. At that point, if she feels it is necessary, she will reach out to the Towns for them to take supportive action.

John Kascenska of the Vermont Community Development Board asked Bob if the error had been acknowledged. Bob said the error has not been acknowledged by anyone at the State level.

Bob reported that the Town's poverty count, which is privileged information calculated by State agency/agencies, also appears to him to be incorrect. The poverty count also affects the tax rate, but there is no way for the Town to assess or correct that count. In the future, new reporting of the poverty count will require parents to fill out an income statement form, a system which may also experience accuracy problems. Representative Williams agreed with Bob that there is no action for the Town to take that would aid in recouping possible losses due to an inaccurate poverty count. Terri said that is a topic for conversation in the Education Committee; Bob offered to testify, which Terri said she will keep in mind.

**John Kascenska** spoke next. He was appointed to the Community Development Review Board by the Governor. He said that grant money might be available through the Agency of Commerce and Community Development for which the Town could apply. He will send more information to the Town about such possible grants.

Both John and Terri urged Maidstone to take advantage of the help that NVDA can provide with grants, in particular.

#### **REPORT OF THE ROAD COMMISSIONER:**

The box culvert work on Westside Lake Road will not be done this Fall, Brad reported. Brad has applied for two grant extensions, one for the box culvert and one for the Grants-in-Aid project at the Lake.

Mowing of the roadside of Maidstone Lake Road has begun. Brad would like to mow the roadsides around the Lake, which has not been done in his lifetime. The Town can only mow to the further edge of its right-of-way, which is at the back pins of the lots. Such mowing is made difficult by property lines that sometimes extend to the edge of the existing road or beyond, while others have markers that are difficult to see. On the Lake Road, Brad asked the man doing the mowing to clear the area between the road and the big trees. While the mower is here now, Brad said it would be great to get some of the mowing on the roads around the Lake done; next Fall would be another opportunity. Anyone on the Lake who is interested in having the roadside along their property mowed should contact Brad to let him know. Prior to that mowing, property pins should be marked or otherwise made evident. Ideally, the mowing would be done to twice the width of the mower, which equals about six feet, although that is not feasible in some places. Amy said that if Brad would write a brief message about the Town's interest in mowing roadsides around the Lake and perhaps suggest addresses for properties he would specifically like to mow, she will send out an email to those people for whom she has email addresses.

Bruno suggested that the dead trees along the Lake Road on which Sam Gorham has placed his creations present a hazard to drivers and snowplowing. Brad did not think they caused problems with plowing, but Bill Sanborn agreed that a couple are close to the road. Lin Mixer said that almost all of the figurines that Sam created and placed on these dead trees have been stolen, along with a couple of speed limit signs. After a brief discussion, it was decided that Bruno will cut down the dead trees discussed.

Lin says he has put up signs near his property marking the area where a number of landowners want the roadside mowed.

Bob asked if the STOP sign would be returned to the intersection of Westside Lake Road and Maidstone Lake Road, which Brad said it will be as soon as he gets up there to do some work.

#### **ANNOUNCEMENT OF AWARD RECEIVED BY THE TOWN TREASURER:**

Scott read the following:

- Bob Champagne-Willis has received an award from the Vermont Municipal Clerks' and Treasurers' Association (VMCTA) and now is a Certified Vermont Treasurer. The award and certification are issued in recognition of Bob's fulfillment of all the Certification Program's requirements, including advanced education and training as a municipal treasurer and professional contributions to the Town and to the State Association. Congratulations, Bob!" Everyone congratulated Bob on this important award.

#### **REPORT FROM THE TREASURER:**

- **Budget to Actual:** There is nothing extraordinary to report, said Bob; everything is in line. This is tax collection season; the Town is right where it was last year at this time.
- **Selectboard Warrant:** The Selectboard Warrant is on the Signing Desk.
- **NEK Choice School District Board meeting:** This was discussed earlier in the meeting. Bob thinks that when the time comes, the Town will need to be proactive, writing letters as appropriate. In his estimation, about \$168,000 should be returned to the ten towns in the school district that overpaid; Maidstone is owed about \$30,000 of that total amount.

**REPORT OF THE DELINQUENT TAX COLLECTOR:**

Three parties remain on the Delinquent Tax Collector's Report, totaling below \$10,000 in delinquent taxes. Bob has talked with each of them. Current taxes are due on Monday, October 16th, after which taxes that have not been paid will be considered "late". They are not labeled as "delinquent" until after the April deadline in 2024.

**REPORT FROM THE LISTERS:**

The data study required to do the statistical reappraisal has been completed. Sandy Gray and Bob accompanied the professional assessor in visiting the properties selected at random for the data study; nothing unexpected was discovered. The study results have not yet been tabulated, but Bob expects that all will be fine and that the statistical reappraisal will be conducted in the Spring.

**REPORT FROM THE TOWN CLERK:**

- A meeting about the Town's new website was held today with the website designer. Everything is going well, with completion of the work expected soon.
- After the Selectboard approved the Local Hazard Mitigation Plan (LHMP), Amy worked with Jesse Noone of NVDA to put all of the paperwork together with the required approvals; the LHMP is now available at Town Hall and will be posted on the new website shortly.
- Amy applied for and received a two week extension for the EMPG (Emergency Management Performance Grant) while she was away; she then filed for an additional extension, which has been approved. Things are moving ahead with that grant.
- A Weatherization For All event is scheduled for Saturday, October 14th in Island Pond. Information has been posted on the website's What's New page.
- The State of Vermont has \$5 million of funding "[to support low- and moderate-income Vermont homeowners in repairing or replacing their failed or inadequate on-site water or wastewater systems](#)".  
(Note: Information is posted on the Town website's What's New page.)
- The \$500,000 MERP grant that Representative Williams and Amy spoke about earlier in the meeting is not yet open. Amy suggested that the Selectboard will need to authorize applying for this grant and decide whom to put in charge of the grant, as a great deal of work will be required. The Selectboard discussed meeting after the energy assessment has been completed on October 25th to decide what projects the Town should include in the grant application. Brad said that typically it takes several weeks to get such a report back. Authorization for filing this grant application will be on the November Selectboard agenda.

**REPORT FROM THE EMERGENCY MANAGEMENT COORDINATOR AND FIRE WARDEN:**

Bill Sanborn reminded everyone that the EMPG grant was for the generator and the radio that the Town is getting for Town Hall. Bill installed a 16" x 16" cement pad on which the antenna will be placed. The antenna and mast have been received and will be hooked up soon; the radio will be plugged in when it arrives.

Bill requested that the Selectboard approve Town funding for the CPR/AED training of 12 persons at \$45/person, for a total of \$540. Twenty people have expressed interest in the training, but having to pay the \$45 fee may deter some people, Bill suggested. Bill has asked the Maidstone Lake Association (MLA) to fund the training of an additional 12 people. Bob said that ARPA (American Rescue Plan Act) funding can be used for this; those funds must be spent down, and this is an appropriate use for them.

Bruno made a motion to take \$540 out of the ARPA funds to fund the CPR/AED training for twelve persons; Brad seconded the motion. All voted in favor.

**OLD BUSINESS:**

There was no Old Business.

**NEW BUSINESS:**

- **Request from the Planning Commission that the Selectboard authorize use of the Planning and Zoning fund to advance the process for creating a new Town Plan:** A Planning and Zoning fund exists that currently has \$4,839.21 in it, Bob said. This Fund was approved by the Town at the 2015 Town meeting. Chris von Alt explained that money from this fund is requested by the Planning Commission to pay NVDA to help the Town create the new Town Plan; the current Town Plan expires in February 2024 and must be updated, according to State law.. The Planning Commission intends to apply for an FY2024 Municipal Planning Grant to fund the NVDA consultant and some of the public outreach required to create the Town Plan. If that grant application is successful, the Town will be required to match 10% of the awarded funding. Chris said the grant application would be for perhaps \$8,000 or \$10,000, meaning that a 10% match would be \$800 - \$1000.

Brad made a motion to approve the use of up to \$1500 out of the Planning and Zoning Fund; Bruno seconded the motion. All voted in favor.

- **Decide on the Primary and Alternate Authorizing Official for the Municipal Planning Grant and sign the FY24 Resolution for Municipal Planning Grant:** The Municipal Planning Grant application requires that the Selectboard sign the FY24 Municipal Resolution for Municipal Planning Grant, stating that the Town “agrees to the requirements and obligations of this grant program including a commitment to match funds.” The Selectboard also is required to designate a Municipal/Authorizing Official (M/AO) for the Grant Electronic Application and Reporting System (GEARS) and an alternate MA/O, who will “execute the Grant Agreement and other such Documents as may be necessary to secure these funds.” Jesse Noone of NVDA will serve as the Grant Administrator.

Brad made a motion to have Scott Lovell serve as the Primary Authorizing Official on the grant; Bruno seconded the motion. Scott recused himself. Brad and Bruno voted in favor.

Bruno made a motion to have Brad McVetty serve as the Alternate Authorizing Official on the grant; Scott seconded the motion. Brad recused himself. Bruno and Scott voted in favor.

Brad made a motion to pass the FY24 Municipal Resolution for Municipal Planning Grant; Bruno seconded the motion. All voted in favor.

The business of the meeting concluded, Brad made a motion to adjourn; Bruno seconded the motion. All voted in favor. The meeting was adjourned at 8:23 pm.

Respectfully submitted,  
Mary von Alt