

1 TOWN OF MIDDLEBURY  
2 Infrastructure Committee  
3 Town Offices Large Conference Room  
4 Thursday, February 12, 2020  
5 Meeting Minutes  
6

7 Committee Members Present: Heather Seeley, Candy McLaughlin, Gary Baker, Luther Tenny, Judy  
8 Wiger-Grohs, Chris Robbins and Lindsey Fuentes-George who arrived just prior to approving minutes.  
9

10 Town Staff: Town Manager Kathleen Ramsay, Director of Public Works Planning Dan Werner (via  
11 phone), Director of Accounting Services Manager Jackie Sullivan, and Director of Public Work Operations  
12 Bill Kernan.  
13

14 The meeting was called to order by Seeley at 8:19 a.m.  
15

16 Approval of Agenda  
17

18 Baker moved, and McLaughlin seconded, to approve the agenda. The Green Mountain Engineering  
19 contract amendment #1 for the Dow Pond Water Line project was added to the agenda following  
20 Project Updates. The agenda was approved as amended with 6 in favor, 1 absent.  
21

22 Approval of Minutes  
23

24 Baker moved, and McLaughlin seconded, to approve the minutes of January 9, 2020. The minutes were  
25 approved as presented with 5 in favor, 2 abstentions (Tenny & Robbins).  
26

26 Citizen Comments - None  
27

28 Project Updates  
29

30 Police Dept Re-Use Project - Werner said the bid recommendation for this project would be before the  
31 Infrastructure Committee at their March 12<sup>th</sup> meeting. He said there were 10 contractors at their pre-  
32 bid meeting and walk-through.  
33

34 Cady Road Culvert Project – Werner said we just received our Stream Alteration Permit and the project  
35 is out to bid, so a bid recommendation will also be requested at the March 12<sup>th</sup> meeting. He said they  
36 are estimating a starting date for the project of June 29<sup>th</sup>, because we cannot be in the streambed  
37 before July 1. He said they are planning on closing Cady Road for two weeks, however it might not be  
38 for the full two weeks.  
39

40 Dow Pond/Route 116 Water Main Project – He said the pre-bid conference is tomorrow (Feb 14<sup>th</sup>) and  
41 bids are due at the end of the month. This bid recommendation will also be at the March 12<sup>th</sup>  
42 Infrastructure Committee meeting.

43

44 Werner said he and Library Director Dana Hart are working on the historic window restoration and  
45 replacement of some of the non-historic windows. He said Hart did get a grant for historic window  
46 restoration, so they are developing a proposal that has to be reviewed by the historical agency and then  
47 will go out to bid.

48

49 Tenny said Cady Road is a heavily-used haul road for several Rt 116 businesses, so he asked if Werner  
50 would be letting them know ahead of time that the road would be closed and placing the electronic  
51 signs. Werner said they would notify the businesses and the signs would be placed ahead of time.

52

53 Tenny asked if the 10 contractors at the pre-bid for the Re-Use Project were site contractors or all  
54 general contractors. Werner said it was a mix of both.

55

56 Dow Pond/RT 116 Water Line – Green Mountain Engineering Contract Amendment #1

57

58 Werner said this proposal from Green Mountain Engineering is for bid services and contract documents  
59 for a not-to-exceed amount of \$4,000. Tenny asked if there would be construction phase services at  
60 some point, and Werner said there would be and that amendment will be ready for the March 12<sup>th</sup>  
61 Committee meeting. Luther asked if we had the permit to construct, and Werner said the permit is in  
62 process and we should have it soon.

63

64 Seeley said one concern she has with this new system of pricing is it's in phases and is concerned about  
65 each phase costing more, so just wanted Werner to be watching for that.

66

67 Tenny moved to recommend the Selectboard approve Amendment #1 from Green Mountain  
68 Engineering, dated February 11, 2020, for a not-to-exceed amount of \$4,000 for Bid Services and  
69 Contract Documents. Wiger-Grohs seconded the motion. The motion was approved with 7 in favor.

70

71 Werner said the Town would be doing their part of the water line project this year, but VTrans would  
72 not be doing the culvert until next year due to delays in the design process.

73

74 Cady Road – Pipe Arch Culvert Purchase

75

76 Werner said this proposal is from Contech, who also provided the culvert for the Halpin Road culvert  
77 replacement project a couple years ago. He said one part of the proposal is for the pipe itself, and the  
78 other is for assembly. He said as with the Halpin Road project, he wanted to purchase the culvert ahead  
79 of time to be sure we had it on site at the right time, and avoid up to a 15% add-on by the contractor.

80

81 Werner said he'd spoken with the company yesterday and even though the quote is from December, the  
82 price is still good and will hold through the project. He said these culverts come in sections and are  
83 bolted together, and their staff is much quicker and more experienced at assembling this than a  
84 contractor would be, so we have an assembly price from them for \$13,000. Werner said when these  
85 culverts are set in a streambed, stones are placed in the bottom of the structure. Some of the top panels  
86 need to be left off, therefore, when the culvert is constructed so the contractor can drop materials  
87 through the opening. He said it's important when assembling the culvert to know which panels to leave  
88 off and still have the structure safe and sound when placed.

89

90 Seeley asked if this project was ready to move forward since she didn't want to order this and not have  
91 the project happen. Werner said all the funding is in place for this project, so it will happen.

92

93 Tenny wondered if at this level of bid we were required to have a competitive proposal. Seeley said it's  
94 a specialty item and when we talked about this type of culvert for Halpin Road, she recalls there weren't  
95 any other options around here. Werner said this company does the New England/New York area and  
96 when we looked for competitive bids at the time of the Halpin Road project, we were looking at  
97 companies in the Midwest and Texas.

98

99 Tenny said when you read the inclusions in the quote, will this be transferred to the contract so the  
100 contractor knows what they're responsible for, and Werner said it would be. Seeley said we used this  
101 company before and it all went well and we had no issues with them, and they did the assembly then.

102

103 Robbins said she's glad to see they're putting rocks in the bottom of the culvert and asked if this would  
104 prevented erosion from happening at the outlet. Werner said there is a "splash guard" at the outfall  
105 included in the project, but not as part of this quote.

106

107 Tenny moved to recommend the Selectboard approve the purchase of the aluminum pipe arch from  
108 Contech Engineered Solutions, quote dated 12/20/2019, in the amount of \$46,488.00. Robbins  
109 seconded the motion. The motion was approved with 7 in favor.

110

111 VTrans Better Roads Program Grant with Town of Middlebury & Addison County Regional Planning  
112 Commission – Culvert and Road Erosion Inventory

113

114 (Early in the discussion it was discovered the Plan that was sent to the Committee was an earlier draft  
115 and not the more recent Plan.)

116

117 Bill Kernan said this is the Capital Improvement Plan (CIP) that's part of the Municipal General Roads  
118 Permit to bring all of our roads into compliance. He said originally there was money set aside for this  
119 program and we chose to allow Addison County Regional Planning Commission (ACRPC) to use that  
120 grant money to assist us and other towns to go through this process. He said they put together this CIP  
121 after we completed our road inventory and sent our data to them. He said by 2025 we need to have all

122 our roads brought “up to speed”. He said out of the 512 hydrologically-connected segments, we have  
123 40 segments that are very high priority, 13 that were high, 10 that were moderate and 6 that were low.

124

125 Kernan said this plan is set up to address segments that have a 10% slope or greater and are very high  
126 priority, so for us that’s a total of 7 that need to be brought up to standards by 2025, but there will be a  
127 total of 12 segments that we’ll work on because of their close proximity to these other segments. He  
128 said you’re looking at almost \$500,000 of unfunded repairs as a result of this permit initiative. He said a  
129 minimum of 15% needed to be completed each year, but it was unclear if that was 15% of the segments  
130 or 15% of the cost.

131

132 Ramsay said the Town of Stowe is relaying to the State that they now have this huge unfunded mandate  
133 established by the State that they need help funding. She said as the numbers start to materialize for  
134 towns, you’re going to hear more of this, and Vermont League of Cities and Towns is just becoming  
135 aware of this problem. Kernan said we’ve been doing work on the roads with some grant money, but  
136 that’s only around \$16,000 a year and we’ve been doing around \$40,000 or \$50,000 worth of work, so  
137 we’re going to need more funding from somewhere.

138

139 There was a discussion about Class 4 roads and the fact the Town doesn’t maintain them. Kernan said  
140 while we don’t maintain them, we are responsible for any erosion that’s happening on them, so if there  
141 is an issue we would need to correct it. Werner said there is an old Town Policy that any work to be  
142 done on a Class 4 road has to be approved by the Selectboard, so while we don’t maintain them, if there  
143 is any work to be done on them the Board would need to know. Seeley said even if we don’t maintain  
144 Class 4 roads, we’re still responsible for them, and Fuentes-George said we maintain them to a level we  
145 need to, unless there is erosion.

146

147 Kernan said he just wanted to bring this to the attention of the Infrastructure Committee, and maybe  
148 when the final report is issued, ACRPC staff come in and discuss it with the Committee and the Board.

149

150 Tenny asked if the idea was to increase the operational budget of the highway department to help  
151 support this, or increase the operational budget in Capital Improvements to share the load. Kernan said  
152 the end initiative of this is going to be both of those, there’s no way around it. He said once these roads  
153 are brought up to standard, we’ll have to do it again and again, to maintain them to that standard.

154

155 Robbins asked how Creek Road was classified since most of the roads appear to have steep slopes, and  
156 Kernan said the closed portion of Creek Road wasn’t inspected. Robbins said there is still a lot of erosion  
157 on Creek Road, and Kernan said most of that is from bank erosion, not from stormwater runoff or cross  
158 culverts.

159

160 Seeley said we’ll put this on a future agenda following the final report and have someone from ACRPC at  
161 that time, but we’ll have to keep this in mind at budgeting time.

162

163

164 Committee Concerns

165

166 Tenny said he just wanted to extend appreciation for the work and a job well done during the cleanup  
167 from the last 3-day storm.

168

169 Baker said he had heard a lot about possible litigation from the Creek Road Task Force if we reclassified  
170 Creek Road, and he wonders how often this actually happens. He said he can't believe we'd actually be  
171 sued by the two farmers on the south end. Seeley told him how to find the document library on the  
172 Town's website that has several case studies in Vermont summarized by Town Attorney Benj Deppman.  
173 Seeley felt if they spent the time with land owners before a decision is made, we would avoid litigation.  
174 Tenny said it needed to be a collaborative effort.

175

176 McLaughlin said she'd seen a recent article in VT Digger about PFA levels in wastewater systems and  
177 ours wasn't listed, and she wondered why. Kernan said the State samples our water periodically and  
178 they were compiling the data now.

179

180 Fuentes-George echoed Tenny's appreciation for the job well done during the storm, especially  
181 sidewalks. She said in the past crosswalks have been difficult to access due to snow banks, but this year  
182 that hasn't been a problem. She asked about our salt inventory, and Kernan said it was gone and we'd  
183 have to buy more.

184

185 The next meeting will be March 12, 2020 at 8:15 a.m.

186

187 The meeting adjourned at 9:10 a.m. upon motion by McLaughlin, seconded by Baker.

188

189 Respectfully submitted,

190 Beth Dow