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**Town of Middlebury
Infrastructure Committee
Thursday, August 13, 2020
Meeting Minutes**

NOTE: Due to the need for separation to prevent the spread of COVID-19 virus, the meeting was held remotely via video conferencing with participants.

Members Present: Heather Seeley, Lindsey Fuentes-George, Candy McLaughlin, Gary Baker, Judith Wiger-Grohs, and Erik Remsen. Matt DeBisschop arrived after he approval of the agenda, and Luther Tenny was absent.

Staff Present: Town Manager Kathleen Ramsay, Accounting Services Manager/Treasurer Jackie Sullivan, Director of Public Works Planning Dan Werner, Director of Public Works Operations Bill Kernan and Fire Chief David Shaw.

Others Present: Fire Captains Leroy Graham and Tim Porter

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Heather Seeley

2. Approval of Agenda

Baker moved to approve the agenda and Wiger-Grohs seconded the motion.

Seeley said she had some changes to make to the agenda. She wanted everyone to introduce themselves since there were new members, and there was a need to vote on a Chair. She said at the end of the meeting she'd like to discuss meeting time for the next meeting.

Werner said they also needed to add discussion of a change order for the Police Department Reuse Project.

The agenda was approved with 5 in favor, 2 absent (Tenny & DeBisschop)

DeBisschop enters the meeting.

3. Citizen Comments

There were no citizen comments.

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4. Committee Business

Seeley asked everyone to go around and introduce themselves.

Following introductions, Seeley asked if there was anyone who was interested in stepping in as Chair. There were no members interested, so Baker nominated Seeley as Chair, and Fuentes-George seconded the motion. The motion carried with 6 in favor, 1 absent.

5. Approval of Minutes of July 16, 2020

McLaughlin moved to approve the minutes of July 16, 2020, seconded by Fuentes-George. The minutes were approved as presented with 5 in favor, 1 absent (Tenny), 2 abstentions (DeBisschop and Remsen).

6. Project Updates

Dow Pond Water Line – Werner reported this project had been delayed due to the contractor needing heart surgery, but they have a pre-construction meeting planned for August 19th and things are back on track.

Werner said he will meet with John Whitaker of Kubricky Construction on the Town’s portion of the sidewalk work on Main Street this afternoon. He said our portion of the work is from Mill Street to in front of Sweet Cecily’s, a small portion on the Main Street side of the Battell block and some on the upper side of Merchants Row. He is not sure of the timing of this work, so some may fall into next year.

7. Fire Truck Committee

Chief David Shaw introduced LeRoy Graham and Tim Porter, members of the Fire Truck Committee. He said they had narrowed their selection from 10 trucks down to 4 trucks and would now begin the time-consuming task of going line-by-line through the proposals to see which truck meets the necessary requirements. He said by next week they will have made their selection, and it will go to the Selectboard on August 25th.

DeBisschop remarked there hadn’t been prices on the summary, and Shaw said that’s because he holds the prices of the trucks until they go through the process to see which truck meets most or all of their requirements without knowing the price. He said then they look at the prices and make the best choice to meet their needs at the best price.

83 Seeley said the Fire Department process worked well for their last truck, so she looked
84 forward to seeing their choice for this purchase.

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86 **8. Drinking Water State Revolving Loan Fund**

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88 Werner said that the Washington Street water line project is eligible for these funds, but
89 the Court Street water line is not, and he believes it's because the Washington Street
90 line is a transmission line. He said there is over \$44 million in funding available, plus
91 there is additional money for subsidies up to 75% of the first \$1 million in the form of
92 loan forgiveness. These subsidies are on a first-come first-served basis. The first step is
93 to submit a Loan Application and this application will be on the August 25 Selectboard
94 agenda. He said shovel-ready projects are considered for these subsidies, and the
95 Washington Street project will be one of the early applications and funding is already
96 approved by the voters at Town Meeting.

97

98 Werner said the Washington Street project should be ready to go for the next
99 construction season, so the Court Street water line would begin in early spring, followed
100 by the Washington Street line.

101

102 Wiger-Grohs asked if Washington Street would need to be repaved, and if so, she
103 wanted them to explore a pervious surface. Werner said he wasn't sure, since it maybe
104 they only need to pave the trench area.

105

106 **9. Clean Water State Revolving Loan Fund**

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108 Werner said the East Middlebury Flood Resiliency Project falls under the Green Project
109 Reserve requirements of the State's Clean Water State Revolving Loan Fund. He said
110 they submitted an application for \$500,000, which is our share of the project cost that is
111 being funded by FEMA, and we were awarded \$200,000 in grant funds.

112

113 Seeley asked if there was a timeframe on using these funds since this project has been
114 stalled for several years, and Werner said he didn't believe there was a timeframe.

115 Werner will see about getting a report from Project Engineer Amy Sheldon for the next
116 Infrastructure Committee meeting in September.

117

118 **10. Court Street Sidewalks**

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120 Werner said they put out bids for raising a portion of the sidewalk from Thomas Street
121 southward to in front of the Foshay residence at 83 Court Street, and for a small section
122 by Monroe Street. He said only one bid was received from Avery Excavation out of

123 Williamstown, and the \$29,000 bid was way out of line of typical sidewalk construction
124 costs. Werner said the Selectboard is committed to helping solve the problem of
125 stormwater runoff onto the Foshay's property, so in the next couple of weeks Public
126 Works will install a couple of drains to catch some of this runoff from Court Street and
127 then we'd put this job out to bid again this winter in hopes of getting more bids. He said
128 he is requesting the Committee recommend the Selectboard reject this bid by Avery
129 Construction.

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131 Baker moved to recommend the Selectboard reject the bid by Avery Excavation, and
132 McLaughlin seconded the motion. The motion was approved with 6 in favor, 1 absent.

133 **11. VTrans Class 1 Paving Project**

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136 Werner said in the late 1970's when Court Street was reconstructed, the curbs were
137 constructed on top of four (4) catch basins, so now they can't be cleaned out. He said
138 the Town will need to reconstruct these curbs prior to the Class 1 paving project next
139 year, and the cost will come out of the highway budget.

140
141 Werner said the crosswalk on Court Street by the Mary Hogan North (MHN) entrance
142 was installed in 1998 following the fatality of a 12-year-old who ran across the street.
143 Since then, the yellow flashing lights were installed at MHN intersection lights and
144 pedestrian improvements at the Cross Street/Court Street intersection. Cross Street
145 was just a stop sign at the time.

146
147 He said the yellow flashing lights used at MHN are now deemed to be ineffective, since
148 drivers do not see them anymore. The surrounding area of the MHN crosswalk is busy,
149 with vehicles entering or exiting both the Champlain Farms business on the east side
150 and the Mobil-Dunkin Donuts on the west side of the street, plus traffic is coming out of
151 MHN and traffic pulling out of Cross Street heading north are just beginning to
152 accelerate.

153
154 Werner said he'd like to discuss the need to keep the crosswalk at Mary Hogan North.
155 He said John Kaplan (VTrans Bike-Ped Coordinator) and others involved in the
156 inspection for the Class I Paving Project also suggested the Town evaluate the need for
157 this crosswalk or installing a Rapid Flashing Beacon (RFB), and Chief of Police Tom
158 Hanley thinks this crosswalk located mid-block clogs traffic. Werner felt installing a RFB
159 at this crosswalk would interfere with the traffic flow on Court Street. Kernan said if a
160 RFB is installed, it should be at the Creek Road crossing and you don't want two (2) on
161 Court Street. Werner said a RFB is planned for the Creek Rd intersection.

162

163 Seeley asked Remsen his opinion as the head of the Safe Routes to School Program.
164 Remsen said he had discussed this with Werner and agrees that the present flashing
165 lights at MHN aren't effective at slowing traffic down, and he's pleased to hear there will
166 be a RFB at Creek Road, since Route 7 is a big concern for parents whose children
167 have to cross it. He said he's concerned if MHN goes away, more families will use the
168 Court Street/Cross Street intersection and will be tempted to cut through the Zeno
169 House lot to get to Mary Hogan rather than walk around on the sidewalk, and he knows
170 the owner of that property wants to discourage people from doing that for liability
171 reasons.

172
173 Werner said if MHN goes away, the Cross Street/Court Street light can be adjusted to
174 have full pedestrian phase, so cars from all directions are stopped for safe crossing. He
175 hesitates to do that if the MHN crosswalk remains.

176
177 Seeley said there are concerns about the pedestrian phase now at the Cross St/Court
178 St intersection because the northbound Court Street traffic can still turn left onto Cross
179 Street during the pedestrian phase. She said at the Hannaford Plaza all traffic stops for
180 the pedestrian phase, so if MHN goes away, she would be in favor of doing adjustments
181 at the Cross Street/Court Street light.

182
183 Baker said he was in favor of eliminating the MHN crosswalk. He said he walks down
184 there a lot and it's very hard to cross there anyways.

185
186 Fuentes-George said as a parent she agrees that the Cross Street/Court Street traffic
187 should all be stopped for the pedestrian phase, because she would not want small
188 children crossing there as it is now, since they don't have the ability to realize they need
189 to be paying more attention.

190
191 Wiger-Grohs said there's a lot of traffic at the MHN entrance because of parents
192 entering to drop off students, so it's difficult to cross. As far as people being tempted to
193 cross through the Zeno House property, she said she thinks people take shortcuts all
194 the time and thinks putting signs up would deter people, and if Mary Hogan put out a
195 notice through their newsletter about not using that shortcut, it would help.

196
197 Remsen said if the MHN crosswalk goes away, he thinks it's a good trade to stop all
198 traffic at Cross Street/Court Street, and they can work with the school and the owners of
199 Zeno House on stopping people from using the shortcut.

200

201 McLaughlin said they live in Buttolph Acres and bike and walk everywhere, and the
202 Court Street crosswalks have always puzzled her and she finds it uncomfortable both
203 on a bike and walking.

204
205 DeBisschop said he's definitely in favor of eliminating the MHN crosswalk and thinks
206 unless there's a barrier, even with signs it will be hard to keep people from using the
207 shortcut through the Zeno House property. He also said he thinks shutting the traffic for
208 pedestrians at Cross and Court Street is the safest thing to do for children.

209
210 Werner said the State indicated that if the Town wants to take a position on removing
211 the crosswalk, all comments need to be submitted by September 2nd. He said this
212 recommendation would need to go to the Selectboard for approval, and then he'd notify
213 VTrans of our request to remove the MHN crosswalk, add a "no right turn on red" sign
214 for southbound Court Street traffic turning onto Cross Street, and make the light stop all
215 traffic for the pedestrian phase. These changes would all happen next summer.

216
217 Wiger-Grohs moved to recommend the Selectboard approve the removal of the
218 crosswalk at Mary Hogan North entrance, and request that VTrans install a "no right
219 turn on red" sign at the Court/Cross Street light for southbound Court Street traffic
220 turning right onto Cross Street, and to adjust the traffic signal at Court and Cross Street
221 to stop all traffic during the pedestrian phase. DeBisschop seconded the motion. The
222 motion was approved with 6 in favor, 1 absent.

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224 **12. Police Department Re-Use Project**

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226 Werner said Change Order #2 is for the need to make changes to the water service line
227 in the control building due to finding a unknown footing wall and fuel tank, for conduit
228 and cable for the fire alarm system, and for deleting the water line for the cruiser
229 garage. He said the total for Change Order #2 is an addition of \$3,894, but the net
230 changes for the Re-Use Project is -\$339.

231

232 Werner also said there is an issue with calcium deposits on the exterior brick of the
233 Control Building, and several attempts with acids and pressure washing hasn't achieved
234 good results at removing it. The contractor will bring in a mason to take a look for a
235 solution. Werner said there might stronger more caustic acids that can be used, but he
236 hesitates using them and since it's cosmetic he's inclined to just leave them alone and
237 not spend any more money on trying to remove the deposits.

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239 Werner said other items that will be coming in for change orders for the Re-Use Project
240 are:

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- Removal of the low-density concrete layer that was part of the roof system that has deteriorated to mostly powder. A new roof will be insulating foam formed to taper for proper drainage and a waterproof membrane will be installed. The change order for this is estimated to be around \$30,000.
 - The cruiser garage floor will need a structural slab because there are voids in the existing floor due to a sub-grade filter trough. The estimate for this is \$15-16,000.
 - Werner said there was an add-alternate in the original bid for strengthening the north wall at a cost of approximately \$17,800. The structural engineer is currently working on a less-expensive alternative, so there may be some savings on this item.

256 Werner said the current project balance is \$145,240, so even with these changes we'll

257 be okay on the total cost. Werner said typically these types of items come to the

258 Infrastructure Committee before going to the Selectboard for approval, but he's

259 requesting that due to the need to keep the project moving and not delay the contractor,

260 that these change orders go directly to the Board so there isn't a delay because of

261 meeting scheduling.

262

263 Seeley said if they had the time the Committee would attempt to meet again, but if there

264 are funds available and these things need to happen, then she's okay with letting

265 Werner make the call and send these directly to the Selectboard. DeBisschop also said

266 he was fine with that. Fuentes-George suggested approving up to a certain percentage.

267

268 Seeley moved to recommend to the Selectboard to approve future change orders for

269 these 3 items not to exceed \$65,000. Fuentes-George seconded the motion. The

270 motion was approved with 6 in favor, 1 absent.

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272 **13. Public Works Building**

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274 Werner said in the summer of 2018, D.H. Cameron Construction Co. of North Ferrisburg

275 was hired to replace an entry door, the fascia, and entry door overhang and

276 miscellaneous trim on the Public Works building. He said it took several attempts to get

277 one door replaced this past winter, and we've yet to be invoiced for it. He said after

278 further attempts to get the work done, he met with Mr. Cameron again in August of

279 2019, along with his subcontractor, and they were going to have material delivered the

280 next week, and the material never arrived.

281

282 Werner is requesting “firing” D.H. Cameron Construction and hiring Multy Builders, LLC
283 of Weybridge to complete the work. He said Multy’s proposal is \$16,300 to complete
284 the work and the funds are available in Capital Improvements.

285
286 Baker moved to recommend the Selectboard approve the Multy Builder’s LLC proposal
287 of \$16,300 to complete the work on the Public Works building. McLaughlin seconded
288 the motion. The motion was approved with 6 in favor, 1 absent.

289 290 **14. Committee Concerns**

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292 Wiger-Grohs asked about what was being done about the “sidewalk art” on the sidewalk
293 that goes from Buttolph Acres to Mary Hogan School. Kernan said if it’s a chalk
294 drawing, then Public Works doesn’t do anything with them, if it’s painted on then they’ll
295 address it. He said he hadn’t been aware of it so would go and check it out. Fuentes-
296 George said some are looking for Town-sanctioned art around town, and she thinks that
297 when we get this art then people will be less likely to do these random acts.

298 299 **15. Next Meeting Time**

300
301 Seeley said typically when September comes and schools are in session, the
302 Infrastructure Committee meeting time goes from 9:00 a.m. to 8:15 a.m., but because of
303 the change in school schedules this fall due to the pandemic, she’s asking if it would
304 work for everyone to keep it at 9:00. Fuentes-George said 9:00 a.m. works better in
305 general for her. No one objected, so the next Infrastructure Committee meeting will be
306 September 10, 2020 at 9:00 a.m.

307 308 **16. Adjournment**

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310 The meeting adjourned at 10:37 a.m. upon motion by McLaughlin, seconded by Wiger-
311 Grohs.

312
313 Respectfully submitted,
314 Beth Dow