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**Town of Middlebury  
Infrastructure Committee  
Thursday, December 1, 2022  
Meeting Minutes**

Members Present: Heather Seeley, Candy McLaughlin, Judy Wiger-Grohs, Erik Remsen, Luther Tenny, Gary Baker and Alternate Jef Bratspis.

Staff Present: Town Manager Kathleen Ramsay, Co-Directors of Public Works Planning Dan Werner and Emmalee Cherington, Director of Public Works Operations Bill Kernan and Wastewater Superintendent Bob Wells.

Others Present: Tree Warden Chris Zeoli.

**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. There was one addition to the agenda on vehicle bids that would go before the Wastewater Treatment Facility RFQ discussion. The agenda was approved as amended with 7 in favor. **MOTION PASSED**

**3. Approval of Minutes**

Wiger-Grohs moved to approve the minutes of October 27, 2022, and Remsen seconded the motion. The minutes were approved as presented with 7 in favor. **MOTION PASSED.**

McLaughlin moved to approve the minutes of November 17<sup>th</sup>, 2022, and Wiger-Grohs seconded the motion. The minutes were approved as presented with 7 in favor. **MOTION PASSED.**

**4. Citizen Comments**

There were no citizen comments.

42 **5. Project Updates**

43

44 Werner said he and Cherington had been working on the road condition survey, with 1  
45 being the worst and 10 being the best. He said there are about 190 road sections and  
46 they're probably about 85% complete. He said they are transitioning the asset  
47 management and infrastructure mapping to ArcPro, that is a program widely used by  
48 many State and Federal agencies and other municipalities, and they're about 80%  
49 complete. Cherington said with this software they can create surveys and on-line  
50 mapping so the work crews can have it on their phones when going out to work on a  
51 project, and the water department will also be able to map curb stops when they are in  
52 the field by using their phones.

53

54 McLaughlin asked if there were any road maps available, and Cherington said they  
55 would be able to produce those in the near future. Remsen asked if the road survey  
56 could be shared with Town Planner Jennifer Murray when complete, since the Planning  
57 Commission is working on a bike-ped master plan, and the road condition information  
58 could be helpful in forming that plan. Cherington said absolutely, but it would be more  
59 helpful once it is in the mapping system.

60

61 Werner said the contract price for the Court Street Water Main Project prior to balancing  
62 the change order shows that we are under budget by about \$235,000.

63

64 **6. Seymour Street Project**

65

66 Werner said the Seymour Street project starts at Lucius Shaw Lane and goes north to  
67 the Pulp Mill Bridge. He said the proposal from Otter Creek Engineering is for Phase I  
68 Conceptual Design and Phase II Final Design for a total of \$43,000. He said the plan is  
69 to develop these plans so Cherington can submit them for a Class II Paving Grant that  
70 is due in April or May, so we have a good cost estimate of the work that is required in  
71 the application. He said odds are we might not get the Paving Grant since we had one  
72 in 2021, but it's always a good idea to apply even though most likely we won't get funds  
73 until 2024. He said they are requesting the Committee recommend the Selectboard  
74 approve the Otter Creek Engineering proposal.

75

76 Zeoli asked how the recently planted trees on Seymour Street would fair in this project  
77 and would replacement of trees be a part of the project. Werner said tree replacement  
78 could be included and the Tree Committee has funds for that, and since this project  
79 would be primarily on the west side of Seymour Street those recently planted trees  
80 would most likely be in the way. Zeoli said it's possible the trees could be moved since  
81 they were planted not that long ago.

82  
83 Tenny pointed out that this proposal does not include the bid or construction phase of  
84 this project.

85  
86 Baker moved to recommend the Selectboard approve the Otter Creek Engineering  
87 proposal for Phase I Conceptual Design and Phase II Final Design of the Seymour  
88 Street Project for a total of \$43,000. Remsen seconded the motion. The motion carried  
89 with 7 in favor. **MOTION PASSED.**

90  
91 **7. Colonial Drive – Fuel Cost Adjustment**

92  
93 Werner said they still don't have the final fuel cost adjustment prepared at the  
94 completion of the project, but what they have submitted so far is around \$23,000 that  
95 would cover about 75% of the cost. He said what he and Cherington did was to look at  
96 what the State does for fuel cost adjustments in their projects, and while it isn't exactly  
97 the same, it does work. He said no decision needed to be made today and they will  
98 bring it back when they get the final fuel costs, but the cost of the adjustment would be  
99 shared by the highway, water and wastewater funds and there are adequate funds to  
100 cover the cost. He feels it's the right thing to do, since Champlain's bid was prepared a  
101 year ago before we knew what fuel costs would be doing Worldwide because of the war  
102 in Ukraine. Werner said he doesn't have a final balance sheet on the project yet.

103  
104 **8. Stormwater Feasibility Analysis**

105  
106 (There was a short period at the beginning of this discussion where for some reason  
107 there was no sound.)

108  
109 Cherington said she would like to do a townwide stormwater analysis to not only look at  
110 the areas that we have State permits, but also to look at other areas such as the Mill  
111 Street parking lot area, so she's asking for the Committee to recommend the  
112 Selectboard approve her request to apply for a Transportation Alternatives Program  
113 (TAP) grant. She said she has received approval from the Addison County Regional  
114 Planning Commission (ACRPC) which is one of the requirements of the grant, and Mike  
115 Winslow of the ACRPC said that since stormwater is only one component of this grant,  
116 it won't necessarily help with one of the permit projects, but it will help with a stormwater  
117 scoping project. She believes the study would cost around \$20,000, so, if necessary, it  
118 is possible it could be paid for out of Capital funds.

119  
120 Remsen asked for clarification on what the Committee would be supporting. Cherington  
121 said with the TAP Grant there is a 20% matching requirement, but for \$20,000 it

122 wouldn't be much, but if we don't qualify for the grant, she would still like to do the  
123 stormwater analysis. Seeley asked if they needed to look at adjusting the Capital  
124 Budget, but Cherington said it wasn't necessary as there were enough funds to cover  
125 the cost.

126  
127 Tenny asked if this pertains to the 3-acre stormwater requirements and the Town's  
128 liability, and Cherington said she'd like to check those off the list first since those have a  
129 time limit to them, and further stormwater analysis would come after the permit  
130 requirements. She said another hurdle would be the Mary Hogan School site, since we  
131 own about half of the impervious surface, and the entire site is about 8 acres. She said  
132 she is working with Otter Creek who is doing the engineering for the school, since the  
133 school gets special funding sources for this, so the Town might be responsible for the 4  
134 acres even though technically we're not on their stormwater permit. Tenny asked about  
135 over designing a site to get credits, and Cherington said that is an option in areas where  
136 there is the space to over design.

137  
138 Wiger-Grohs moved to recommend the Selectboard approve submitting the  
139 Transportation Alternatives Program Grant application. Remsen seconded the motion.  
140 The motion carried with 7 in favor. **MOTION PASSED.**

141

## 142 **9. Halladay Road Generator Agreement**

143

144 Werner said they had a proposal from Kinsley Power Systems for a generator to include  
145 in the Halladay Road Pump Station improvement project. He said the reason for the  
146 proposal now is there is a lead time of 34 weeks for this generator. He said the pump  
147 house will be constructed so the generator can be installed after it is built, so they'd like  
148 to get the generator ordered to begin manufacturing. He said the proposal is for a  
149 Kohler KG60 generator at a cost of \$26,327 and is the same generator used in the  
150 Seminary Street Extension pump station.

151

152 Tenny asked about the natural gas fee associated with this bid since it may be they go  
153 with propane instead to avoid the natural gas daily fee. Werner said he would look into  
154 it, but the gas line from the Goodrich farm is located directly across the street from this  
155 pump station. Bratspis said personally they use propane at their house for just their  
156 cooking, and they found that even though propane is more expensive than natural gas,  
157 it was cheaper to fill the propane tank when needed than to pay the natural gas daily  
158 fee. Bill Kernan pointed out the benefit with natural gas is it would be consistent in case  
159 of a long power outage where the propane might run out.

160

161 Baker recommended Werner investigate the difference between propane and natural  
162 gas, but to recommend the Selectboard approve the proposal for the generator. Tenny  
163 agreed to make the recommendation subject to a cost analysis of propane vs. natural  
164 gas and then make a decision based on the analysis and he trusts whatever decision  
165 they make, since he doesn't have that strong an opinion either way.

166  
167 Tenny moved to recommend the Selectboard approve the purchase of a generator from  
168 Kinsley Power Systems subject to a cost benefit analysis for propane vs. natural gas at  
169 the current cost of \$26,327. McLaughlin seconded the motion. The motion carried with  
170 7 in favor. **MOTION PASSED.**

171

## 172 10. Vehicle Bids

173

174 Kernan said there are 3 different budgets involved, the water, wastewater, and  
175 parks/recreation/highway. He said the water and wastewater vehicles were bid in  
176 March of 2021 and they couldn't be manufactured then so they needed to be re-bid and  
177 that re-bid cost us about \$20,000 for each vehicle, for a total of around \$108,600 that  
178 are not allocated for in the equipment budgets. He said he would like to move ahead  
179 with the low bids after confirming with the Finance Department that we have funds in the  
180 account balances. He said it isn't that we don't have the money, it's what has been  
181 allocated and set aside for these purchases. He said this is the new reality since  
182 manufacturing continues to be delayed and inventories are low. He said he also went to  
183 local lots and looked online and could not find anything lower than the bids submitted,  
184 so recommends moving ahead and its possible future allocations may need to be  
185 adjusted or more funds set aside.

186

187 Ramsay asked about the bid times on these vehicles. Kernan said the two smaller  
188 vehicles for parks/recreation and water and wastewater are all 2023 models, but he  
189 doesn't have delivery dates. He said the larger highway vehicle is the problem,  
190 because even though they bid on this vehicle, if we miss the build time this year, he's  
191 not sure they'll hold the number and we'll move the build to next year, so the sooner the  
192 better for approving these. Ramsay said she was wondering if they could adjust the  
193 FY24 budget for the equipment fund for the highway vehicle if there aren't funds in the  
194 reserve. Kernan said because they've stuck to their rotation schedule for purchases,  
195 the trucks were in better shape if we do need to wait.

196

197 Bratspis asked about trade in costs, and Kernan said they were included in the low-bid  
198 prices. He said they're seeing more money in the highway trucks trade-ins than in the  
199 past.

200

201 Wiger-Grohs asked about the summary note regarding hybrid and EVs. Kernan said  
202 the bidders were told consideration would be given to hybrid and EV bids, but no one  
203 submitted any bids for those vehicles. He said he didn't believe there were that many  
204 hybrid or EV trucks on the market yet and the dealers are moving them as soon as they  
205 come on their lots.

206  
207 McLaughlin moved to recommend the Selectboard approve the bids on the three  
208 vehicles as recommended by Public Works Director of Operations Bill Kernan. Bratspis  
209 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

210

211 **11. Discussion on Presentations and Recommendation of Consulting Firm to**  
212 **Design Upgrades for the Wastewater Treatment Facility**

213  
214 Cherington said the three presentations were discussed with the WWTF staff and they  
215 had a fairly unanimous opinion, and in the meantime, she had followed up with Wright  
216 Pierce on the concern about their availability since they were located out-of-state, and  
217 they have been very responsive to communications and indicated they would be  
218 providing housing for one of their staff members to be on-site during the construction  
219 process.

220  
221 Cherington said she had worked with both Hoyle Tanner and Stantec in the past, but  
222 she had never worked with Wright Pierce, so she followed up on their work with the City  
223 of Burlington and the Town of Shelburne on their experience with them. She said in her  
224 opinion Stantec was out of the running and she feels Hoyle Tanner and Wright Pierce  
225 have far more experience with wastewater than Stantec. She said Hoyle Tanner and  
226 Wright Piece both received excellent recommendations, although some of the projects  
227 are not on the scale of the Middlebury project. She said the Wright Pierce team's work  
228 was more regional, whereas the Hoyle Tanner team was Vermont based, so there might  
229 be some benefit to the regional experience with Wright Pierce, but at the same time you  
230 might see a higher cost regionally. She said had heard that the Wright Pierce team was  
231 very responsive and very good at working with the operations team in terms of what  
232 was wanted.

233  
234 Bob Wells said the WWTF staff agree that Stantec really isn't an option. He said they  
235 liked the regional aspect of the Wright Pierce team, but his personal preference was  
236 Hoyle Tanner. Wastewater Operator Jeremy Rathbun, P.E., said both Hoyle Tanner  
237 and Wright Pierce are equal in expertise, but with all things being equal they felt it best  
238 to default to the one that was in-state, but they agreed either one would be excellent.

239

240 Seeley said Wright Pierce spoke a lot on the biosolids part of the upgrade, and  
241 Cherington said biosolids are the biggest concern in this entire project, and Maine  
242 recently stopped any land application of biosolids because of pfas and she believes  
243 Vermont is likely to follow eventually and since this is a 20-year design that needs to be  
244 taken into consideration. She said not many Vermont wastewater treatment plants were  
245 going in the anaerobic digester direction. Bratspis said Wright Pierce was the only firm  
246 that mentioned that there would need to be materials brought in to feed the biosolids in  
247 the anerobic digestive process and they also said the market for those materials is  
248 getting tight and that would be a huge problem if we needed to compete with other  
249 digesters in the area.

250  
251 Tenny agrees that Hoyle Tanner and Wright Pierce are the top candidates, but he was  
252 impressed with Hoyle and Tanner for a number of reasons, one they are local and  
253 they've been selected by the Lake Champlain Basin Program to review numerous  
254 wastewater facilities optimizations, so they have a lot of Lake Champlain Basin  
255 experience and they have experience with the permits, and they were careful to not try  
256 to dissuade from a report we'd just paid for, but overall he's leaning towards Hoyle  
257 Tanner and wouldn't lean towards an out-of-state firm with staff in different locations.  
258 He feels Hoyle Tanner are more aware of what's happening in Vermont. Cherington  
259 said one of the recommendations she received on Hoyle Tanner was they were more  
260 experienced in the Vermont funding process.

261  
262 In response to phasing mentioned by the Wright Pierce team, Werner said the Tata and  
263 Howard pre-engineering report spoke of phasing the process they were recommending,  
264 whereas the Wright Pierce team were talking about prioritizing construction options and  
265 to not rush into biosolids until we sort out other issues.

266  
267 Wells said if we decided to go with a digester, we would want to be sure we produced  
268 the biosolids for it and not have to go out looking for others unless they were from other  
269 wastewater facilities, but they would need to screen for Pfas, and believe drying is the  
270 best option if you're making a Class A material, but also you reduce the biosolids we  
271 have. He said if the State shuts down land application, we either reduce our biosolids or  
272 we market it to Canada or another state. He said construction phasing wouldn't be  
273 attractive if it meant having to go to the voters for bonds multiple times, but you could do  
274 phasing for easy things like installing a primary clarifier and do one basin at a time.  
275 Rathbun said if you open up the market to take other wastes that aren't municipal it  
276 opens the larger technical question of how to deal with that. Wells said if we want to go  
277 with a digester it needs to be fed all the time.

278



279 Bratspis said Wright Pierce had mentioned a facility in Concord, NH that was similar to  
280 our facility, and Wells had mentioned at the time he'd been to the Concord plant and  
281 wanted to hear his thoughts on it. Wells said the Concord facility had real maintenance  
282 issues, but that was 15 to 18 years ago and at that time Middlebury was the flagship  
283 facility in New England.

284  
285 Wiger-Grohs said Hoyle Tanner experts were all wastewater experts, and one of the  
286 team members instructs at UVM and works with the Lake Champlain Basin project and  
287 has the most Vermont experience, so for her that's the deciding factor.

288  
289 Kernan said the WWTF staff has invested a lot of time touring other facilities and  
290 processes, so he would value their opinion.

291  
292 Werner said he was intrigued by Wright Pierce, especially their presentation, and he  
293 liked that they've done a lot of wastewater plants and their internal staff talking to each  
294 other and they have their own in-house contractors, so he leans towards them for their  
295 in-house staff and their quality control but feels either firm would be fine. He said all the  
296 firms said there would need to be an amendment done to the initial Tata Howard report.

297  
298 Cherington said she's completely torn. She thinks Hoyle Tanner is incredible in their  
299 funding knowledge and they're incredibly talented and she has worked with them  
300 closely on several other jobs, but she was blown away by Wright Pierce presentation.  
301 She said while there is some benefit of having all the work done in-house, she said  
302 Jeremy Rathbun had pointed out that from his experience sometimes the quality review  
303 isn't as good when the work is being done by your peer than if it's a 3<sup>rd</sup> party putting  
304 fresh eyes on it. She said since funding is a big piece, she knows Hoyle Tanner is  
305 superior in that, but feels both would be receptive to staff comments.

306  
307 Seeley asked for the WWTF staff's final recommendation, and the majority were with  
308 Hoyle Tanner.

309  
310 Remsen said he leans towards the Lake Champlain Basin knowledge as the deciding  
311 factor, so he likes Hoyle Tanner. McLaughlin said she also liked Hoyle Tanner, and  
312 Baker agreed. Bratspis said when it came to amending the Tata Howard preliminary  
313 engineering report, he would be interested in seeing what Wright Pierce would prepare  
314 so asked if it was possible to have them amend the report and have Hoyle Tanner do  
315 the design of the project, and Cherington said that would be a funding issue and  
316 amending the report would need to be part of the project. Bratspis said in that case,  
317 he'd go with Hoyle Tanner. Werner pointed out the report would need to be amended  
318 regardless of what firm we went with.



319

320 Wiger-Grohs and Tenny both said Hoyle Tanner were their choice as well.

321

322 Baker moved to recommend the Selectboard choose Hoyle Tanner as the engineering  
323 firm to design the Wastewater Treatment Facility upgrade. Wiger-Grohs seconded the  
324 motion.

325

326 Bratspis said he remembered Wright Pierce mentioned a possible revenue source was  
327 to accept more septage. Kernan said we have enough to operate our plant and  
328 Cherington added that Well's concern is keeping what comes in consistent. Kernan  
329 said we do accept other municipal sludge sometimes, but it all has to be tested first.

330

331 The motion carried with 7 in favor. **MOTION PASSED.**

332

333

## 12. Committee Concerns

334

335 Remsen said with winter coming, he wants to be sure the paths to the pedestrian  
336 crossing buttons are cleared so people can reach them.

337

338 Baker thought there was going to be discussion at some point around the parking at the  
339 new train station and snow removal, because there are cars parked there sometimes for  
340 days. Kernan said the Public Health and Safety Committee looked at that parking to  
341 see how they wanted to designate it and chose not to address it at this time to see what  
342 the actual usage is. He said he's discussed having a maintenance agreement with the  
343 State, but that hasn't happened.

344

345 Wiger-Grohs is concerned about the trees that were just planted needing to be removed  
346 for a project. Cherington said she met with Lesley and Josh of the Tree Committee  
347 about this, and she has urged them to go after funds to do a townwide tree plan, so it  
348 would help us coordinate the plantings better so this wouldn't happen in the future and  
349 would provide a long-term goal of how to deal with the trees.

350

351 Seeley said she'd already mentioned her concern about the possible damage to the  
352 infrastructure of Three Mile Bridge Road with the increased truck traffic going to the  
353 Goodrich Farm digester.

354

355 Kernan spoke about the readiness of the funding for the pump track at the Recreation  
356 Park. Remsen said they are now having issues in regard to the 3-acre stormwater  
357 permit mentioned earlier in the meeting and are trying to negotiate that and whether it  
358 can be added on to the Mary Hogan permit that Otter Creek Engineering is working on.

359 Cherington said since the pump track is dirt and not an impervious surface, she thought  
360 it should be addressed the same as a baseball field which is not included. Remsen said  
361 they can't do any fund raising until they have all the permits in-hand, so until this  
362 stormwater permit issue is settled, they can't apply for the grant.

363  
364 Seeley mentioned that it was Werner's last Infrastructure Committee meeting before  
365 retirement and thanked him for his 23 years of service to the Town. Ramsay said  
366 Werner has helped transform the Town of Middlebury and when he came here there  
367 was no dedicated Town staff coordinating all the projects to move them forward, and  
368 making that change is really what moved the Town forward with all these wonderful  
369 projects. Werner said he'd always wanted to calculate all the millions of dollars spent  
370 on projects in the years he's been here, and he thanked the Infrastructure Committee  
371 and Selectboard for helping move those projects along and for being progressive in  
372 making improvements and keeping it going. Ramsay said he was always watching out  
373 that the capital improvement funds were kept intact and not used to help funding in  
374 other areas. Seeley said how far the Town has come with Werner's guidance is quite  
375 significant, and hopes he comes back to visit sometimes.

### 376 377 **13. Adjournment**

378  
379 The meeting adjourned at 10:36 a.m. upon motion by McLaughlin, seconded by Wiger-  
380 Grohs.

381  
382 Respectfully submitted,  
383 Beth Dow

384  
385  
386  
387  
388  
389  
390