

**Town of Middlebury  
Infrastructure Committee  
Thursday, August 10, 2023  
Meeting Minutes**

Members Present: Heather Seeley, Gary Baker, Candy McLaughlin, Judy Wiger-Grohs, Andy Hooper, Alternate Jef Bratspis and Erik Remsen via Zoom. Luther Tenny was absent.

Staff Present: Town Manager Kathleen Ramsay, Assistant Town Manager David Sophrin, Director of Public Works Planning Emmalee Cherington, Director of Public Works Operations Bill Kernan, and Wastewater Superintendent Bob Wells.

Others Present: Fred Dunnington, Chris Robbins and Susan Grasso.

**1. Call to Order**

The meeting was called to order at 9:01 a.m. by Chair Jef Bratspis.

**2. Approval of Agenda**

Baker moved to approve the agenda and McLaughlin seconded the motion. The agenda was approved as presented with 7 in favor, 1 absent. **MOTION PASSED**

**3. Approval of Minutes**

Wiger-Grohs moved to approve the minutes of June 8, 2023, and Baker seconded the motion. The minutes were approved as presented with 7 in favor, 1 absent. **MOTION PASSED.**

**4. Citizen Comments**

Bratspis asked if there were citizen comments, or if any committee members had comments. Wiger-Grohs said she wanted to thank all Town employees for getting the town through the summer and the recent flooding, and Bratspis thanked Public Works for patching the potholes.

**5. Project Updates**

Paving - Cherington said D & F Excavating & Paving, Inc. have completed the paving on Middle Road South, Maecliff Court, Leno Lane, Kinds Row and Brookside Drive, and they have begun reclaiming Lower Foote Street.

South Street – Cherington said Casella Construction is getting back on track after having been pulled to work on flood damage, and they are planning to begin work on South Street the week of Monday, Aug 14th. She has some concerns about the paving scheduled for November, and it may mean they need to pave the area they’ve been working in and shut down the project for the winter if it runs too late.

47 Halladay Road – She said Champlain Construction was also pulled from projects for flood damage and  
48 requested a shut-down to this project while they work on a landslide in Ripton. She said the shut-down  
49 will not impact the overall project.

50  
51 Chipman Hill Water Tank – Cherington said the water tank project did not score high enough in the State  
52 Revolving Fund (SRF) to secure funding in late June. She said our project only scored 95 and to secure  
53 funding you needed to score 160. She said the flooding around the State has a significant impact on  
54 state funding and could push SRF funding out by two years for the water tank (2026). She said the one  
55 benefit is the Asset Management Plan will be completed by spring of 2024, and that will increase our  
56 score by 75 points. Cherington also added that previously she had discussed the possibility of changing  
57 the specifications to include glass-fused-to-steel tanks, but since that discussion she has learned that  
58 some companies won't bid if it is opened up for different specifications, so it would limit our bidders.  
59 She also learned that St. Albans and So. Burlington are removing their glass fused steel tanks and  
60 installing concrete tanks, so she feels it is best to just bid for concrete. She said the other advantage to  
61 concrete is they allow for some seismic movement in the rare earthquakes we get here, where the glass-  
62 fused-to-steel tanks don't.

63  
64 Colonial Drive – Cherington said negotiations are ongoing between Landmark Engineering and  
65 Champlain Construction to find a solution for the structures that are set too high in the pavement. She  
66 feels if the Town rents the infrared equipment needed to heat the pavement and Champlain  
67 Construction supplies the labor and hot mix, this would fix the problem and it would take about a day.  
68 She said there is still \$12,000 held in reserve for this project until this issue is resolved.

69  
70

## 6. DPW P-Hybrid Car Bid

71

72 Kernan said the old cruisers that had been used by Bob Wells and Cherington were either out of service,  
73 or not inspectable. He put out bid specifications for a plug-in-hybrid (P-hybrid) to 10 dealers and had no  
74 bids submitted, so he wants to look at what is available on the lot. He said the local Ford dealer can  
75 order us a vehicle, and there are no comparable vehicles at either the Chevrolet or Dodge dealers, so  
76 Ford is our only local option. He was asking the Committee to recommend the Selectboard approve up  
77 to \$45,000/vehicle to allow him to go and find two vehicles.

78

79 Bratspis wondered if the plug-in hybrid was the right way to go, and maybe we should be looking at a full  
80 electric vehicle. Kernan said he was hesitant to go all electric. He said you only get 25 to 40 miles on a  
81 charge in an p-hybrid, and that would be fine for most local trips, but if we do need to travel further to a  
82 training event or some other reason, with a p-hybrid we would have to gas option for longer trips. He  
83 said also the p-hybrids can be charged using a 110 outlet and there isn't the need for fast-charge  
84 infrastructure, although at some point we will look into installing that. Wiger-Grohs said the other  
85 problem with full electric vehicles is the lack of raw materials to make them. Bratspis suggested a Chevy  
86 Volt for around town and then using another fleet vehicle for longer trips. He said he owns an electric  
87 vehicle and while the mileage dropped some in the winter, there was very little maintenance. Kernan  
88 said he's more comfortable with a p-hybrid vehicle, and Cherington said she was opposed to the way  
89 lithium is created, so until that changes, she isn't in favor of a full electric vehicle. Wiger-Grohs was also  
90 opposed to a full electric vehicle.

91

92 Baker moved to recommend the Selectboard approve up to \$45,000 per vehicle for the purchase of two  
93 p-hybrid vehicles. The motion carried with 7 in favor, 1 absent. **MOTION PASSED.**

94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130  
131  
132  
133  
134  
135  
136  
137  
138  
139

**7. Wastewater BCR Sludge Dryer Pilot Program**

Cherington said in working with Hoyle and Tanner on the Wastewater plant upgrades, one process that’s being considered is a sludge dryer which greatly reduces the amount of sludge the plant produces, and they have an opportunity to bring a pilot project to our plant to in mid-September for 4 days, at a cost of \$9,850. She said she believes we’ll be subsidized for up to 50% by the State and we could open it up and charge other municipalities to bring their sludge to try the pilot as well. She said since we aren’t sure how the disposal of sludge will be handled in the future, if there is a need to take it to a landfill, having a dryer to reduce the amount of sludge would be an advantage.

Seeley moved to recommend the Selectboard approve the sludge drying pilot program at a cost of \$9.850. McLaughlin seconded the motion. The motion carried with 7 in favor, 1 absent. **MOTION PASSED.**

**8. Stormwater Discussion**

Cherington said we received the grant for the Stormwater Feasibility Analysis Study, and she met with Aldrich and Elliott to discuss what projects we wanted to tackle. She said originally, she had chosen four of our expired projects so we could get them to 30% design phase to make them eligible for more funding for further design and construction, but since then, we’ve had to pull the Mary Hogan project out and do it separately, and the Woodland Park area as well. She said the main one the Town has interest in is the Adams Acres permit where the Town owns 13 to 15% of the impervious surface, and we do have signed agreements from all property owners agreeing to put the Town in charge of the permit, so that is the one she would like to tackle, because that will be a really expensive project, so if we can get funding that would drop the percentage of what we would have to pay by quite a bit. She said the problem with the Adams Acres project is the amount of surveying needed, and one way to do it is to ask Aldrich and Elliott to do the surveying as part of the 30% design, and that’s where she’s left it for now, but that would exhaust the grant funds. She said the other projects she’d asked them for was to look through the Downtown Master Plan stormwater projects mentioned, and the Shaw’s area stormwater pond.

She said in the Buttolph Acres area there was significant flooding during the August 3<sup>rd</sup> storm, so we have to look into that area as well since the stormwater system seems to be a combination of different size pipes and structures, and it needs to be looked at. She said there are a few little fixes that Public Works can address, but the entire area needs a lot of work. She’s meeting with Aldrich and Elliott on August 22<sup>nd</sup> to begin work on that area and she thinks it will be about \$40,000 to get this designed so we can go after funding.

Wiger-Grohs asked about the history of the development. Former Town Planner Fred Dunnington gave a brief history of the Buttoph Development area that used to be a farm with a pond in the middle surrounded by clay and then the phases of the development over the years, and how the Chipman Hill and other areas drain into that area.

140 Cherington said when it comes to funding stormwater projects, she wondered if it was time to look into  
141 starting a stormwater utility or just keep adding to the Capital Budget. She said most municipalities that  
142 have utilities, measure the amount of impervious surface, and each house is charged a flat rate based on  
143 the average impervious surface calculation of a single-family residence, somewhere in the range of \$50  
144 to \$75 per year. She said the commercial properties are charged based on the actual measurement of  
145 their impervious surface, and a business with an active stormwater permit wouldn't have to pay into the  
146 utility.

147  
148 Seeley said before she could agree to a stormwater utility, she'd have to see how much additional  
149 administrative costs it would create, or would it be better to just keep adding to the Capital Budget.  
150 Ramsay suggested having a presentation on how the utility would work and the costs involved. Seeley  
151 said she'd need to see more information and a pros and cons list before approving a utility. Cherington  
152 said her concern is in this year's Capital Budget the stormwater went up to \$80,000 from \$40,000, but it  
153 needs to be more like \$400,000. Seeley said her problem with that is all the backlogged water and  
154 wastewater projects that we also need to pay for, so she'd rather increase each a little each year, and  
155 Cherington understood, but said the difference is the stormwater projects have a permit tied to them  
156 and they have deadlines on when they need to be constructed. Seeley said she couldn't see jumping the  
157 budget by \$400,000 when there are so many other projects that need attention.

158  
159 McLaughlin suggested a Buttolph Acres neighborhood presentation on what happened and why homes  
160 were flooded. Seeley said there's no way to design a plan for a 1,000-year flood (1/1000 chance) like we  
161 had, but Wiger-Grohs said these events will keep happening, so we need to become more creative.

162  
163 Dunnington suggested mapping out the contours of the areas that flooded for the future and said maybe  
164 there could be a special assessment district for those areas rather than doing a townwide fee.

165  
166 Remsen said he would like to see a presentation on the various options for stormwater funding, because  
167 he'd be interested in to see the differences in the numbers. Following some further discussion on a  
168 possible stormwater utility and the billing process, the discussion moved on to the storm events.

## 169 170 **9. July and August Storm Events**

171  
172 There was discussion on the various culverts that are undersized in areas that flooded Court  
173 Street/Rogers Road area in the August 3<sup>rd</sup> storm.

174  
175 Dunnington spoke on the history of the work that had been done on the Middlebury River over the years  
176 and how there are now obstructions that need clearing. Cherington said she was meeting with the State  
177 River Engineer on Monday and she has Casella Construction and Acker Construction lined up to go in and  
178 start clearing debris, opening things up, and stabilizing the areas that washed out, but she needs to find  
179 what our limitations are and if we need a new permit, since under the permit for the Flood Resiliency  
180 Project we were allowed to go in to do regular maintenance. Maintenance was anticipated every 10-  
181 years and it's only been 3-years. Additional permitting might be needed to work in the areas that  
182 weren't part of the Flood Resiliency Project.

183  
184 Cherington went through a Power Point presentation with photos of the damage around town, and she  
185 described the areas impacted the most from the recent flooding events on August 3<sup>rd</sup> and described the  
186 problems in the Middlebury River that need to be addressed in the immediate future.

187  
188 Cherington said the main wastewater pump station was completely submerged in the most recent  
189 storm, so those 3 pumps have all been pulled and staff has constructed a bypass that is working for now,  
190 and the pumps at Rogers Road pump station also were damaged and need to be pulled, so wastewater  
191 losses alone will be around \$750,000. She said the State has to hit \$1.3 million to be declared a disaster  
192 area, and she doesn't believe there will be a problem meeting that amount, considering there is a bridge  
193 out on RT 125 in Hancock. She said the Governor is also petitioning to have the most recent damages be  
194 included in the declaration from the July storms, and if they do that, it will help the residents that  
195 incurred damages in this recent storm to get assistance.

#### 196 197 **10. Committee Concerns**

198  
199 McLaughlin asked about the boil water notice that went out and the confusion surrounding it.

200  
201 Baker asked where the stormwater that came into the Marble Works went and if it went to the new  
202 stormwater work done last year, and Cherington said the Marble Works water wasn't directed to that  
203 area, and Dunnington said the water went out by the pedestrian bridge.

204  
205 Bratspis mentioned the Bike-Ped Connectivity plan and the survey that is happening as part of this plan  
206 that culminates on an event on August 29<sup>th</sup>.

#### 207 208 **11. Next Meeting**

209  
210 The next Infrastructure Committee meeting will be Thursday, September 14, 2023.

#### 211 212 **12. Adjournment**

213  
214 The meeting adjourned at 10:55 upon motion by McLaughlin, seconded by Baker.

215  
216 Respectfully submitted,  
217 Beth Dow

218  
219