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**Town of Middlebury
Infrastructure Committee
Thursday, April 6, 2023
Meeting Minutes**

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

Staff Present: Directors of Public Works Planning Emmalee Cherington and Director of Public Works Operations Bill Kernan

Others Present: Jennifer Conley of VHB, Mike Winslow, Transportation Planner from Addison County Regional Planning (ACRPC) and Fred Dunnington

1. Call to Order

The meeting was called to order at 9:03 a.m. by Chair Heather Seeley.

2. Approval of Agenda

Baker moved to approve the agenda and Remsen seconded the motion. The agenda was approved as amended with 4 in favor, 3 absent. **MOTION PASSED**

3. Approval of Minutes

Baker moved to approve the minutes of March 9, 2023, and Remsen seconded the motion. There were no changes, so the minutes were approved as presented with 4 in favor, 3 absent. **MOTION PASSED.**

4. Citizen Comments

There were no citizen comments.

5. Project Updates

Cherington gave updates on the following projects:

Halladay Road Pump Station – She said we are moving forward with locating the generator building entirely on the town-owned portion of the parcel. She said we received zoning approval to treat it as an accessory structure and this will alleviate conflicts with easements, wetlands, and scheduling. She thinks they will begin initial work in May with the majority of work proceeding through October.

Police Department – Cherington said Newton Electric has almost completed their portion of their work on the HVAC system and Northern Basements has installed the

47 sump pump in the basement and the two doors have been ordered. She said hopefully
48 this will be wrapped up in early May.

49
50 Gorham Lane Engineering – She said Otter Creek Engineering will be starting the
51 survey work for the project, and they have received correspondence from some Gorham
52 Lane residents concerned about increased stormwater from the Habitat for Humanity
53 houses and the proposed College dorm that they fear will impact their water table, so
54 we will be taking a look at that as we move forward.

55
56 UVM Capstone Projects – Cherington said the engineering students are presenting on
57 April 28th at the UVM Dudley H. Davis Center. The presentations will be their designs on
58 the Springside Road and Adams Acres stormwater projects. She said on May 1st and
59 3rd, the Ecological Landscape Design Class will do their presentation on the Memorial
60 Sports Center/Recreation Park/Mary Hogan site and the Overbrook Condominiums, and
61 these are open to the public.

62
63 She said River Watch is doing a presentation on May 2nd on Barnes Brook, and they
64 have invited these UVM groups down to share their work at this as well. She will try to
65 get more information on this presentation. Fred Dunnington said the piece of land the
66 sidewalk from Buttolph Drive to Mary Hogan School is on was designed as a
67 stormwater facility for all that area and those plans are somewhere in the Town
68 archives. Cherington said she had seen those plans, but because it is not constructed
69 to current standards and hadn't been used for so long, it is now a Class 2 wetland, so
70 we're starting over.

71
72 **6. Letter of Interest – Northern Borders Regional Commission Discussion**

73
74 Cherington said we had been proposing to submit for this funding source for the water
75 tank on Chipman Hill, and it provides a grant up to \$1 million for infrastructure projects.
76 She said a Letter of Interest needs to be submitted by April 21st, and from those letters
77 of interest the Committee approves projects they want to have submit an application, so
78 you aren't guaranteed even if you're invited to apply. She said the issue is the Town
79 has 4 projects in the next couple of years all seeking the same funding: the water tank,
80 the Library, the Summit Properties Stonecrop Meadows housing development, and the
81 wastewater facility. She said they're staggered to some degree, but in a webinar she
82 attended on this funding she learned that it is strongly discouraged for a municipality to
83 submit multiple projects in one cycle. She said they don't want municipalities to submit
84 multiple times, but regional planning can submit on behalf of one and that would not be
85 seen as a conflict. She said Summit Housing can't submit for themselves, so it would
86 need to come from the municipality or regional planning. She said the other concern is
87 the projects are supposed to be "shovel ready" at the time of the application, and she
88 feels only the water tank achieves that level of readiness at this point at 90% design.
89 She said the library did prepare a packet that this Committee was going to review today,
90 but the plan now is to submit the water tank in this current cycle and then submit the
91 library in 2024 when their design is further developed. She said Summit Properties
92 wants to go now and they are submitting for the infrastructure portion of their project,

93 which could be shovel ready by the time the applications are due, and she and Town
94 Manager Ramsay think the Summit application could go through as a regional project
95 since it will be increasing regional housing, and then the Library could go in 2024, and
96 the wastewater facility is a few years out.

97

98 Seeley moved to recommend the Selectboard approve a Northern Borders application
99 for the Chipman Hill Water Storage Tank Project. McLaughlin seconded the motion.

100 The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

101

102

7. Boardman Street Intersection

103

104 Jennifer Conley, Director of Transportation Systems at VHB Engineering joined the
105 Committee and said VTrans is trying to advance some local projects into the Vermont
106 Project Selection and Prioritization Process (VSPS2). VHB is working along with the
107 Town and Regional Planning to move this intersection into the prioritization process.

108

109 She spoke on the VSPS2 process and said VTrans uses an asset management plan to
110 help decide what projects to move forward and they ask for input from local
111 municipalities and regional planning commissions. Projects are then rated on a variety
112 of things to decide whether to advance the project or not, and the Boardman Street
113 intersection reached the level to be advanced. She said while this intersection has had
114 a lot of attention and there have been concerns about it, there have not been any
115 scoping studies done, so it isn't ready to move to the next level and they will help us fill
116 in these gaps in the process.

117

118 Conley said this area is a traffic transition zone and there may be interest in further
119 development in the area of this intersection, so there are concerns regarding adding
120 traffic generators at an already difficult intersection for turning traffic and
121 the bike-ped accommodation is under study in this area as well.

122

123 She said VHB has prepared the following Statement of Purpose: "The Purpose of the
124 Route 7 Boardman Street Intersection improvements is to address existing and future
125 traffic growth, enhance safety for all users, and improve bike-pedestrians' connections
126 while fostering a welcome gateway to Downtown Middlebury". She asked the
127 Committee what they saw the needs were at that intersection.

128

129 Seeley said she isn't sure the Committee was prepared to contribute to this discussion
130 today, and several members weren't present, so she wondered if they could think about
131 this a little more before commenting. Conley said that was fine, but they do need an
132 endorsement from the Selectboard to move this along to the scoping level. Cherington
133 said it was on the Selectboard agenda for this coming Tuesday's meeting.

134

135 Seeley said there was some kind of study in that area, but she thought it was sidewalk
136 related. Mike Winslow said that was correct, and this VSPS2 process began in 2021
137 and this intersection was selected and recommended by ACRPC and subsequent to
138 that we had funding for a study through the TAP grant and worked with the Middlebury

139 Planning Commission to do this study without overlapping the work, so that's when the
140 sidewalk study was done. Conley said the sidewalk study was a portion of it, but they
141 need to know what the Town wants to see specifically at the intersection.

142
143 Seeley asked if this would impact any other project we may have interest in, such as the
144 Exchange Street intersection, and Conley said it wouldn't, this is only for this
145 intersection. Winslow said the Exchange Street Intersection was selected as a priority
146 prior to the VSPS2 process and already has a project number. Baker asked if it could
147 leapfrog the Exchange Street, and Conley doesn't see a way it could do that.
148 Cherington said she understood the Exchange Street project was already in the right-of-
149 way phase, so that puts it in the 3-year category.

150
151 Former Town Planner Fred Dunnington said a roundabout, as planned for the Exchange
152 Street intersection, would also work at the Boardman Street intersection because it
153 would slow down traffic and would safely accommodate pedestrians. Conley said if
154 slowing down traffic and pedestrian accommodations is the way you want to go, then
155 you need to be very specific, but whether or not a roundabout would work here would
156 be decided in the study. Seeley asked would the fact there is not a sidewalk there yet
157 impact anything, and Conley said no, because there is a designated pathway there
158 (TAM crossing) that people would cross to.

159
160 Remsen had some issues with the statement prepared by VHB on this area being the
161 "gateway to Downtown Middlebury", and there was some discussion on what was
162 considered the "gateway" on the southern section of town. Baker agreed the statement
163 could be improved. Winslow cautioned against making a lot of changes to the
164 statement. McLaughlin also remarked she doesn't see this area as the "gateway" to
165 Middlebury, and felt it was more of a connection to the Boardman Street area.

166
167 Seeley said she feels the Committee needs more time to think about this before
168 recommending it to the Selectboard.

169
170 Conley asked if there was the need for turn lanes in this area, and she's heard there is a
171 need for a clear pedestrian crossing. Seeley said probably speed, turning and the
172 pedestrian crossing would be the concern. Remsen agreed that there needed to be a
173 safe crossing for bikes and pedestrians.

174
175 Conley said she would draft a State of Purpose based on what she'd heard today for the
176 Committee to review and the Board to approve, then VHB will finish the report to VTrans
177 and then they'll do an evaluation on whether or not to do a scoping study in the area to
178 determine the best solution for this location.

179
180 Winslow pointed out that they are looking for not just what is there now, but for what
181 future growth could be there in the future.

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8. Wastewater Treatment Facility Engineer’s Agreement

Cherington said we have received the proposal from Hoyle Tanner that will move the preliminary engineering plan addendum procedure forward. She said they’ll do a peer review of the existing preliminary engineering report that was completed in 2021, and we could potentially receive funding from the state for this approach. She said this entails a 12-month process that will get us to 90% preliminary engineering and will give us an idea of the cost to move forward with. She said once this is approved by the State, we would begin the design phase which could be 18-24 months. Cherington said the cost of this proposal is \$279,000, but she believes some of that cost will be covered by the State, and if we can get it to 90% design by December, we could go for a bond vote at the March 2024 Town Meeting.

Remsen moved to recommend the Selectboard approve the Hoyle Tanner Engineer’s Agreement for \$279,000. Baker seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

8. Class 2 Highway Grant and Structures Grant Application

Cherington said the Class 2 Highway Grants are due next week and she had planned on applying for money for the Seymour Street project, and the grant would cover \$175,000 of the cost.

She said they have recently discovered that a culvert structure by the Halladay Road pump station has failed. She said she’d planned on applying for this grant to repave Halladay Road in 2024 after the pump station project was complete, but now they need to take care of this culvert. She said it is currently a 5’ structure, but the State Stormwater Engineer wants it engineered for a 7’, and to allow for that extra depth we would need to move a force main and gravity main, so this project will be a little more involved.

Cherington said she spoke to the VTrans Project Manager, and he said to submit as many applications as possible for this grant, because it puts these projects on their radar and helps the program show there is more need for these funds than they have money to allocate in hopes of getting increased funding.

Kernan said there is also a stormwater structure on Exchange Street by Mainelli Road that is undersized and is constantly underwater, and there has been some overflow.

Cherington said she is asking for permission to submit an application for these projects and any others they can identify.

Seeley moved to recommend the Selectboard approve the submission of a Class 2 Highway Paving grant application. Remsen seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

231
232 Baker moved to recommend the Selectboard approve the submission of a Class 2
233 Highway Structures grant application. Remsen seconded the motion. The motion
234 carried with 4 in favor. 3 absent. **MOTION PASSED.**

235
236 **9. South Street Engineer's Recommendation**

237
238 Cherington said bids for the water portion of this project were opened on March 20th and
239 we received only one bid from Casella Construction for \$1,295,344, excluding the
240 prepurchase of pipe, and Casella will also submit a bid alternate for the option of
241 horizontal boring. She said this will bring the water line portion of this project to around
242 \$1.5 million, with a significant amount of that will be covered by ARPA funds, and some
243 from the Wastewater, Sidewalk and Highway Capital Improvements funds.

244
245 Seeley said she is always concerned when there is only one bid submitted. Cherington
246 said Beldon Construction had come to the pre-bid meeting, but she understands they
247 got the bid to replace the Lindale Mobile Home Park septic system, which is a big job,
248 and she also believes a lot of companies are having a staffing issue so they aren't
249 bidding on as many projects.

250
251 Baker said Casella had been the contractor on the Brandon project and that project
252 dragged on forever, so wondered if there was a clause in the contract to prevent that
253 here. Cherington said there was some language regarding that, but having worked on
254 that Brandon project, she said it wasn't all the contractor, and she also knows that the
255 Project Manager for that project is no longer with Casella.

256
257 There was further discussion regarding the project timing and language regarding
258 completion of the project in a timely manner.

259
260 Seeley moved to recommend the Selectboard award the bid to Casella Construction in
261 the amount of \$1,295,344 with review of contract language to ensure the Town's
262 interest for completion of the project by the end of the job construction season. Baker
263 seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

264
265 **10. Public Works Bid Awards**

266
267 Crack Sealing

268
269 Kernan said only one bid was received which is unusual, so he contacted one of the
270 companies that usually bid and due to personnel turnover, they weren't aware of the
271 bid, and it wasn't because they don't have the labor or capacity to do the job. He said
272 the bid we did get was more than double past bids and it was from a company we've
273 never used before, so he's wondering if we should reject the bid and go back out to bid
274 again, and while he hates to miss crack sealing for one year, we could do it.

275

276 Kernan said if they did rebid, to save time he requested the Committee agree to send
277 the bid directly to the Selectboard when received.

278
279 Seeley moved to recommend the Selectboard reject the bid and readvertise with bid
280 results to go directly to the Selectboard for approval. Remsen seconded the motion.
281 The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

282
283 Line Stripping

284
285 Kernan said this is for a 2-year contract and we have used L&D Safety Markings from
286 Barre before, and while they aren't low bidder, they are a Vermont firm and someone
287 we're familiar with and the low bidder is out of state and not one we've used in the past.
288 He said the cost went from 10 cents/linear foot to 12 cents/per linear foot. He said since
289 the difference between L&D and the low bidder is only \$480, he is requesting awarding
290 the bid to L&D Safety Markings.

291
292 Baker moved to recommend the Selectboard award the bid to L&D Safety Markings.
293 Remsen seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION**
294 **PASSED.**

295
296 Lawn Mowing

297
298 Kernan said this is also a 2-year contract, and we received 3 bids; Brian's Lawn Care
299 who has had the contract the past 4 years, Pierre Laroche whose bid did not meet the
300 specifications, and Steady Property Maintenance whose bid had an error in it. He said
301 we could go out to bid again, but we're in a bit of a time crunch with the warmer weather
302 coming and even if Steady hadn't made the error, they would have been \$5,000 over
303 Brian's Lawn Care.

304
305 Kernan said since he wanted to look into purchasing an EV mower so the Town could
306 take back some of the mowing around town, the bid had asked for option pricing for
307 certain mowing packages, and the savings would help cover the cost of the EV mower.
308 He said since the EV mower is not budgeted for, the savings from the mowing contract
309 would help recoup some of the cost of the mower. He said we'll also need to purchase
310 a trailer to transport the mower, but that is included in the calculations. He said a 50
311 amp, 20 volt charger will need to be installed, but that would be an operational cost and
312 a good investment. He said this would be a good trial for the Town to take over the
313 mowing, and if for some reason we're unable to do the mowing, then we've already
314 approved the contract for Brian's to do all the mowing without the options.

315
316 He said the mower he is looking to purchase from Taylor Rental is a Greenworks
317 CV60R at a cost of \$14,500. He said the savings on the lawnmowing options contract
318 are \$12,305, the Energy Committee has said they'd cover \$4,000 towards the mower
319 and there is a potential of up to \$2,500 from GMP towards the purchase.

320

321 Seeley recommended the Selectboard approve the purchase of the Greenworks
322 CV60R. Baker seconded the motion. The motion carried with 4 in favor, 3 absent.
323 **MOTION PASSED.**

324
325 Seeley moved to recommend the Selectboard award a 2-year contract to Brian's Lawn
326 Care. Remsen seconded the motion.

327
328 Baker asked if we could combine the motion to include the contract options that Kernan
329 has asked for. Seeley said it was her thought that if they approved the entire contract
330 then it would be up to Kernan to decide on whether to take advantage of the options or
331 not. Cherington pointed out that is how the bid package was written, with these
332 alternatives built into it.

333
334 No amendments to the motion were made, so the vote was called, and the motion
335 carried with 4 in favor, 3 absent. **MOTION PASSED.**

336
337 Kernan said if Brian's did all the mowing, the total bid package is \$37,050 and \$24,745
338 without the option packages. Seeley said they trusted Kernan would make the right
339 decisions on how to proceed, and she thinks it's a good investment to get the mower
340 and it may take a couple of years to figure out the parcels the Town will mow.

341
342 **11. Stormwater Feasibility Analysis**

343
344 Cherington said she'd applied for the Transportation Alternatives Grant in December
345 and we've received \$40,000 with a required \$10,000 match, so the Committee needs to
346 recommend the Selectboard commit to this match.

347
348 Remsen moved to recommend the Selectboard approve the \$10,000 match for the
349 Transportation Alternatives Grant for a Stormwater Feasibility Analysis. Baker
350 seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

351
352 **12. Paving Bids Engineering Agreement**

353
354 Cherington said she'd like to get out the paving bids but realized the Engineering
355 Agreement had not been approved. She said the Kings Row and Leno Lane paving
356 projects were put off from last year, so given the low amount of traffic on these roads
357 she is suggesting just an overlay on these roads, and then on Lower Foote Street she
358 proposes to reclaim the southern end from RT 7 to Cady Road, then Lower Foote Street
359 from Cady Road to Foote Street would be a combination of overlay and reclaim. She
360 said this Engineering Agreement is to get these projects out to bid and a portion is for
361 construction oversight, however she believes she can do some of the oversight, but she
362 recommends approving the entire amount.

363
364 Seeley moved to recommend the Selectboard approve the Landmark Engineering
365 Agreement for paving work for 2023 for a not-to-exceed cost of \$32,800. McLaughlin
366 seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

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Seeley said the Committee’s next meeting would be at 9:00 a.m. on May 11, 2023.

13. Next Meeting and Committee Concerns

McLaughlin said she appreciated the safe walking conditions all winter with the timely sidewalk plowing, however the plow is wider than the sidewalk and makes ruts so wondered about the repairs. Cherington said they’ve already begun repairing those areas. Kernan said there was so much thawing this year the ground was softer than usual.

Remsen appreciated the street sweeping to make it safer for the bikers.

The meeting adjourned at 10:55 a.m. upon motion by Remsen, seconded by McLaughlin.

Respectfully submitted,
Beth Dow