

1 **Selectboard Meeting**
2 **Tuesday, January 11, 2022**
3 **Meeting Minutes**
4

8 **NOTE: The meeting was held both remotely via video conferencing and with**
9 **some present in the Town Office Conference Room.**

10
11 Members Present: Brian Carpenter, Heather Seeley, Farhad Khan, Nick Artim, Dan
12 Brown Lindsey Fuentes-George and Esther Thomas

13
14 Staff Present: Town Manager Kathleen Ramsay, Chief of Police Tom Hanley and Fire
15 Chief David Shaw.

16
17 Also Present: Heidi Sulis of Open Door Clinic; Tracey Shamberger of AgeWell,
18 Veronica Ciambra of Addison Allies Network, Inc., Claire Giroux Williams of Vermont
19 Family Network, Susan Whitmore of John Graham Housing & Services, Town
20 Moderator Susan Shashok, neighbors of the Middlebury Airport and interested citizens.

21
22 **1. Call to Order**

23
24 The meeting was called to order at 7:00 p.m. by Chair Brian Carpenter

25
26 **2. Approval of Agenda**

27
28 Fuentes-George moved to approve the agenda and Seeley seconded the motion.

29
30 Carpenter said there was a need for an Executive Session as Item 17 on the agenda, to
31 discuss personnel and real estate matters. Carpenter said there had been multiple
32 requests for the Board to discuss a mask mandate again and asked the Board if they
33 cared to open this for discussion again, but there was no desire expressed to open this
34 for discussion.

35
36 Ramsay said one other thing to add to the agenda as Item 5a was that Jeff Olsen had
37 expressed interest to continue as the Addison County Economic Development
38 Corporation delegate for a couple of months until an alternate representative could be
39 found. She said the Board could appoint Olsen on an interim basis. Seeley asked if
40 this had been advertised, and Ramsay said it had.

41
42 The motion carried with 5 in favor, 1 absent, 1 abstention (Artim). **MOTION PASSED.**

43
44 **3. Approval of Consent Agenda**

45
46 3.a. Approval of Minutes of the December 28, 2021 Regular Selectboard Meeting

- 47 3.b. Acceptance of Selectboard Subcommittee Meeting Minutes
48 3.c. Consent Agenda Placeholder
49 3.d. Town Manager’s Report
50 • Letter of Intent from Town Clerk Ann Webster saying she would not seek re-
51 election in 2023
52 • Current Correspondence
53

54 Seeley moved to approve the consent agenda as presented, and Brown seconded the
55 motion. The motion carried with 5 in favor, 1 absent, 1 abstention (Artim).
56

57 4. Citizen Comments 58

59 Eugene Roy read a statement to the Board regarding his concern, and the concern of
60 the Middlebury Airport Neighbor Association, regarding the proposed expansion of the
61 Middlebury Airport. He said despite the fact there are two large airports in Burlington
62 and Rutland, the Agency of Transportation now wants to construct more hangars, install
63 runway lights and a beacon on the nearby mountain to allow for larger airplanes at the
64 airport. He said when he purchased his property in the 70’s it was a small private
65 airport, and he feels the State has continually misled them by promising the airport
66 would never be expanded to allow for larger planes. He said they feel it is time to take
67 action and are asking for a seat in the decision-making process for the airport.
68

69 Carpenter said Anne Christie spoke of this expansion at the last Selectboard meeting,
70 although the Board has not heard anything of this expansion from the State. He said as
71 abutting neighbors, they will be able to apply for status at the Act 250 hearing that will
72 be required for any expansion. Carpenter said he didn’t believe the plans were
73 developed enough at this point to notify abutting properties owners and the Town of any
74 expansion.
75

76 Anne Christie said the reason the residents are bringing their concerns to the Board
77 was to let them know of the neighbors concerns of noise, lights, animal habitats and the
78 environment. She said during the last airport expansion they did not get accurate
79 information from the State and it turned into a big ordeal, so she is interested in creating
80 communication procedures with the State so that residents in the area of the airport
81 have a way of communicating with them when there are concerns. She then read some
82 recent communications from area residents regarding their concerns. Carpenter asked
83 her to share these communications with the Town for the file, and said they understand
84 the points being made by the residents.
85

86 Judy Wiger-Grohs said she’s distrustful of the State process, and Paula Nath urged the
87 Board to consider the State’s lack of transparency on past airport issues.
88
89
90
91
92

6. Public Hearing on FY23 General Fund Budget

93
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

Carpenter said this hearing is an opportunity for the Selectboard to take public testimony on the proposed FY23 General Fund budget and prepare any final questions or requests for revisions prior to the Board's January 25th meeting, when the budget will be finalized for presentation to the voters in late February.

Ramsay said we're looking at a 4.5-cent increase in the tax rate in the previous draft of the budget, but she has looked at reserve funds and ways to reduce that, so not a lot of work has been done on reducing expenditures, it's all been on the revenue side. She said by increasing the draw on the fund balance and retaining some of the anticipated increase in revenue from the local option tax in the Town General Fund, we'd be looking at an increase of tax revenue of \$150,000, or 1.5 cents on the tax rate, which would be a 2% increase.

She said wages, benefits and increased investments in capital improvements are driving the increase. She said even though we postponed the purchase of one vehicle to the next fiscal year, we're still seeing an increase in Equipment Fund replacement and maintenance, so the total of these major drivers is \$418,000 and that is a 3.6% increase over last year's budget.

Ramsay said several years ago for FY21, the Board had plans to increase the draw on reserves funds to increase capital expenditure funding and the Equipment Fund. She said the plan was to use the fund balance to stabilize the tax rate and Equipment Fund replacement and had planned to gradually reduce that draw in the future while increasing the tax rate. She said in FY22 that strategy was updated and instead of reducing the amount to be taken from the fund balance, it was kept the same for FY22. She said while the plan had been to reduce the amount taken from the fund balance in FY23, she is proposing to increase the amount taken from the fund balance to cover the cost of purchasing the mower and the police cruiser. She said if we are successful in meeting our spending plan this year dipping into the fund balance, which we haven't done in the last several years, these reductions would draw the fund balance down to \$1.5 million, or about 13% of our operating budget, and we'd been targeting a fund balance of between 10 and 15% of the budget.

Seeley asked about taking a halfway position – using some of the fund balance while also raising taxes some – to avoid being in a position in the future where we can't take anything from the fund balance and therefore need a significant increase in the tax rate. Ramsay said her proposal would result in a 1.5-cent increase in the tax rate, but if the Board would like she could look at coming back with a 3-cent increase, which would maintain the fund balance at 15% of the operating budget.

Resident Victoria DeWind asked if the reserve funds Kathleen was referring to were the surplus from previous years or the Cross Street Bridge fund surplus, and Ramsay replied they were the surplus funds accumulated over a number of years. DeWind asked what the balance of the Cross Street Bridge funds was over what is required for

139 maintenance, and Ramsay replied around \$2.5 million, but the Town has earmarked \$1
140 million of those funds for the Court Street/Washington Street water projects. Ramsay
141 also confirmed for DeWind that there would not be a need to borrow money for the
142 Equipment Fund purchases. DeWind said it appeared the schools would be hitting
143 taxpayers with a big increase, so if the Board can reduce the Town tax rate as much as
144 possible it will help. Ramsay cautioned against using any more of the Cross Street
145 Bridge Funds than necessary so they can be used towards large projects to leverage
146 grant funds, since we've been really successful obtaining grants for some large projects
147 this past year with projects that were "shovel-ready". Carpenter said by not taking too
148 much out of the Cross Street Bridge Funds we avoid the need to bond for projects, and
149 by maintaining the reserve fund balance at 15% we can cover inflation increases with
150 the reserve funds rather than through a tax increase.

151
152 Artim said he is a strong advocate for only using the Cross Street Bridge Funds for
153 hard, tangible items and not for the general operating budget, so he appreciates
154 continuing in that direction.

155
156 Carpenter said with no further comments, he closed the public hearing at 7:55 p.m.

157
158 **5.a Temporary Representative Appointment for**
159 **Addison County Economic Development Corp.**

160 (Item taken out of order)

161
162 Seeley moved to appoint Jeff Olsen as interim representative to the Addison County
163 Economic Development Corp. until a replacement is found or he can no longer continue
164 to serve. Fuentes-George seconded the motion. The motion carried with 6 in favor, 1
165 absent. **MOTION PASSED.**

166
167 **7. Continuation of Review of FY23 Budget Proposal**

168
169 **7a. David Shaw, Fire Chief, Regarding Stipends for Firefighters**

170
171 Shaw said since the Board's December 14, 2021 meeting, there has been further
172 discussion regarding increasing the stipend for the firefighters, and he has prepared a
173 proposal to increase the stipend from \$12 to \$15 an hour, and this does not exceed the
174 current budgetary obligations for pay. Shaw said he is planning to eliminate the step-
175 pay for officers and have just a flat-rate pay with a COLA adjustment every other year.
176 He said this will also work nicely with their recruitment and retention program.

177
178 Seeley said it was needed and they would need to monitor to see if the every-other-year
179 COLA adjustment was enough. Artim said hopefully in a few years we'll need to
180 increase the budget for pay due to an increase in recruitment and more firefighters.

181
182 Since the increase in wages is included in the FY23 budget, no motion from the Board
183 was needed to approve the wage increase.

184

185 **7b. Heidi Sulis, Executive Director, Open Door Clinic,**
186 **regarding their request for increased funding**
187

188 Carpenter said Sulis was present to discuss their request to increase their funding to
189 \$5,500, an increase of \$2,500.
190

191 Sulis gave a brief description of the work done by the Open Door Clinic, which provides
192 free health care for the uninsured and under-insured residents of the area. She said the
193 requested increase is due to increasing numbers of Middlebury patients. She said this
194 past year they saw 148 Middlebury residents, as compared to 90 the year before and
195 131 in 2019, and 39 of those residents worked with their staff person to review their
196 options for health insurance, and this work tends to require several visits to help them
197 through the process. She said with their current Middlebury funding amount of \$3,000
198 that equates to \$9.84 per visit for the 148 Middlebury residents for medical and dental
199 visits, but with their request for an increase to \$5,500, it would jump to \$18.03 for both
200 medical and dental visits.
201

202 She said they are seeing more people and they are seeing more complex cases, and
203 she believes they are a respected health care provider in the area and work well with
204 other agencies in the area. She said during COVID they were proud that some things
205 they've worked so hard on in the last 10 years to work with migrant workers and hard to
206 reach people in the community, helped provide them the care needed.
207

208 Seeley asked what towns they were requesting increases from, and Sulis said they
209 were not requesting increases of all towns this year, but will stagger their requests over
210 different years, but the local process to request increases is challenging.
211

212 Artim asked if any farmers contributed to their funding since so many of their clients are
213 migrant farm workers. Sulis said they have done specific funding appeals to the
214 farmers in the past, and it met with limited success, but there are some that contribute.
215 Fuentes-George asked if the workers with visas had any kind of health coverage, and
216 Sulis said they don't, but at this point they are not eligible for health insurance.
217

218 **7c. Red Cross of Vermont regarding its request for increased funding**
219

220 There was no one present from Red Cross to address the Board. Carpenter said they
221 have requested an increase of \$1,000 in funding to \$3,000. Ramsay said in FY21 they
222 were appropriated \$3,000, and their request last year was \$2,000, so the request this
223 year is to resume the \$3,000 appropriation.
224

225 **7d. AgeWell regarding its request for increased funding**
226

227 Carpenter said Tracey Shamberger, Director of Public Relations and Business
228 Development for Age Well, was present to discuss their request for a \$1,000 increase in
229 funding, to \$4,000.
230

231 Shamberger gave a history of AgeWell and how it has impacted Middlebury residents.
232 She said AgeWell's mission is to provide the guidance and support that inspires our
233 community embrace aging with confidence. She said the organization serves
234 individuals 60 and over those under age 60 who have a disability and are on Medicare.
235 She said they provide services that help people age independently and in their homes.
236 She said they have seen a very high increase in the need for services during the
237 pandemic and they continue to see this need. She provided a summary of the extensive
238 number of services they provide, all offered at no charge. She said they rely on federal
239 and state funding, donations and local funding. She noted that her organization has
240 been level-funded at \$3,000 since 2013 and have not requested an increase since then.
241 In 2020, she said, AgeWell served 347 people in Middlebury and in 2021 that number
242 rose to 380.

243
244 There were no questions from the Board, so Carpenter thanked Shamberger for her
245 presentation and the work they do.

246 247 **8. Second Draft Town Meeting Warning**

248
249 Town Moderator Susan Shashok joined the Board for this discussion.

250
251 Ramsay reviewed the Warning and said not much had changed from the last time the
252 Board met. She said this draft has the Town Meeting at the high school auditorium, but
253 the Board may want to review the format at their next meeting, since the Legislature has
254 authorized several approaches for Town Meeting, such as the traditional meeting, an
255 informational meeting with Australian balloting as we did last year, or delaying Town
256 Meeting until later in the year.

257
258 Ramsay reviewed the Articles in the Warning, and there was some discussion on Article
259 5 regarding a \$1.043 million bond for the Ilsley Library HVAC system upgrade. Ramsay
260 said it was up to the Board whether this would be included and there would be
261 additional input from the Library Working Group and the Infrastructure Committee. It
262 was felt a Board discussion was needed on this Article at the meeting on January 25th
263 on whether or not to include this bond vote now with the plans for the Library expansion
264 undecided. Artim said he wanted to know if there was a time limit on when the bond
265 funds needed to be spent, and Ramsay said once the bond is approved there is no time
266 constraint, or the Board could decide not to spend it.

267
268 Seeley said the existing HVAC equipment in the library is on borrowed time and money
269 has already been spent to rehab and recondition the boiler, but there are still issues with
270 it. She while she has concerns about spending the \$1 million on a new system, she
271 also is concerned about what happens if the existing system fails completely.

272
273 Shashok said Town Meeting used to be an event people attended and enjoyed, but last
274 year that was put on hold due to COVID and she wants to take time to plan for this
275 happening again in the future and she feels that things will happen in the future and we
276 need a plan in place. She said she had hoped this year the meeting could be delayed

277 so it could be held outside at a bigger venue, but she understands how scary it is now
278 and time is of the essence. She said she would like the Board's approval to form a
279 small working group to explore all the options for Town Meeting and bring those back to
280 the Board for a plan for the future. Shashok said she would head this group of
281 interested people and it would not involve staff time other than some interviews.
282 Carpenter suggested she email the Town Manager, Heather Seeley and himself
283 confirming her proposal and timeline.

284
285 The format of the Town Meeting will be discussed and decided at the January 25th
286 meeting.

287 288 **8.a Non-Profit Groups Seeking Funding for the First Time**

289 290 **8.a.1. Veronica Ciambra, Director/Coordinator, Addison Allies Network, Inc.**

291
292 Addison Allies Network, Inc., is requesting \$750 of Town funds.

293
294 Ciambra said Addison Allies Network has been around since 2017 and they help
295 migrant farm workers in the county. She said she is the only employee and she's paid
296 through a grant, and all funding is through grants and donations, so they are asking for
297 some funding from each town where one of their volunteers live.

298
299 There were no comments or questions from the Board and Carpenter thanked her for
300 the presentation.

301 302 **8.a.3. Claire Giroux Williams, Communications & Development Manager,** 303 **Vermont Family Network**

304
305 Vermont Family Network is requesting \$2,500 of Town funds.

306
307 Giroux-Williams said their mission is to empower all Vermont children, youth and
308 families, especially those with children with disabilities and special health needs. She
309 said they are the state's only Vermont parent-to-parent referral organization and they
310 employ the parents of ~~these~~ children with disabilities and special health needs who have
311 experience with navigating the multitude of systems that parenting a child with special
312 needs requires. She said for families who have a child with a diagnosis, it is scary and
313 confusing, and parents need support and they need someone with experience to help
314 guide them. She said they are reaching out to towns all over Vermont for funds for their
315 family support organization.

316
317 Artim asked her what their organization did that State agencies don't do already.
318 Giroux-Williams said what makes them unique is their parent-to-parent network with
319 parents with dealing with the same issues assisting other parents with help with state
320 agencies, medical needs, insurance, school issues and to navigate parents through
321 what is frightening and frustrating for some parents to deal with.
322

323 Giroux-Williams said they service 95 Vermont towns, and Middlebury is one of them,
324 although the \$16,000 they've received from local funding is from 35 towns and they are
325 slowly increasing the number of towns they're requesting funds from.

326
327 Fuentes-George asked if they assist families with disabled adults, or only children, and
328 Giroux-Williams said the focus is primarily children, which they define as individuals up
329 to age 26, and are doing a lot of work on housing needs for adult children with
330 disabilities.

331
332 **8.a.3. Rutland Area ARC (Advocacy-Resources-Community) Request for Funding**
333

334 Carpenter said the Board is being asked to consider new funding requests from Rutland
335 Area ARC (Advocacy-Resources-Community), which is seeking \$300 in new funding.
336 He said that Rutland Area ARC submitted a request to the Selectboard for FY22 funding
337 but the Board decided that since the organization is not based in Addison County and
338 the funding letter made no specific reference to providing services to Middlebury
339 residents, the Board decided not to add Rutland Area ARC's request to the warning for
340 Town Meeting in 2021. He said unless someone saw the need to revisit this, the Board
341 would move on.

342 **8.a.4. Vermont Rural Fire Protection Task Force**

343
344 Carpenter said the Vermont Rural Fire Protection Task Force is requesting \$100. He
345 said Ramsay had asked Chief Shaw about this organization, and Shaw said they had
346 not sent a donation to this organization in the past, and although the Town had
347 benefited from the installation of 3 dry hydrants funded through this program, it was his
348 belief that the program should be funded through State tax dollars and not by
349 municipalities. The Board agreed that no funds would be appropriated for this
350 organization.

351
352 **9. Police Chief Tom Hanley, with a recommendation on the**
353 **award of the annual cruiser bid**
354

355 Chief Hanley said this is a year when we only purchase one cruiser, and we have two
356 bids from G. Stone Motors and one from Stone CDJR. He said the low bid was for a
357 Ford Interceptor utility with a six-cylinder gasoline engine. He said there is only \$3,000
358 separating all three bids, with the Ford utility hybrid at the high bid of \$35,929 and the
359 Dodge Charger at \$33,553. He said they've had hybrids now for 1 ½ to 2 years and
360 have been getting double the gas mileage with the hybrids over the gasoline engines.
361 He said the staff has a split preference for the sedan over the hybrid due to ease of
362 access, but all three are suitable for service. The Charger no longer has the 8-cylinder
363 Hemi, he said, but has a 6-cylinder all-wheel drive engine. He said there is about an 8-
364 month delivery time on the vehicles.

365
366 Brown said he thought the idea was we would continue with the hybrid models as long
367 as they performed well, and Hanley said that was the discussion and all things being
368 equal we are getting double the gas mileage on the hybrid vs the gasoline-engine

369 vehicles, and we're putting between 20,000 and 25,000 miles per year on both vehicles.
370 Fuentes-George asked how long we keep the vehicles in rotation, and Hanley said
371 about 4-years and then they either go to the school resource officer or we trade them in,
372 but trade in values are not good on cruisers.

373
374 Khan asked about the difference in performance, and Hanley said some officers aren't
375 comfortable with the transition between gas and electric and they've found the hybrid
376 vehicles tend to jerk forward a little bit, so you really have to get used to them.

377
378 Artim said the cost differential between them is almost a wash, and asked if there are
379 higher maintenance issues with the hybrid that would make a difference, and Hanley
380 said there wasn't really any difference. Hanley said it's really a matter of personal
381 preference, and some like the sedans and some like the SUVs. Artim asked if they
382 were all within the amount budgeted, and Hanley said they are, but it costs a little more
383 to outfit the sedan than the hybrid. He said budget-wise they've built the cost to outfit
384 these cruisers into the budget rather than have the equipment be a capital expense.

385
386 Artim moved to award a contract to G. Stone Motors for the purchase of a Ford
387 Interceptor Utility All Wheel Drive Hybrid, at a total cost of \$35,929. Seeley seconded
388 the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

389
390 **10. Susan Whitmore, Executive Director, John Graham Housing & Services**
391 **(JGHS), and Elise Shanbacker, Executive Director of the Addison County**
392 **Community Trust (ACCT), seeking the Board's support for their application to the**
393 **Vermont Housing & Conservation Board for grant funding to address deferred**
394 **maintenance at four of their properties, including their property at 42 North**
395 **Pleasant Street**

396
397 Whitmore said the John Graham Housing & Services is headquartered in Vergennes,
398 but they also have properties in Bristol and Middlebury. She said Elise Shanbacker of
399 Addison County Community Trust (ACCT) was not present this evening, so she would
400 brief the Board on the rehabilitation and preservations project that both groups are
401 working on for all four rental properties, which are the primary rentals for people who
402 are faced with housing instability in Addison County.

403
404 She said John Graham joined ACCT because ACCT has a wonderful maintenance
405 record and produces beautiful buildings that they also want for their tenants. She said
406 the American Rescue Plan Act (ARPA) funding coming into the State is allocated for
407 affordable housing, so they are planning on a large request for funds in the February
408 grant round, but they have already started preliminary work associated with assessing
409 the feasibility of the project and they have secured funding for feasibility studies from
410 the Vermont Housing Conservation Board and through St. Stephen's Outreach
411 Committee. She said they just wanted to inform Middlebury that this was happening
412 and she said the entire project will span two-years. She said since they have applied
413 for tax-credits, it was suggested the towns involved be informed.

414

415 Carpenter said this makes a lot of sense and he didn't see the Board having any issues
416 with their project.

417

418

11. Discussion of Revised Purchasing Policy

419

420 Carpenter said this was discussed at the December 14, 2021 meeting and staff was
421 asked to draft some updates to the policy. He said recommendations included the
422 following:

423

424

Section 2: Definitions (new section) – Introduces definitions for a Simplified Bid
425 vs a Formal Bid vs a Sole-Source Purchase.

426

427

428

429

Section 3: Purchase Authorization – Raises the threshold for purchases requiring
428 Town Manager approval from \$500 to \$1,000. Also specifies that purchases up
429 to \$9,999 may be made using a Simplified Bid process and may be approved by
430 the Town Manager.

430

431

432

Section 4: Formal Bid Process – Raises the threshold for purchases requiring a
433 Formal Bid process, and Selectboard approval, from \$3,000 to \$10,000.

433

434

435

436

437

438

Section 10: Exceptions (Sole-Source Purchases) – Consistent with Section 4,
436 raises the threshold for sole-source purchases requiring Board approval from
437 \$3,000 to \$10,000 and gives the Town Manager authority to approve sole-source
438 purchases under \$10,000.

439

440

441

442

443

Section 10: Exceptions (Recurring Purchases) – Consolidates a number of
441 related routine repair/maintenance items exempt from the Formal Bid process
442 into the following single category: *Supplies needed for routine maintenance and
443 repair of Town highway, water and sewer infrastructure.*

444

445

446

447

448

Section 10: Exceptions (Computer and Networking Purchases) – A new section
446 that gives the Town Manager approval authority to approve computer and
447 networking equipment purchases made through the Town's designated IT
448 service provider (Top Floor).

449

450

451

452

453

Seeley suggested there be a regular summary of purchases under \$10,000 in the
451 Consent Agenda, or some way for the Board to get a sense of the larger purchases.
452 Carpenter said the staff did a really good job in modernizing and updating the policy.

454

455

456

457

Following a brief discussion on how these policy update make sense, Artim moved to
455 approve the proposed revisions to the Town Purchasing Policy, as presented, and Khan
456 seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

458

459

12. Approval of Check Warrants

460 Seeley said Esther Thomas had reviewed the warrant and them in good order, so she
461 moved to approve total expenditures in the amount of \$669,242.64, consisting of
462 \$557,419.84 for accounts payable, and \$11,822.80 for payroll, for the period December
463 29, 2021 through January 11, 2022. Khan seconded the motion. The motion carried
464 with 6 in favor, 1 absent. **MOTION PASSED.**

465

466

467

13. Board Member Concerns

468

469

Fuentes-George reminded people that children 12 and older who have been vaccinated are eligible for a booster shot.

470

471

472

473

474

475

476

477

478

479

Artim said he still has concerns with these organizations that request funds that are not under the oversight of the Board through the Town Manager. He said in good faith the taxpayers of the town provide these gifts to the organizations and trust they spend the money well, and even though they made presentations this evening, he's still not sure what they do and he thinks it's the Board's due diligence to make sure we fully understand, so he's wondering if we should hold off on funding until we can get a better explanation. Carpenter said the Board can give them less money than they are requesting or take them off the Warning, so the Board should give this some thought.

480

14. Executive Session – Personnel and Real Estate Matters

481

482

483

484

485

486

487

Seeley said in accordance with Vermont's Open Meeting Law requirements, she moved that the Board find that premature general knowledge of the consideration of personnel and real estate matters would clearly place the Selectboard at a substantial disadvantage, because the Select Board risks disclosing its litigation strategy if it discusses the personnel and real estate matters in public. Khan seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

488

489

490

491

492

Seeley further moved that the Board enter into Executive Session to discuss personnel and real estate matters, under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Khan seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

493

494

The Board entered Executive Session at 9:34 p.m.

495

15. Action on Matters Discussed in Executive Session

496

497

498

499

500

Upon motion by Seeley, seconded by Fuentes-George the Board exited Executive Session at 9:56 p.m. and authorized Town Manager Kathleen Ramsay to sign a settlement agreement with a Town employee.

501

16 Adjournment

502

503

504

The meeting adjourned at 9:57 p.m. upon motion by Seeley, seconded by Brown.

505 The next meeting of the Middlebury Selectboard will be Tuesday, January 25, 2022 at
506 7:00 p.m.
507
508 Respectfully submitted,
509 Beth Dow