

1 **Regular Selectboard Meeting**  
2 **Tuesday, June 28, 2022**

3 **Meeting Minutes**

4 Members Present: Lindsey Fuentes-George, Heather Seeley, Dan Brown and Brian Carpenter.  
5 Esther Charlestin arrived later in the meeting, and Farhad Khan and Andy Hooper were  
6 absent.

7  
8 Staff Present: Town Manager Kathleen Ramsay, Ilsley Library Director Dana Hart and Director  
9 of Public Works Planning Dan Werner.

10  
11 Also Present: Ilsley Library Trustee Joe McVeigh and Interested parties

12  
13 **1. Call to Order**

14  
15 The meeting was called to order at 7:00 p.m. by Vice-Chair Fuentes-George.

16  
17 **2. Approval of Agenda**

18  
19 Seeley moved to approve the agenda and Brown seconded the motion.

20  
21 Item # 9 to approve the Municipal and Downtown Tax Rate for FY23 was postponed until after  
22 the Lister's Grievance Hearing and also #10 to award the contract to update the Local Hazard  
23 Mitigation Plan was postponed until the July 12<sup>th</sup> meeting while waiting for additional  
24 information.

25  
26 The motion carried with 4 in favor, 3 absent and the agenda was approved as presented.

27 **MOTION PASSED.**

28  
29 **3. Approval of Consent Agenda**

30  
31 Carpenter moved to approve the consent agenda, and Seeley seconded the motion.

32  
33 3.a. Approval of Minutes of the June 14, 2022 Regular Selectboard Meeting and approval of  
34 Minutes of the June 20, 2022 Special Selectboard Meeting.

35  
36 3.b. Acceptance of Selectboard Subcommittee Meeting Minutes – June 16, 2022 Infrastructure  
37 Committee Meeting

38  
39 3.c. Approval of the Amended Grant Agreement for the Extension of the Deadline for Completion  
40 of the Marketing & Branding Grant Project. On December 1, 2020, the Town was awarded  
41 funding of \$20,000 under the Department of Housing and Community Development Municipal  
42 Planning Grant program, for hiring a marketing consultant to work with staff and partners to  
43 develop marketing and branding materials for Downtown Middlebury, as recommended by the  
44 Downtown Master Plan. The Municipal Planning Grant Program has granted the Town's request

45 to extend the performance period of the grant from the original end date of May 31, 2022 to  
46 September 30, 2022.

47  
48 3.d. Agenda Placeholder

49  
50 3.e. Agenda Placeholder

51  
52 3.f. Town Manager's Report

- 53
- 54 • 03f – TM Report – 6B0 TAC Meeting Minutes 6-7-22
- 55
- 56 • 03f – TM Report – Start Date for Amtrak Service
- 57
- 58 • 03f – TM Report – June 30, 2022 Public Information Meeting for Middlebury State  
59 Airport Master Plan Update
- 60
- 61 • 03f – TM Report – VLCT Municipal Policy Review  
62 A draft of VLCT's proposed revisions and updates to their Municipal Guiding Principles  
63 and Municipal Policy for 2023 will be ready for the Board's review and comment later in  
64 the summer, in preparation for adoption at VLCT's Annual Business Meeting in October.
- 65
- 66 • 03f – TM Report – Notice of Public Hearing – Zoning Bylaw Amendments
- 67
- 68 • 03f – TM Report – June 14, 2022 Flood Resiliency Observation Report
- 69
- 70 • 03f – TM Report – June 15, 2022 Middlebury Airport Communications Task Group  
71 Meeting Notes
- 72
- 73 • 03f – TM Report – Summit Properties – 51 Seminary St – First Public Meeting Notice
- 74
- 75 • 03f - TM Report - Local Option Tax Report FY22 - June 24, 2022
- 76
- 77 • 03f - TM Report - Current Correspondence – Received June 9 – June 22
- 78

79 The consent agenda was approved as presented with 4 in favor, 3 absent. **MOTION**  
80 **PASSED.**

#### 81 **4. Citizen Comments**

82  
83 Dan Gosselin said he had attended the Summit Properties community meeting held last  
84 evening regarding the proposed housing development on Seminary Street Extension. He said  
85 from his perspective it appears the community is wholly in support of this initiative but there are  
86 some concerns.

87  
88 He said while Summit Properties does not have a design yet, they indicated they would keep  
89 the development in line with the adjacent neighborhoods so as to not look out of place. He

90 said considering the surrounding developments consist of mostly ranch homes built in the 70's  
91 and 80's, he wonders if we want them to really build more of these type homes or do we want  
92 the developers to build for the future with new technology. He said as far as energy, this  
93 developer has never built a net-zero community, but they will build to Efficiency of Vermont  
94 Standards, and wonders if we want to have higher standards.

95  
96 Gosselin said there is also some concern about the eligibility regarding what the proposed mix  
97 of homes in this development will be. He said the developer indicated they are hoping to  
98 obtain grants so that 50% would be subsidized and the remaining will be market value, and he  
99 thinks that's lacking to meet the needs of the community. He feels the Town should do its due  
100 diligence and have oversight of the grant process to make sure the developer does not have  
101 an incentive to not get full level grants

## 102 103 5. Placeholder

### 104 105 **6. Joe McVeigh, President, Ilsley Public Library Board of Trustees, and Dana Hart,** 106 **Library Director, with an update on the activities of the Ilsley 100 Project Team**

107  
108 McVeigh and Hart joined the Board to report on the progress of the Ilsley 100 Project Team.  
109 McVeigh said they've been working since the end of March and so far they've had 8 meetings.  
110 He said they've done a great deal of background work and took field trips to South Burlington  
111 and Shelburne libraries, and hope to go to Manchester soon, and Hart has shared design  
112 examples of other public libraries along with guidance on design from the American Library  
113 Association. He feels that along with the expertise of Hart, Barbara Doyle-Wilch who has a  
114 great deal of experience in library projects, and consultant Judith Harris, that they have what  
115 they need for design issues.

116  
117 He said they are working on three foundational assumptions: the Vision Statement and Pillars,  
118 to make it a community hub and a flexible space; the information and ideas gathered from the  
119 Tell Me Tour; and to make sure it aligns with the Downtown Master Plan.

120  
121 He said they have a rough schedule and at the moment they are focused on developing a  
122 square footage program and a matrix to help make decisions and will eventually work with an  
123 estimator to help determining preliminary costs and an architect to develop plans.

124  
125 McVeigh said they are looking at several design directions which might be simply to renovate  
126 within the existing space, or the extreme of building a new building on a different site. He said  
127 they will make this decision based on a matrix to evaluate the design direction, and described  
128 the process Hart, Doyle-Wilch and Harris have gone through to develop the square footage  
129 program.

130  
131 He described the various ways they have been communicating their progress to the public,  
132 and with the help of Ken Perine they are exploring various funding sources, but it's clear to  
133 them that they will need multiple sources of funding for this project. He said their next steps are  
134 to finalize the square footage program and the matrix, and find a cost estimator and architect.

135

136 Seeley commented on how impressed she was with the amount and quality of work the Team  
137 has done so far.

138  
139 Energy Committee member Richard Hopkins said he was a big fan of the library, but wanted to  
140 remind the Selectboard that 2-years ago they adopted a goal of reducing the Town's carbon  
141 footprint by 80% by the year 2030, and at the time the Board asked the Energy Committee to  
142 come up with ways to achieve this goal, and the main way was when the time came for a  
143 building to replace a fossil fuel boiler they would do so with an electric heat pump. He said he  
144 didn't see this addressed in the presentation. McVeigh said one of the "pillars" this project is  
145 based on is that it be sustainable, so he thinks it's very much understood by the Project Team  
146 that everything be sustainable. Hopkins said sustainable can mean different things to different  
147 people, and the sustainability the Energy Committee wants is that we can't heat anymore with  
148 fossil fuels,

149  
150 Hart said they had planned to replace their existing heating system with heat pumps, but the  
151 quote received a few months ago was for over \$1 million and the library would need to relocate  
152 their operations during the installation, so they decided to do everything possible to hold off  
153 and to include any replacement into this project.

154  
155 Resident Jonathan Miller said if this project had to go for bonding, he felt that because the  
156 library is such a valuable asset to the people in town that they need to sell that value of the  
157 library to the community.

158  
159 Fuentes-George said if residents want to read about the library project in Jim Gish's blog, they  
160 can sign up to receive them on the Ilsley Library's website.

161  
162 **7. Dan Werner, Director of Public Works Planning, with updates and recommendations**  
163 **from the June 16, 2022 Infrastructure Committee Meeting**

164  
165 **7.a. Recommendation on Approval of the FY23 Water Budget & Rates**  
166

167 Werner went over the major drivers for the FY23 Water Budget. One thing is to begin setting  
168 aside \$20,650 in the Equipment Reserve for the purchase of an excavator that will be shared  
169 with the Highway and Wastewater Department. He said other additional major drivers is a  
170 part-time summer position, additional funds for Maintenance of Services and Mains, increases  
171 to cover the increased cost of parts and supplies. He said there is also \$7,000 to demolish the  
172 old structures at Well #1.

173  
174 Werner said there is an increase in the Capital Improvements of \$108,752 that was started a  
175 few years ago and suspended during the COVID years, to help build a reserve for future water  
176 improvements to reduce the impact on water rates. He said there is also \$15,000 allocated for  
177 future equipment replacements for the well house, in hopes of having enough funds set aside  
178 when needed in the future.

179  
180 He said the Water Budget is \$1.812.380 and Infrastructure Committee is recommending  
181 adopting this budget for FY23.

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Carpenter moved to approve an FY23 Water Fund Budget of \$1,812,380. Seeley seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

Werner said the proposal is to raise the water base rate from \$65/quarter to \$67/quarter, an increase of \$2.00 per quarter, and the usage rate would go from \$3.87/ 1,000 gallons per quarter to \$4.00/1,000 gallons per quarter, so for an average residential usage of 9,300 gallons per quarter, it would be an increase of \$1.21/quarter, making the total water bill increase for in-town users of \$3.21.

Carpenter said this in line with the strategy adopted a few years ago to increase the rates gradually, so he moved to approve an FY23 water base rate of \$67 per quarter for in-town users and a water base rate of \$73 per quarter for out-of-town users, and a usage rate of \$4.00 per 1,000 gallons for in-town users and \$4.27 per 1,000 gallons for out-of-town users. Seeley seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

**7.b. Recommendation on Approval of the FY23 Wastewater Budget & Rates**FY23

Werner briefly reviewed the major drivers in the increase in the Wastewater Budget, including an increase in employee benefits, and an increased of \$58,700 in supplies for plant operation due to the increase in prices. He said the big item is the elimination of the 1999 Wastewater Treatment Plant bond payment of \$409,165 that is now paid off. He said with the elimination of this payment, \$375,000 has been added to begin "pigeon holing" funds annually for the future upgrade to the Wastewater Plant. He said this brings the total for the Wastewater Budget to \$2,905,796, and the Infrastructure Committee is recommending the Selectboard approve this amount.

Seeley moved to approve an FY23 Wastewater Fund Budget of \$2,905,796. Carpenter seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

Seeley further moved to approve an FY23 base rate of \$36 per quarter and a usage rate of \$7.09 per 1,000 gallons. Brown seconded the motion.

Werner briefly went through the rate increases proposed for wastewater of \$2.00 per quarter from \$34 to \$36, and a usage increase of \$6.94/1,000 gallons per quarter to \$7.09/1,000 gallons per quarter for an increase of \$3.40 per quarter for the average 9,300 per quarter user.

This makes the combined increase for the average in-town user on both water and sewer will be \$6.61 per quarter.

Carpenter asked if this would be enough with prices increasing the way they are, and Werner believes it will based on what we have on hand now, but they'll have to see.

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

228 **7.c. Recommendation to Award a Contract to Landmark Engineering for Mill Street**  
229 **drainage and design proposal**  
230

231 Werner said at the Mill Street/Park Street intersection area where the stone planter goes down  
232 the hill, there is a sanitary and storm sewer that goes from Park Street underneath and through  
233 that planter section down to Mill Street. He said there is a collapse in the sewer pipe in the  
234 middle of that planting structure and the storm sewer is also compromised. He said what they  
235 are proposing to do is to bring the storm sewer and sanitary sewer lines around the planter and  
236 tie into existing lines in Mill Street.

237  
238 He said Jamie Simpson of Landmark Engineering has given a proposal for the design work  
239 and a cost estimate for \$8,350. Werner said this is something we'd like to get done this year  
240 providing we can find a contractor, and since this just happened there are not stormwater  
241 funds set aside for the work, but there are funds in the Capital Budget for stormwater issues  
242 and the construction funds will be shared by the Wastewater Capital Funds and they have  
243 adequate funds to cover this.

244  
245 Seeley asked if this amount covers the bidding and tabulation portion, and Werner said it did  
246 not.

247  
248 Resident Chris Robbins said the Downtown Master Plan has a suggestion for terraces going  
249 down Park Street where that planter is now, and that Plan has a lot of ideas for areas around  
250 town for projects to be included when there needs to be work done in that area and she would  
251 hope they could design it according to that. Werner said while he appreciates the artistic plans  
252 for this area, there is a utility pole located in the middle of that planter structure that provides  
253 electrical services to much of that side of the downtown, that the Green Mountain Power staff  
254 has indicated that it would be extremely expensive to deal with that, and the water service and  
255 fire service line for the Mill building is also in that plant structure. He said that stone wall sits  
256 on a concrete footing that is about 4 feet deep and if that was going to be some kind of a water  
257 holding structure you'd have to make it almost like a bathtub, and he isn't sure how they'd deal  
258 with utilities with something like that. While he appreciates the concept, he doesn't think it's  
259 something that's really viable. Seeley added that when this came up in the Infrastructure  
260 Committee meeting, it was pointed out this is repairing a failed line and is not a redesign of the  
261 area right now, but that doesn't prevent us from doing something like the Master Plan suggests  
262 at a future date. She said it was unanticipated expense so there are not funds to cover this  
263 work now, and to do the suggestion in the Master Plan would require more planning and funds  
264 set aside to do the work, and we don't have that now.

265  
266 Robbins said she understood and asked that perhaps the engineer could at least look at the  
267 suggestion for that area. Town Planner Jennifer Murray said it's good to bring up these  
268 comments and point out the Master Plan is not just an artistic rendering, but are designed by  
269 modern civil engineers, and she understands this is an emergency and sometime when the  
270 work involves the landscaping bed we can get into the cascading structure. Seeley said there  
271 would be opportunities to revisit this area in the future.

272



273 Seeley moved to award a contract to Landmark Engineering for Final Design Engineering  
274 Services for the Mill Street & Park Street Improvements Project, at a total cost of \$8,350.  
275 Carpenter seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION**  
276 **PASSED.**

277  
278 **7.d. Recommendation to Award a Contract to Pratt and Smith for Well #3 proposal**  
279

280 Werner said this request is to award a contract to Pratt & Smith to install a variable speed drive  
281 at Well #3. He said this equipment allows a motor to ramp up slowly and increase pressure  
282 and flow gradually and not all at once. He said there used to be a relief valve on the back of  
283 the Well #3 building so when a pump turned on full blast it vented some of the water out of this  
284 valve and then slowly it closed, but it isn't as efficient as a variable speed drive could do it. He  
285 said they looked at repairing it, but there is still the hammering issue, so they looked at variable  
286 speed drives and Pratt & Smith were the low bid at \$7,270. He said there are funds for  
287 equipment in the FY23 buget, so this will be paid from those funds after the start of the new  
288 Fiscal Year.

289  
290 Seeley moved to award a contract to Pratt and Smith for the upgrade to a variable frequency  
291 drive at Well #3, at a total cost of \$7,270. Carpenter seconded the motion. The motion carried  
292 with 4 in favor, 3 absent. **MOTION PASSED.**

293  
294 **8. Caleb Rick, CEO of EcoGlobal Middlebury, with an updated overview of a request for**  
295 **a letter of support for their proposed Ekopolimer product manufacturing facility**  
296

297 Caleb Rick joined the Board and reminded the Board that they had offered a letter of support  
298 for his company's application to the Addison County Economic Development Corporation for  
299 United States Department of Agriculture (USDA) funding for a feasibility study which will be  
300 completed shortly. He said they are tremendously grateful to the Town of Middlebury who has  
301 supported their exploration since 2014, and specifically Selectboard members Brian Carpenter  
302 and Nick Artim, Town Manager Ramsay who were there at the beginning, and former  
303 Governor Jim Douglas. He said this support has launched a global journey into the system of  
304 plastics. He gave a brief history of why they came to Middlebury upon a recommendation  
305 there were parcels of land next to a railway that were large enough to accommodate their  
306 storage needs, and realized there was a whole lot more to Middlebury than the location next to  
307 the railway. He said now with the study almost complete they have a clearer of picture of what  
308 their needs are as well as the market operations are to finance it. He said they received news  
309 in February of more attractive terms that changed what they thought would be a more gradual  
310 staging of their business, and secondly the rapid evolution of the financial markets of carbon  
311 offsets and plastic credits used to incentivize climate positive behavior, that allows them to  
312 work with a marginalized workforce facing mental and/or physical challenges, but they have to  
313 think of the totality of the infrastructure needed, so they need a plan for housing, 24/7 daycare,  
314 food security and grid they expect to go through a robust review process to not only meet but  
315 exceed any compliance or regulatory or planning objectives. He said they're in the critical  
316 stage where they're ready and urgently in need of raising capital to hire local engineers and  
317 architects to work with to put this formal plan together. He said what they need from the Town  
318 is continued support for their plans. He directed anyone wanting more information on why

319 Middlebury is their choice for a location and their material products, to their website  
320 [www.ekomats.com/midd](http://www.ekomats.com/midd).

321  
322 Carpenter said that he met with Rick last week and knows he's met with the Planning  
323 Commission and he continues to support his quest to bring this to fruition.

324  
325 Seeley moved to sign the Letter of Support for the EcoGlobal Middlebury project. Carpenter  
326 seconded the motion. The motion carried with 4 in favor, 3 absent. **MOTION PASSED.**

327  
328 **9. Set the Municipal Tax Rate and the Downtown Improvement**  
329 **District Tax Rate for FY23**

330 **and**

331 **10. Award contract for the Update of the Local Hazard Mitigation Plan**

332  
333 **(postponed until July 12, 2022 meeting)**

334 Esther Thomas entered the meeting at this time.

335  
336 **11. Appointment to vacancy on the Development Review Board**

337  
338 Fuentes-George said there was a vacancy in the Development Review Board (DRB) and three  
339 candidates came forward, and as part of the new process to appoint candidates, they asked  
340 the DRB to give them their thoughts and recommendation, and the DRB has recommended  
341 appointing Vegar Boe to the position.

342  
343 The other two candidates, Jonathan Miller and Phyllis Stinson, were present. Miller said he has  
344 lived in the area for 17 years, and now has more time to serve. Stinson pointed out there is no  
345 diversity on the DRB since the only woman resigned and that is something to keep in mind  
346 when looking at Board composition.

347  
348 Seeley and Fuentes-George told them not to be discouraged and that this is unusual to have  
349 this many qualified candidates and urged them to apply for opportunities in the future.

350  
351 Seeley moved to appoint Vegar Boe to the vacancy on the Development Review Board set to  
352 expire April 2023. Carpenter seconded the motion. The motion carried with 5 in favor, 2  
353 absent. **MOTION PASSED.**

354  
355 **12. Vermont Gas request for an easement to install a gas distribution line to service 3**  
356 **Mill Street**

357  
358 David Walker of Vermont Gas joined the Board via video conferencing.

359  
360 Walker said Vermont Gas has been asked to bring a gas line to the Old Mill at 3 Mill Street. He  
361 said the best spot to locate a meter that would be out of view would be on the back of the  
362 building, and because of the decking they have outside, the best place to run the line is on the  
363 right of the building on the edge of the Town property. He has sent an easement from the



364 Town to Vermont Gas to Town Manager Ramsay and is using the same format as previous  
365 easements with the Town.

366  
367 Fuentes-George asked if this would interfere in anyway with the storm and sewer line work the  
368 Town would be doing on Mill Street, and Seeley said no, that would be further up the street  
369 from where this gas line would be.

370  
371 Carpenter said if it's the same language in past easements, he's fine giving Ramsay  
372 authorization to sign it pending legal review.

373  
374 Resident and Energy Committee member Ross Conrad asked why gas service was being  
375 requested at this location, and Walker said he believes the owners are using this for heat.  
376 Conrad asked if the owners had considered heat pumps, and Walker said he didn't know that.

377  
378 Conrad told the Board they'd made good progress in increasing the efficiency of buildings and  
379 vehicles, but by approving fossil fuel infrastructure they're taking a step backwards in those  
380 efforts that are goals of both the Town and State. He would like to suggest the Board not  
381 approve this and ask the owner to come to the Board and prove that there is no other  
382 alternative other than fossil fuels. He said heat pump technology has improved in recent years  
383 and it may solve the owners' issue for heat, so the Board should make sure all other options  
384 have been looked at before approving this. Richard Hopkins agreed with Conrad.

385  
386 Seeley said she understands what Conrad is saying, but she feels uncomfortable going to the  
387 property owners. Ramsay suggested getting the easement process going and then have  
388 some discussions with the property owners and see if they've looked into other heat options.

389  
390 Brown said we're approving an easement for this gas line to go on Town property, and while  
391 he agrees with what Conrad and Hopkins are saying, he felt as a Board they don't have any  
392 authority that he knows of to tell a property owner what kind of heat source they can use in  
393 their property. He said natural gas is prevalent in the community and believes this is opening a  
394 can of worms if you say anyone who wants natural gas has to get Selectboard approval.

395  
396 Conrad said he is not suggesting the Board prescribe anything to the property owner, he's  
397 simply asking the Board to ask the property owners to provide information to help them make a  
398 decision when they have to approve a right-of-way. Brown said the Board had not done this  
399 before, so in fairness he didn't see them starting now.

400  
401 Following further discussion, Fuentes-George suggested moving ahead with the 1061 process.  
402 Seeley said we could ask the property owners for information, but they can't require them to  
403 provide it. Fuentes-George and Seeley both agreed with what Conrad was saying, but  
404 Fuentes-George said until there was some type of process in place requiring property owners  
405 to at least get a free consultation on heat pump installation before requesting an easement,  
406 they can't single out this property owner.

407  
408 Carpenter said he agrees with a lot of the comments made and we do need to work on our  
409 energy solutions, but feels we're blind to think electricity will solve all problems, and Vermont

410 Gas is working to have renewable gas in their lines, so maybe we can work with more  
411 renewable gases like the Goodrich project and he doesn't feel we can hold one property owner  
412 hostage based on what we've done previously. Conrad said only 1% of Vermont Gas is  
413 renewable, so it is not a clean fuel.

414  
415 Carpenter moved to authorize Town Manager Kathleen Ramsay to work with Counsel to draft  
416 the required 24 VSA § 1061 notice for the conveyance of an easement located on Town-  
417 owned land to Vermont Gas Systems, for installation of gas service at 3 Mill Street. Seeley  
418 seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

419  
420 Carpenter said pending the completion of attorney review and the expiration of the required  
421 30-day comment period specified under Section 1061, I further authorize Kathleen Ramsay to  
422 sign the Deed of Easement. Brown seconded the motion. The motion carried with 5 in favor, 2  
423 absent. **MOTION PASSED.**

424  
425 Fuentes-George said she voted in favor of the motion based on the condition they continue  
426 this conversation in the future.

427

### 428 **13. Approval of Check Warrants**

429

430 Fuentes-George moved to approve total expenditures in the amount of \$440,057.47,  
431 consisting of \$320,001.59 for accounts payable, and \$120,055.88 for payroll, for the period  
432 June 15, 2022 through June 28, 2022. Seeley seconded the motion. The motion carried with  
433 5 in favor, 2 absent. **MOTION PASSED.**

434

### 435 **14. Board Member Concerns**

436

437 Fuentes-George said they had the first Pride Parade and received many positive responses  
438 and hopes to do it again next year, and she also wanted to acknowledge that between the last  
439 Board meeting and this meeting, 50% of our country lost their bodily autonomy and wanted to  
440 acknowledge that half of our population lost significant rights.

441

### 442 **15. Executive Session – Real Estate & Contracts – Anticipated**

443

444 Seeley said in accordance with Vermont's Open Meeting Law requirements, she moved that  
445 the Board find that premature general knowledge of the consideration of real estate matters &  
446 contracts would clearly place the Selectboard at a substantial disadvantage, because the  
447 Select Board risks disclosing its litigation strategy if it discusses the real estate matters &  
448 contracts in public. Thomas seconded the motion. The motion carried with 5 in favor, 2  
449 absent. **MOTION PASSED.**

450 Seeley further moved that the Board enter into Executive Session to discuss real estate  
451 matters & contracts, under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes.  
452 Thomas seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION**  
453 **PASSED.**

454

455 The Board entered into executive session at 8:35 p.m.

456

457 **16. Action on Matters Discussed in Executive Session**

458

459 The Board exited Executive Session at 9:05 p.m. upon motion by Carpenter, seconded by  
460 Seeley.

461

462 Seeley moved to authorize Town Manager Kathleen Ramsay to sign the Purchase and Sales  
463 Agreement with Montello. Thomas seconded the motion. The motion carried with 5 in favor, 2  
464 absent. **MOTION PASSED.**

465

466 Seeley moved to ratify the 3-year contract with NEPBA. Thomas seconded the motion. The  
467 motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

468

469 Seeley moved to approve a 5% cost of living increase for non-union employees in FY23.  
470 Thomas seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION**  
471 **PASSED.**

472

472 **17. Adjournment**

473

474 The meeting adjourned at 9:10 p.m.

475

476 The next meeting of the Middlebury Selectboard will be on Tuesday, July 12, 2022 at 7:00 p.m.  
477 in the Town Offices.

478

479 Respectfully submitted,  
480 Beth Dow

481

482

483