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**Town of Middlebury
Infrastructure Committee
Thursday, May 21, 2020
Meeting Minutes**

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**NOTE: Due to the need for separation to prevent the spread of COVID-19 virus,
the meeting was held remotely via video conferencing with participants. Town
Manager Ramsay participated from her office in the Town Offices.**

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Members Present: Heather Seeley, Lindsay Fuentes-George, Candy McLaughlin, Gary Baker, Luther Tenny, Chris Robbins and Judith Wiger-Grohs.

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Staff Present: Town Manager Kathleen Ramsay, Assistant Town Manager Chris English, Police Chief Tom Hanley, Director of Public Works Planning Dan Werner and Director of Public Works Operations Bill Kernan.

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Others Present: Adam Franco

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1. Call to Order

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The meeting was called to order at 8:59 a.m. by Chair Heather Seeley

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Since this was the first Zoom meeting of the Infrastructure Committee, Seeley explained how the meeting would be run and how members would vote.

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2. Approval of Agenda

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McLaughlin moved to approve the agenda and Fuentes-George seconded the motion. The motion carried with 7 in favor, and the agenda was approved as presented.

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3. Approval of Minutes of March 12, 2020

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Baker moved to approve the minutes of March 12, 2020, seconded by Fuentes-George. There were no changes, so the minutes were approved as presented, with 6 in favor, 1 abstention (Tenny).

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4. Citizen Comments

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Adam Franco of the Bike Ped Council, provided information to the Committee on the Tri-Town Bike Loop Project that is in the planning stages. He said the project is being lead primarily by the Town of New Haven, and the Loop will connect the towns of Middlebury, Vergennes, Bristol and New Haven. He said most of the road miles are in

42 New Haven, but there are some significant sections in Middlebury. He said the plan
43 does not include a specific route through downtown Middlebury, as this was felt to be a
44 separate project, perhaps as part of the downtown bridge project or an independent
45 transportation plan.

46
47 Seeley said that at some point funding for this needs to be discussed, since that is a big
48 question for her.

49
50 Project Updates

51
52 Dow Pond-RT 116 Water Line – Werner said this had been scheduled to start in May,
53 but has been postponed until later in July when hopefully the contractor can find lodging
54 for their workers to stay during the project. He said that may change as things open up
55 more.

56
57 Cady Road Culvert – This is scheduled to begin the first week in July.

58
59 Old Wastewater Plant Decommissioning - Werner said this project started on Monday
60 and it's reported the demolition portion is moving along very quickly and should be
61 completed by early next week.

62
63 Shard Villa Road Paving – pavement recycling started this past Monday and the paving
64 should start in the next week.

65
66 Court Street/Court Square Water Line – Werner said this project has moved around a
67 bit, but bids are tentatively set to be opened tomorrow, May 22nd. He said we're looking
68 now to do the Court Square to Cross Street section first so we can try to stay away from
69 Middlebury Inn area during the "leaf peeper" and Columbus Day visitors. He said he's
70 hoping to get 30 days of construction in before the paving plants close. He said the
71 State paving project is still on schedule for 2021 as far as he knows.

72
73 Court Street/Monroe Street Intersection – Werner said Ramsay had a discussion with
74 the Selectboard about the Maverick gas station at the corner of this intersection, and a
75 letter is being sent to the real estate agent who is selling this station, along with several
76 gas stations in the New England area, and let them know the Town is looking to acquire
77 this property sometime in the future for intersection improvements. The intent is to give
78 notice to any potential buyer of the Town's interest in acquiring the property at some
79 point in the future.

80

81 Library Windows – The bid openings for replacing the historic windows and painting the
82 remaining windows have been moved to June 4th.

83

84 Werner said he'd looked into a Northern Border Regional Grant since infrastructure
85 projects for economic development qualify for these funds, and they do fund water main
86 projects. He said the timing for this grant doesn't work for the Court Street water main,
87 but it might work for the Washington Street water line project. He said if we were
88 awarded this next summer, we'd have to have it completed by 2024, which might work
89 into our schedule.

90

91 He said he'd also sent in applications for a VTrans Structures Grant for Culvert #1 and a
92 Class 2 Highway Grant for Cady Road. We should hear from those in a few weeks.

93

94 Engineering Amendment: WWTP Decommissioning Project. Otter Creek Engineering:
95 Contract Administration & Construction Review Services.

96

97 Seeley said she assumed this was to approve the final two items of Otter Creek's
98 original contract, and Werner said that was right, and while technically the bid phase
99 happened during the COVID shutdown, we still need to approve it, along with the
100 construction phase. He said the construction phase is \$18,200, but Otter Creek
101 Engineer Brent Rakowski indicated they will be under that amount, since the demolition
102 is moving along very quickly.

103

104 Baker moved to recommend the Selectboard approve the final two items on the Otter
105 Creek Engineering contract for Contract Administration and Construction Review
106 Services, in the amount of \$21,200. Wiger-Grohs seconded the motion. The motion
107 passed with 7 in favor.

108

109 Police Department Building Re-Use Project – Review bids

110

111 Werner gave a summary of the bids received for the Police Department Adaptive Re-
112 use Project and the bid analysis prepared by Ashar Nelson of Vermont Integrated
113 Architecture, Inc. He said there were six bids received and the numbers were all good,
114 with VMS Construction the low bidder.

115

116 He said there were 4 bid alternatives, and Nelson recommends we consider
117 Alternatives #2 and #4 once we get started on the project, since we won't know if we
118 need these until the roof comes off the garage. He said the other two alternatives are
119 overhead doors and a fire alarm, so we would have prices for them in case the budget
120 allows us to include them. Werner said for now, he's looking for a recommendation to

121 the Board to approve the base bid amount of \$701,000, and the addendums can be
122 done later as change items.

123

124 Robbins asked about the vast difference between bidders in the line item of “plastic and
125 wood” and wondered why the bids were so varied. Tenny said sometimes bidders lump
126 their numbers differently so that’s why you need to take the total bid into consideration.

127

128 Tenny asked about references. Werner said VMS had done the Vermont Country Store
129 warehouse addition, a \$1.5 million dollar project, and North Main Street in Rutland that
130 was almost a \$2 million dollar project. Seeley said she experienced working with the
131 owner of this company when he was with another company, and they had good
132 experience working with him.

133

134 Wiger-Grohs moved to recommend the Selectboard award the bid for the Police
135 Department Adaptive Reuse Program to VMS Construction in the amount of \$701,000.

136 Robbins seconded the motion. The motion passed with 7 in favor.

137

138 Water & Wastewater Budgets

139

140 Werner went over the projected revenues for the FY21 Wastewater budget, which
141 shows a total revenue projection of \$2,791,274, and also pointed out that the Capital
142 Improvements remained the same as last year, at \$562,000.

143

144 Seeley asked about the increase in Workers Compensation costs for both water and
145 wastewater. Ramsay said that our experience model is excessive due to some
146 significant injuries in the Police Department over the past couple of years, and there is a
147 rolling 3-year average on this model.

148

149 Robbins asked about the lab testing fees for an outside lab, and Ramsay said she
150 believes that it’s more cost efficient to send the samples out for testing rather than
151 purchasing and maintaining the testing equipment.

152

153 Tenny said he’s concerned that the revenues projected are higher than in the past in
154 light of the COVID crisis when there is significant less usage by businesses and the
155 College, and wondered if this had been taken into account. Werner said the Capital
156 Improvement number will be the number that will be adjusted based on how the
157 revenues come in. Tenny said the College is not using nearly as much water without the
158 students there.

159

160 Wiger-Grohs asked about the State tightening up regulations on stormwater and how
161 will this impact this budget. Kernan said he didn't see it impacting the water or
162 wastewater budget. Wiger-Grohs asked about phosphorus as that is a bigger
163 contributor to water going into the lake than agriculture. Kernan said currently we're
164 meeting our accepted levels at the wastewater plant, so didn't see a problem. He said
165 there is stormwater infiltration into the wastewater system, but it is not a problem at the
166 moment. Wiger-Grohs said it's something we need to keep track of in the future.
167 Werner and Seeley said this would most likely fall into the General Budget highway
168 funds.

169
170 Ramsay said rates would be looked at by the Committee at the next meeting.

171
172 Werner reviewed the water budget and said there is a fairly good increase in the rates
173 needed due to the first 10-year bond bank payment and the increase in Capital
174 Improvements. He went over the line items that reflect these increases.

175
176 Tenny again said he's concerned about the revenue projection considering the
177 reduction in water usage by the College and large water users. Werner said he
178 understood and suggested maybe the College could give them an idea on what they
179 anticipated for usage. Seeley said she thinks these budgets reflect what our expenses
180 are and we adjust our revenues to match what we anticipate our expenses will be, so
181 then we'll have to look at a rate increase, so this isn't necessarily what we anticipate our
182 revenue to be, but what we need the revenue to be to match our expenses.

183
184 Robbins asked if there was a forgiveness policy for water bills now, and Ramsay said
185 there is no policy and while we're open to reasonable approaches to payment, she
186 doesn't see how we could forgive the entire bill.

187
188 Seeley said they would review rates at the next meeting and finalize a recommendation
189 to the Board.

190
191 Street Sweeper

192
193 Kernan said they have a bid specification prepared for the street sweeper, but have
194 delayed putting it out to bid due to the COVID crisis to see if this cost needs to be
195 delayed. In the interim, our current street sweeper had broken down and it's estimated
196 to cost \$5,000 to repair it. He said the current machine is 25+ years old and it's finally in
197 the budget to replace it, but now the timing on the purchase needs to be discussed,
198 however they will need to fix the existing sweeper in the meantime.

199

200 Ramsay reminded the Committee they'd taken a fairly aggressive approach to fund the
201 equipment through a combination of reserve funds and tax increases, and with the
202 financial meltdown we're experiencing, she felt it would be good to take another look at
203 the timing of the replacement of the street sweeper and drawing down any reserves at
204 this time.

205
206 Seeley asked Kernan how long it takes to actually get the sweeper once it goes out to
207 bid. Kernan said 90-120 days if we have one built to bid, but there are some pre-built
208 machines that would be available sooner. Seeley asked if we'd looked at using the
209 \$5,000 it would cost to repair our machine and use it to rent a street sweeper. Kernan
210 said rentals are hard to find, but he did find one dealer who would rent us one and
211 deduct the rental cost from the purchase price. He said typically the cost is \$120/hour
212 with a minimum of 20 hours, so that's \$2,400 per sweeping event.

213
214 Robbins asked how often the sweeper is used, Kernan said there are 3 to 4 intense
215 sweeping events and probably every other week they do some sweeping. Werner said
216 this construction season will be very busy downtown and while the contractors do clean
217 up some, it would be good to have a sweeper.

218
219 There was further discussion about rental options and the possibility of sharing the
220 sweeper with other towns, but there are problems with both. Kernan said if we
221 purchased a new machine, it would be relatively maintenance free and we wouldn't
222 have the problems we do now.

223
224 Werner said this is a vacuum sweeper as opposed to a mechanical machine which has
225 brooms with water underneath. He said vacuum sweepers vacuum up the debris so
226 you don't have the dust that remains after using our current machine. Kernan said we
227 currently contract for a vac service for a week each year to clean out catch basins, but
228 with this street sweeper we'll be able to clean out some catch basins as well. Ramsay
229 pointed out hiring a vacuum service is a very costly service.

230
231 Seeley said if our current machine is over 25 years old, and we're looking at a cost of
232 \$270,000 for a new machine, a quick analysis of cost divided by 25 years, would be an
233 investment of \$10,080 per year, which makes more sense to purchase rather than rent.

234
235 Seeley said the equipment in the budget for this coming year included an F-350
236 stakebody truck, and International dump truck and the street sweeper, and she asked
237 Kernan to prioritize the order of importance of each one. Kernan said the street
238 sweeper would be his first choice, followed by the International dump truck, and the
239 stakebody truck would be third. Seeley said she knew we had an equipment schedule

240 we wanted to stay on, and we applied \$192,000 each year to keep on schedule, but if
241 we could go another year with the dump truck, there's \$120,000 we could leave in the
242 General Fund for now while we wait and see how the COVID will impact our revenue.
243 Kernan said part of the reason for the \$192,000 each year was to build up the
244 Equipment Fund so we could become self-funding on equipment and not have to rely on
245 loans, and he's not opposed to moving equipment purchases around, but we need to be
246 careful about that to avoid a year where equipment costs would be high because of
247 delayed replacements. Ramsay suggested taking a strategic pause in light of the
248 current financial situation. Kernan said his priority would be the street sweeper if we
249 had to take a step or two back on the equipment purchases this year. Seeley said she
250 was in favor of moving ahead with the bids on the street sweeper and see where they
251 come in and McLaughlin agreed.

252
253 Fuentes-George asked if COVID impacted interest rates in our favor, and Ramsay said
254 we'd been getting a low 2.5% rate, so it might impact it some, but not much.

255
256 Baker moved to recommend the Board move ahead with placing the street sweeper out
257 to bid, and McLaughlin seconded the motion. The motion passed with 7 in favor.

258
259 Commission Concerns

260
261 McLaughlin said the sidewalk from Heritage Circle to Buttolph Drive has a lot of ruts
262 along the edge and perhaps the sidewalk plow is too wide and makes these ruts. She
263 also had a question about the stop signs and pedestrian crossing sign at the
264 intersection of Meadow Way and Buttolph Drive, yet there is no sidewalk lines indicating
265 where to cross. Ramsay took a note on these and will look into it.

266
267 Baker wanted to discuss changing the name of the Committee from Infrastructure
268 Committee back to Public Works Committee, which was suggested by Victor Nuovo at
269 the last Selectboard meeting. Seeley said the name was changed to Infrastructure
270 Committee 4 years ago since it seemed more reflective of the items the Committee
271 worked on, such as buildings and internet access, and not all controlled by Public
272 Works. She said it would be discussed at the next Selectboard meeting, so she wanted
273 to know the thoughts of others on the Committee.

274
275 Robbins, Wiger-Grohs and McLaughlin all preferred to leave it Infrastructure Committee,
276 since it encompasses a multitude of issues and it gives a clearer picture of what the
277 Committee works on. Tenny said he didn't really have a preference to what the
278 Committee was named, Fuentes-George said she really didn't have a preference either

279 way. Seeley said she didn't really care either, but had wondered about how much staff
280 time would be invested in changing the name on the website and other records.

281
282 Baker said the power poles on Seymour Street have been cut part way down and the
283 cross arms have been taken, so he isn't sure who did this. Tenny said it could have to
284 do with when they transfer the power lines, they sometimes lower the pole and leave
285 the other utilities on until they move their lines.

286
287 Robbins wanted to be sure that the young trees in town are watered to keep them
288 healthy.

289
290 Wiger-Grohs asked if there is a portable toilet placed at Harold Curtis Park again this
291 year, if they could place further back on the lot and not so front-and-center as in the
292 past.

293
294 Tenny echoed McLaughlin's comments on the sidewalk on the end of Woodland Park
295 and the sidewalk to Mary Hogan School from Buttolph Drive has significant
296 deterioration, as well as additional settlement where the overflow structure is. He
297 wondered if that was on this year's sidewalk agenda. Werner thought the problem
298 Tenny mentioned was a maintenance problem, and the main sidewalk we need to look
299 at this year is the one on Court Street by the Foshay property. He said we also have to
300 look at funding for the sidewalks needed in correlation with the railroad projects, since
301 we failed to qualify for the grant application we submitted, most of the sidewalk funds
302 will be spent on these sidewalks. Tenny thought at a previous meeting it had been
303 stated there was a hole in the culvert under the sidewalk to Mary Hogan School and a
304 contractor will need to get in and fix that culvert, because it's settled about a foot.
305 Werner said he would discuss it with Kernan.

306
307 Tenny said with all of the projects we'll be doing, we should be planning for another
308 flareup of the virus and how that may impact the projects, so we should have
309 contingency plans in place.

310
311 Ramsay mentioned that the Selectboard had received a note from Frank Winkler about
312 undergrounding utilities to the greatest extent possible, particularly in the downtown
313 area, and she will let him know we'll consider these as we look at projects, but it is a
314 very expensive proposition. Fuentes-George asked about possible grants for this type
315 of project, and Ramsay said usually this would be considered as part of a larger project.
316 Robbins said it might be in the Downtown Master Plan as a long-term option. Ramsay
317 said it's just something to think about going forward.

318

319 The meeting adjourned at 10:27 a.m. upon motion by McLaughlin, seconded by Baker.

320

321 The next meeting is scheduled for June 11, 2020 at 8:15 a.m.

322

323 Respectfully submitted,

324 Beth Dow