

1 TOWN OF MIDDLEBURY  
2 Infrastructure Committee  
3 Town Offices Large Conference Room  
4 Thursday, January 10, 2019  
5 Meeting Minutes  
6

7 Committee Members Present: Heather Seeley, Gary Baker, Don Keeler, Luther Tenny, Chris Robbins,  
8 Lindsey Fuentes-George and Alternate Judy Wiger-Grohs. Kirk Fiske arrived at 8:30. Wiger-Grohs would  
9 be participating in the meeting, but did not vote after Fiske arrived.

10  
11 Town Staff: Director of Public Works Planning Dan Werner, Director of Public Works Operations Bill  
12 Kernan, Recreation Superintendent Dustin Hunt, Wastewater Superintendent Bob Wells, Library  
13 Director Dana Hart and Accounting Services Manager Jackie Sullivan.  
14

15 Others Present: Peter DeGraff, Dean Rheaume and Maurice Rheaume  
16

17 The Meeting was called to order by Heather Seeley at 8:15 a.m.  
18

19 Approval of Agenda  
20

21 Baker moved, and Wiger-Grohs seconded, to approve the agenda. The agenda was approved as  
22 presented with 7 in favor.  
23

24 Approval of Minutes  
25

26 Baker made the motion to approve the minutes of December 13, 2018, and Wiger-Grohs seconded the  
27 motion. The minutes were approved as presented with 7 in favor.  
28

29 Project Updates  
30

31 Werner said the abatement project at the old wastewater facility is complete and the air quality tests  
32 are satisfactory.  
33

34 He said the RFQ for Qualification-Bases Services (QBS) will be going out in the next few days. This is to  
35 allow engineering consultants to submit proposals for their skills and services so we can choose in the  
36 future what firm will do certain projects. He will prepare groupings of various consultants to bring back  
37 to the Committee, and then we can choose from this group for projects and negotiate a contract. He  
38 said this list is good for 3 years with an option for 2 additional years. He said the RFQ was reviewed by  
39 Tom Brown at the Clean Water State Revolving Fund (CWSRF) and he was satisfied with it.  
40

41 Werner said he and Bob Wells had met with Robert Clark of Otter Creek Engineering about the pump  
42 station upgrade program. Dean Rheume asked if there would be running water in each of the pump  
43 stations, because the staff needs potable water. Bob Wells said there would be water at all the stations.  
44

45 Werner reported we are still waiting for comments from the Dept. of Fish and Wildlife for addition to  
46 the Army Corp of Engineers permit for the Shard Villa Bank Stabilization Project, but are going ahead  
47 and putting it out to bid, with bids to be back mid-February and award in late March, with construction  
48 some time after June 1<sup>st</sup>.

49  
50 Werner said a letter had been received from a resident of High Street asking for consideration of a  
51 sidewalk between Stewart Lane and Seminary Street. He said the only place it could go would be the  
52 west side of the street, but that side will have difficulties too since there are some historic buggy stones  
53 in that area, and drainage issues at the Stewart Lane corner.  
54

55 Seeley asked if there was a system to keep track and prioritize these requests from citizens. Ramsay  
56 said last year there was a request for sidewalks on Seminary Street Extension, and Robbins said she had  
57 heard people who wanted the path from the Sports Center through the Rec Park paved. There was  
58 discussion on creating a process for dealing with this “wish list” of requests that come in. Wiger-Grohs  
59 said anything requested by walkers or bikers should be a priority. Tenny said the Town has sidewalk  
60 standards, so prepare a map that identifies where there are existing sidewalks that don’t meet  
61 standards and then add these requests to this map. Ramsay suggested doing a very quick analysis of  
62 costs per square foot, ROW issues and come up with a cost for each request, then place it to the bottom  
63 of the list of all the other projects ahead of it. Seeley just wanted some way to respond to these  
64 requests.  
65

#### 66 Water System Improvements

67  
68 The Committee began to review the water projects identified by the Hydraulic Study and began  
69 discussion on how to prioritize them. Seeley said she’s been struggling with which projects should be on  
70 the top of the list, but said at the moment she wasn’t able to look at the top three projects and say one  
71 was needed more than the other. She said the best case would be to take these projects to the voters  
72 with a bond vote in November.  
73

74 The top three water main replacement projects on this list are:

- 75 Route 7/Cady Rd/Court St
- 76 Court Square and Washington Street
- 77 Exchange Street, Mainelli Rd, Pond Lane

78  
79 Keeler said he thought the Committee had decided that the Exchange Street water line was the top  
80 priority, so why look at the others. Seeley said the number of leaks in the Court Street/Washington  
81 Street area recently have outnumbered Exchange Street leaks, so now is an equal priority. Tenny said  
82 the Washington Street area is looped, while the Exchange Street is not and those users are having to

83 shut down their businesses when there are breaks, so there are financial implications. He said when  
84 you're looking at a total of over \$20 million dollars in water projects, the priorities are always going to  
85 change and more will be added, so there needs to be a plan for long-term funding to stop the "how are  
86 we going to pay for this" argument all the time. Seeley said that's why she's proposing the top three  
87 items on the list for this bond. Tenny warned of voter fatigue with funding requests year after year.  
88 Fuentes-George suggested having something similar to the existing Equipment Fund to fund these water  
89 projects, because voters will get tired of it.

90

91 There was discussion about the pros and cons of each project, keeping in mind that VTrans will be  
92 paving the Court Square area in 2021 so any water main replacement in that area should be done before  
93 then.

94

95 Werner said the Route 7 main and Exchange Street main had been the top two priorities, but the  
96 number of recent major breaks in the Washington Street/Court Square area have increased, which  
97 moved them up on the list. He said they're long outages and they are costly breaks to repair, with the  
98 asphalt cost alone for one being \$38,000. He understands the emotions with the Exchange Street main,  
99 but those breaks are usually repaired in a few hours.

100

101 Tenny said if the Committee feels these are the top three projects, totaling around \$6.3 million, then  
102 he'd like the Selectboard to weigh-in on their priority of those three based on these considerations.

103

104 Robbins wanted to make a comment for the Selectboard to consider for future Planning. She said where  
105 she lives in Gorham Lane there are around 40 houses, and the cost to replace their water line is  
106 \$1,206,000. She said their lots have 150' frontages, but if the lots were only 50' wide, it would be  
107 \$14,000 per household to replace the main, so low density really increases the cost per household.

108

109 There was discussion about how the Exchange Street project should also include Happy Valley Road to  
110 provide the connection loop. Tenny said that was to provide water to businesses when there are water  
111 breaks, but if the water main on Exchange Street is replaced, you won't need the loop.

112

113 Werner reviewed the top three projects on the larger map, showing the Committee exactly where they  
114 were and a little history on each.

115

116 Tenny attempted to form a motion asking the Selectboard to consider these top three projects, but to  
117 also consider funding beyond the cost of these three projects, but with more than \$20 million of backlog  
118 work behind these three, doesn't feel that it's fair to ask only the water users to pay for these projects,  
119 so there needs to be a master plan to achieve this work. Ramsay said if those are the three projects  
120 identified, then the Selectboard needs to know that with more than \$20 million dollars worth of  
121 projects, a sustainable funding plan needs to be developed that may need to include revenue sources  
122 other than water system revenue. Baker suggested the Selectboard hear that first, before identifying  
123 the three projects, and Tenny agreed. Tenny said that it isn't just water that has backed up projects,  
124 there are sewer mains and roads and other infrastructure as well.

125  
126 Ramsay suggested that, prior to the next Committee meeting, she and Werner create a matrix  
127 identifying the projects with a description of why they're important. Seeley offered to help with this.  
128 Keeler asked to include the number of water users impacted in Town by the bond and the non-users  
129 who would be asked to pay for this bond. Keeler said if he lived in East Middlebury, who have their  
130 own water system, he wouldn't want to pay for an Exchange Street waterline. Fuentes-George said she  
131 lives in East Middlebury, but her kids go to school in Middlebury, and she works in Middlebury, so she  
132 doesn't mind paying.

133  
134 Library Heating

135  
136 Dana Hart said the last time she was before the Committee she was asking about repairing the existing  
137 boiler, but now they are in the second phase and looking to get a design narrative to help decide what  
138 type of heating system and fuel system to go forward with in the future. She said she and Werner had  
139 met with Engineering Services of Vermont and they are hoping for approval for Phase One of their  
140 proposal.

141  
142 Werner said they would do a more detailed look at the existing system and costs of a biomass pellet or  
143 natural gas system and how it might be integrated into a new building. He said currently there are two  
144 systems in the Library, a hot water (hydronic) and a steam. In the future the steam system will be  
145 eliminated and will go with an all hydronic system, and how might that system look using either the  
146 biomass pellet or natural gas.

147  
148 Seeley asked if there was money in the budget for this, and Hart said it would come out of the remaining  
149 funds for boiler replacement. Tenny said he hoped there would be a cost analysis included in this, and  
150 Hart said they had mentioned that, but she would be sure it was included.

151  
152 Robbins made the motion to recommend the Selectboard proceed with Phase I as proposed by  
153 Engineering Services of Vermont for \$2,200. Tenny seconded the motion. It was unanimously  
154 approved.

155  
156 Harold Curtis Basketball Court Resurfacing Bids

157  
158 Dustin Hunt joined the Committee to review the bids received for the basketball court reconstruction  
159 project at Harold Curtis Park in East Middlebury. He said two bids were received for the whole project,  
160 and one bid was received for the fence only. The bids received were:

161	Vermont Recreational	\$42,095
162	ST Paving	\$54,450
163	802 Fence	\$ 1,698 (fence only)

164  
165 Hunt said the recommendation is to award the bid to Vermont Recreational. He said all the funding is in  
166 place to move forward with this project this coming spring.

167  
168 Fiske asked if Vermont Recreational had done any other work in the area. Hunt said they are fairly new,  
169 but they received good references for the work they've done, so he is comfortable with the work  
170 they've done for some other recreation departments. Fiske asked if all the old pavement would be  
171 removed, and Hunt said it would be.

172  
173 Hunt said there was an option to deduct \$1,230 if the adjustable basketball hoops were eliminated from  
174 the project and Hunt said they don't want adjustable hoops as the movement will deteriorate the  
175 asphalt quicker. He said this would bring the total project to \$40,865.

176  
177 Baker moved to recommend the Selectmen award the bid to Vermont Recreational in the amount of  
178 \$40,865. Fuentes-George seconded the motion. The motion was unanimously approved.

179  
180 Creek Road

181  
182 Peter DeGraff joined the Committee, and introduced himself as one of the former owners of Otter Creek  
183 Engineering, but is not acting as an engineer in this case, but more of a project engineer. He said he'd  
184 been retained by the Selectboard to help the Town make a decision on how to proceed with Creek Road.  
185 He said it's an understatement that a lot of work has been done to date on Creek Road, and a pretty  
186 extensive evaluation was done by Pathways. He said he'd gone through the Pathways evaluation and  
187 talked to staff, but he was looking for the Committee's perspective before he begins his analysis.

188  
189 Tenny said there were two issues; there is the short-term need and the long-term need. He said what  
190 do we do to repair the problematic areas in the short-term and in the long-term do we need to move  
191 the road.

192  
193 Ramsay said the Town had looked at grant funding of \$230,000 from the Ecosystem Restoration  
194 Program, but unfortunately when officials from that group and some State permitting agencies came for  
195 a site visit, they said the project would not be eligible for that funding, so that's why the Board is asking  
196 for another analysis. DeGraff said his goal is to look at the different solutions that have been presented,  
197 some of which are a more phased approach of making repairs as needed, and present those from a  
198 present-worth perspective so you can see what the long-term cost is of a phased approach, as opposed  
199 to an up-front fix-everything-all-at-once option.

200  
201 DeGraff said from what he's read in earlier reports and minutes, he is wondering if they feel a need to  
202 keep the whole road open, or is it critical to keep the southern portion open, or can the road end at  
203 Bingham's or Perrin's. He said there are many different approaches and he needs to know what's on or  
204 off the table. He said he thinks the Pathways report had 10 or 12 different alternatives, but he'd like to  
205 whittle them down to 4 with a present-worth cost to each.

206  
207 Baker said if they decide to close the road, it should be from Perrin's south, because it would cost a lot  
208 of money to build a driveway to Perrin's house. DeGraff said the most expensive section of Creek Road

209 to fix is between Bingham's and Perrin's, so it might be cheaper to construct a new, private access for  
210 the Perrin's from South Ridge.

211  
212 Wiger-Grohs said the pros and cons of each option should be included in the matrix, and not just the  
213 cost of each, as well as how many people will be impacted.

214  
215 Robbins asked what happens if the road is abandoned, but it continues to fall off into the Creek, isn't  
216 that something we'd have to do something about. DeGraff said that a decision the Town will have to  
217 make, and he would need direction from the Selectboard on whether the cost analysis for closing the  
218 road needs to include a cost estimate for some kind of stream bank maintenance whether it will be a  
219 recreational path and the cost of maintaining it as a path.

220  
221 Robbins also said Pathways talked about different bank stabilization techniques, and she'd go with the  
222 encapsulated soil as opposed to riprap. Robbins said when the South Ridge developers wanted to  
223 abandon the Class 4 portion of Middle Road, the Planning Commission made the case there should be  
224 an option to keep it open to South Middle Road as an alternative route to get from Route 7 south to  
225 Middle Road, and if we close Creek Road there won't be that alternative route from Route 7 south to  
226 downtown, so connecting Middle Road would solve that problem. She said she'd also like to consider  
227 the increased water runoff in the future. DeGraff said those are valid points, and while he is an  
228 engineer, he isn't working in that capacity for this project and Pathways had mentioned environmental  
229 changes impacting that area of Otter Creek.

230  
231 DeGraff said he'd walked the road with Kernan and Werner and looked at the different areas that are  
232 failing and he compared what they saw to the areas identified as needing immediate repair in the  
233 Pathways report, and he came up with about 1,600 feet of area that is either currently failing (by  
234 Perrin's driveway) and others where failure is imminent. He said he compared it to Pathway's report  
235 and they had talked about 700 to 1,300 feet, so it's getting progressively worse in just two years and  
236 needs to be addressed.

237  
238 Seeley asked him to repeat the four options. He said these are his initial thoughts, but the options are:

- 239  
240 1) Making regular repairs to the entire length of Creek Road as problem areas develop.  
241 2) Repairing all the areas where it is anticipated problems are going to develop.  
242 3) Repairing the entire road up to Perrin's driveway and closing the road south to Three Mile Bridge Rd.  
243 4) Repairing the road up to Bingham's driveway and closing the road south to Three Mile Bridge Road  
244 and building a new private drive to Perrin's from South Ridge.

245  
246 DeGraff said the reason he is hesitant to suggest relocating the road, is because the Pathway report  
247 suggested the road be 25 feet from Otter Creek, but subsequent meetings with the Army Corp of  
248 Engineers and Environmental Conservation said 25 feet really isn't enough. He said he questions the  
249 feasibility of that in some of the areas that are wet.

250

251 Tenny asked about a cost analysis, and DeGraff said he would provide those, and he'd noticed there  
252 were a couple of things that weren't in Pathway's cost analysis, such as a fairly good-sized culvert south  
253 of Perrin's and no guardrails were included. Tenny asked about potential reuse of gravel should it be  
254 decided to abandon certain areas for funds and economic savings. Seeley didn't think that was an  
255 option due to the farm land along this road that still needs to be accessed by the farmers.

256

257 Fiske asked about the condition of the road between the gates, and Seeley said she thought the road  
258 south of the gate was in the best condition and DeGraff agreed.

259

260 Dean Rheaume expressed his frustration and felt they were back at square one from where they were  
261 three years. He said you need to get the road open and thought DeGraff was going to help them do it.  
262 Ramsay said that the Selectboard was not comfortable with the level of information they had on the  
263 cost estimates so asked DeGraff to have a tight scope of work and develop a decision-making matrix for  
264 them so they could choose an option in a responsible way knowing the long-term cost implications of  
265 opening the road.

266

267 Seeley told DeGraff she didn't think he should spend any time on Option #3, based on past discussions,  
268 but should leave Option #4 on the table for a cost analysis. DeGraff said those 4 options he came up  
269 with based on the work done to-date and the 4 he felt should be considered, but he needs to know from  
270 the Committee what other options need to be looked at. He said he could do the matrix looking at all  
271 the options that Pathways came up with, but he was trying to fine tune it and not spend time and  
272 money looking at options that have already been decided wouldn't work.

273

274 DeGraff asked what the argument was for keeping the southern portion of the road open, aside from  
275 just access to the farmland. Dean Rheaume said it's an alternative route to town and the quickest  
276 route. He said Three Mile Bridge Road floods in certain times of the year, and Halladay Road is subject  
277 to fallen trees during wind storms, and felt it was an option for emergency vehicles.

278

279 Seeley said from a Selectboard discussion there was interest in closing the road, but leaving it open for a  
280 bike/pedestrian trail, but she thinks that the repairs that would need to be done to keep that open,  
281 didn't seem like it was worthwhile. She said she has a problem doing all the repairs and then only have  
282 it used for bikes and pedestrians. Ramsay said maybe there should be a 5<sup>th</sup> option and cost estimate to  
283 keep it open as a trail. Robbins said she worries if it's closed the Army Corp of Engineers will not want  
284 the gravel falling into the river.

285

286 Rheaume said when Nop bought that farm land it was with a Class 3 Town road connecting them to  
287 their land for access, and the South Ridge residents aren't going to want farm equipment going through  
288 their neighborhood. DeGraff said maybe an alternative would be buying out the farmland and just  
289 provide access to Perrins.

290

291 Fuentes-George left the meeting at 9:48.

292

293 The hazard mitigation grant application discussion was delayed until 10:00 a.m. when Amy Sheldon  
294 would call in.

295

296 Committee Concerns

297

298 Keeler said he gets the feeling some of the community want Creek Road closed and others that want it  
299 rebuilt. He said it's been three years, and where are we going to come up with that money. He said  
300 when you come up with the money; he's willing to discuss it.

301

302 Fiske said he'd been in Burlington and they hadn't plowed the sidewalks because property owners have  
303 to shovel their own sidewalk or they're fined. Robbins said the town she used to live in people had to  
304 shovel their own sidewalks and pay for the infrastructure in front of their homes.

305

306 Hazard Mitigation Grant

307

308 Ramsay said this is a request for a recommendation to the Selectboard to apply for funding for the  
309 implementation portion of the flood resiliency project, which involves extending the berm and removing  
310 some sediment from the river and working on the flood wall of the Grist Mill Bridge. She said it's a \$1.8  
311 million dollar construction project and the Town portion being 25%, or \$450,000. Ramsay said Amy  
312 Sheldon is eager to get this before the voters at Town Meeting for a bond for the Town's share, but she  
313 isn't sure that's realistic considering the public outreach necessary to take it to the voters.

314

315 Sheldon joined the meeting by phone at this time (9:50).

316

317 Seeley wanted a reminder on how the bidding worked and is there a chance we won't get what we're  
318 applying for, or are we already approved. Sheldon said the grant was approved and the money was  
319 there, so she doesn't know how we couldn't get it, but it is the Federal Government.

320

321 Sheldon asked what happens if we go for the bond and then don't receive the grant funds. Ramsay said  
322 the Selectboard always has the option of not taking out the bond, so if we didn't get the funding, we  
323 wouldn't go forward with the bond. Ramsay thought, however, that people might be more favorable  
324 voting for the bond knowing the grant funds are secured.

325

326 There was discussion on the timing of the grant application, the Town Meeting deadline and the public  
327 outreach that needs to be done for a successful vote. Sheldon felt there had been enough information  
328 over the past few years that people were very aware of the project. Ramsay said it has gotten a lot of  
329 coverage in East Middlebury, but there are a great number of voters who are not as well informed.  
330 Seeley thought it would be helpful if we could confirm the grant funding was in place, and there's no  
331 reason we couldn't have a Special Town Meeting.

332



333 Seeley made the motion to recommend the Selectboard authorize the submission of the grant  
334 application then move forward with public outreach and a Special Town Meeting. Fiske seconded the  
335 motion. The motion was approved unanimously.

336

337 The meeting adjourned at 10:05 a.m. upon motion by Wiger-Grohs, seconded by Fiske.

338

339 The next meeting of the Infrastructure Committee was February 14, 2019 at 8:15 am.

340

341 Respectfully submitted,

342 Beth Dow

343

344

345

346

347