

1 TOWN OF MIDDLEBURY  
2 Infrastructure Committee  
3 Town Offices Large Conference Room  
4 Thursday, January 11, 2018  
5 DRAFT Meeting Minutes  
6

7 Committee Members Present: Susan Shashok, Kirk Fiske, Gary Baker, Don Keeler, Jr., Heather  
8 Seeley, Luther Tenny and Alternate Judith Wiger-Grohs. Chris Robbins was absent, so Wiger-  
9 Grohs will be participating in voting at this meeting.

10  
11 Town Staff: Town Manager Kathleen Ramsay, Director of Public Works Planning Dan Werner,  
12 Director of Public Works Operations Bill Kernan, Treasurer/Accounting Services Manager Jackie  
13 Sullivan, Wastewater Superintendent Bob Wells and Town Liaison Jim Gish.

14  
15 The meeting was called to order by Chair Susan Shashok at 8:15 a.m.

16  
17 Approval of Agenda

18  
19 Shashok said the discussion on the East Middlebury Flood Resiliency Project would not be  
20 happening at this meeting, so that would be removed from the agenda. The agenda was  
21 approved as amended upon motion by Seeley, seconded by Baker. The vote was 7 in favor.

22  
23 Approval of Meeting Minutes for December 15, 2017

24  
25 Line 205: wording was changed slightly and the 5% was changed to 5-year average.

26 Line 252-253: wording changed to read "looking at new locations".

27  
28 Baker moved to approve the December 15, 2017 minutes as amended, and Fiske seconded the  
29 motion. The vote to approve was 6 in favor, 1 abstaining (Tenny).

30  
31 Charles Avenue - Green Mountain Engineering Agreement

32  
33 Werner said originally the agreement was for North Pleasant Street and Charles Avenue, but  
34 when the projects were split up last year, a new agreement was needed for the Charles Avenue  
35 portion of the project. He said the total cost of engineering services is \$69,950, and a majority  
36 of this is for engineering and inspection services which total \$54,700, which are dependent on  
37 the length of the project. He said \$8,000 is to finish the design portion of the project and this  
38 was negotiated down since some of it had already been done. He said this work starts at the

39 stop sign by the high school driveway and then goes north to the bottom of the curve by the  
40 Champlain Unitarian Universalist Church, and involves work on sewer lines, stormwater and  
41 some water line work, as well as recycling the road surface and a new sidewalk to replace the  
42 asphalt one there now. He said the funds to pay for this project come from the sewer, water,  
43 highway and sidewalk funds.

44  
45 Shashok asked about lighting, and Werner said that the lighting plan was designed by Visible  
46 Lights, and had been sent to Green Mountain Engineering to be included in the plans.

47  
48 Seeley moved to recommend the Selectboard approve the Green Mountain Engineering  
49 proposal for \$69,950, including estimated full-time and part-time inspection expenses of  
50 \$54,700. Wiger-Grohs seconded the motion. The motion was approved 7-0.

51  
52 Wastewater Treatment Plant Evaluation – Selection of Engineering Firm

53  
54 Werner said the review committee of himself, Bob Wells, Kathleen Ramsay and Chris Robbins,  
55 interviewed three engineering firms: Aldrich and Elliot, Hoyle-Tanner Inc. and Tata & Howard.  
56 He said the committee felt anyone of the companies could do the work, but they thought the  
57 Tata & Howard approach was easier to follow, they were very thorough and they had a good  
58 conversation with them.

59  
60 Bob Wells said he had checked five references for Tata & Howard and had heard back from 4 of  
61 them. He said 3 had all recommended them highly, and 2 had said they had good experiences  
62 with Gary Leach, who would be our Project Manager. He said one he spoke with was still  
63 working with them so was remaining neutral at this point. Wells said the review committee  
64 focused on getting reference checks on Tata & Howard only, so after hearing the references he  
65 feels they would be a good fit for us.

66  
67 Ramsay said another reason they had liked Tata & Howard was their interest and focus on  
68 sustainability. Wells added that they also mentioned they have good luck finding funding  
69 sources.

70  
71 Seeley asked if this company had experience with forward-thinking proposals, such as  
72 recapturing and reusing energy from the plant, and mentioned a project in Montpelier. Wells  
73 said they have looked into it. Keeler was concerned about this type of process creating an  
74 odor, such as at the old treatment plant. Wells explained what had happened at the old plant  
75 that had caused the process to create an odor and said it wouldn't happen at this facility.

76

77 Seeley asked if this firm had more innovative experience than the other two, and Ramsay said  
78 she thought since this company had more experience out west, they've had greater exposure to  
79 different approaches. Werner said as far as sustainability, one thing they mentioned was  
80 filtering some of the wastewater to reuse in the plant processing rather than using drinking  
81 water, which is what they use now. Tenny said a firm they use at the College is very mindful of  
82 recapturing and reusing energy and sometimes it can get overly complicated, so we need to be  
83 careful of that.

84

85 Tenny made the motion to recommend the Selectboard authorize Town Manager Ramsay to  
86 negotiate a contract with Tata & Howard for the Wastewater Treatment Plant evaluation.  
87 Wiger-Grohs seconded the motion. The motion was approved with 7 in favor.

88

#### 89 Shard Villa Bank Stabilization and Road Improvement – Selection of Engineering Firm

90

91 Werner said they had three proposals, from Dubois and King (\$45,169), Green Mountain  
92 Engineering (\$30,700) and Pathways Consulting (\$54,201).

93

94 Werner said he had been reluctant to make a recommendation until the Committee had looked  
95 at the proposals. He said he felt the Green Mountain Engineering proposal was kind of "light"  
96 and others on the Committee agreed and Tenny said the construction method they proposed  
97 went against what the Committee had been talking about for stream bank stabilization.

98

99 Werner said he felt comfortable with what Dubois and King submitted and had been impressed  
100 by the number of projects listed in the proposal. Werner said Pathways was higher, in part due  
101 to travel costs, and they'd probably do an okay job. Shashok said Pathways is not her favorite  
102 and the last project with them had been a struggle to get through. Ramsay also pointed out  
103 that when interviewing for the Creek Road Project, both Pathways and Dubois and King, and  
104 Dubois and King was a strong interview.

105

106 Seeley made the motion to recommend the Selectboard approve the Dubois and King  
107 engineering proposal for Shard Villa Road for a contract amount of \$45,169. Fiske seconded  
108 the motion. The motion passed with 7 in favor.

109

#### 110 Printer's Alley – Future Ownership/Maintenance

111

112 Jim Gish explained to the Committee that the conveyance of Printer's Alley from the National  
113 Bank of Middlebury to the Town of Middlebury, has been reviewed by the Selectboard and  
114 revised, and it is now before the Infrastructure Committee to review and make a

115 recommendation to the Selectboard. He said the reason this Warranty Deed is needed is  
116 because Printer's Alley roadway is shifting on to Town property. He said the new configuration  
117 of Printer's Alley, paid for by VTrans, will include a 5' buffer to be retained by National Bank of  
118 Middlebury, a 5' sidewalk, the reconfigured roadway and then the remaining Town own land  
119 which will be green space. He said while the Town will gain from this transaction and have  
120 control over the reconfiguration of this area, there will also be a long-term cost associated with  
121 the maintenance of the roadway, sidewalk and green space. He said the maintenance will not  
122 begin until 2021, since the reconfiguration will not happen until 2020. Gish said who maintains  
123 this area in the meantime is up for discussion. Gish said the Bank's attorney, Jim Foley  
124 prepared the deed, and it had been reviewed and revised by the Town Attorney, Benj Putnam.

125  
126 Bill Kernan said he's wondering what the benefit of the Town owning this property is. He said  
127 not only will there be an additional maintenance cost, but it will be operationally difficult trying  
128 to maintain this area in the winter. He said the biggest beneficiary of that new roadway will be  
129 Marble Works, since that is the area it services.

130  
131 Ramsay said that Kernan and Werner suggested that the property be Town owned, but see  
132 about an agreement with Marble Works to maintains it. Werner said since Marble Works has  
133 always said they have a visibility issue, he said they might be agreeable to the Town maintaining  
134 the surface of the roadway, but Marble Works would be responsible for the winter  
135 maintenance, and in exchange they'd get a sign at the entrance.

136  
137 There was discussion over the possibility Marble Works might want to own it, and how would  
138 that work since the Bank is deeding it to the Town. Gish said the timing on this conveyance  
139 from the Bank to the Town would happen after the Bank finished easement negotiations with  
140 the State for the drainage system. He recommends the land be conveyed to the Town and then  
141 the Town can decide how to move forward with Marble Works.

142  
143 There was discussion over the conditions in the deed regarding winter maintenance and snow  
144 removal of the 5' section to be retained by the Bank, which Kernan had issue with. Seeley said  
145 she'd have a problem with having someone else maintain this area when the restriction is  
146 between the Bank and the Town. Ramsay said Benj Putnam had suggested holding off on  
147 sending Kernan's comments to the Bank's attorney until hearing what other comments the  
148 Infrastructure Committee had.

149  
150 Keeler doesn't see any advantage for the Town to own it, and he doesn't like it being open to  
151 vehicles and should be pedestrian only.

152 Shashok said there must be a protocol that should be followed as to how to proceed with who  
153 will own the land and asked staff to think about this. Tenny said at the end of this project the  
154 Town would be getting a new road and sidewalk, and he thinks it would be foolish to not think  
155 this little slice of land is a strategic piece of property for the Town. He said this is too much of a  
156 strategic location to not take advantage of it.

157

158 It was decided staff would identify the protocol going forward and bring it back to the  
159 Committee at the February 8<sup>th</sup> meeting.

160

### 161 Project Updates

162

163 At the last meeting the Committee had been interested in the cost breakdown for the Hot Box  
164 purchase that is up for approval at Town Meeting, and Ramsay reported it is 60% highway, 30%  
165 water and 10% sewer.

166

167 South Street-Chipman Park Project – Werner reported that the project is in winter shutdown  
168 from December 15<sup>th</sup>, 2017 to May 1<sup>st</sup>, 2018 and that the contractor, Hutchins, has requested a  
169 time extension of 27 days when the project begins again in the spring, but Green Mountain  
170 Engineering has denied 18 days of this request, as they anticipate the remaining work can be  
171 done in 9 days. Werner said the reasons for the delay this fall, and why the contractor didn't  
172 complete the job on time, was due to their choice of how to deal with the ledge in the project  
173 area. He said there would be further discussions with them in February. Keeler said he had not  
174 been happy with the way the traffic going to the hospital was handled.

175

### 176 Water Planning Loan

177

178 Werner reported we have an engineering agreement with Dufresne Group, for a sum of  
179 \$44,000 for basic services, and a not-to-exceed sum of \$24,000 for special services, for a total  
180 of \$68,000. Werner said some of the special service fee will cover some staff training on the  
181 use of the Water Gem software. He said he'd sent the agreement to Ashley Lucht, Drinking  
182 Water State Revolving Fund Project Lead, and she didn't have any problems with it and gave  
183 the go-ahead to get moving on it.

184

185 He said he'd gone over the schedule with Lucht and the realities of timing for a bond vote. He  
186 said she felt getting to a bond vote in November of 2018 was a stretch and Town Meeting in  
187 2019 was more realistic. He said he felt we should push as hard as possible to see if we can get  
188 there in November. Shashok said we need to understand what is needed to make that happen.  
189 Werner said Lucht was concerned about how long it sometimes take getting decisions made, so

190 he will talk to Dufresne Group to see if they can put together a schedule. He said they need to  
191 get into the design phase early and Lucht said to just roll that into the loan, so we don't have to  
192 go back to the State for approval of that, which will help.

193  
194 Seeley questioned if the bond vote didn't happen until March of 2019, she was concerned  
195 about the start time for construction. Werner said Lucht said if you're all ready go and it's  
196 approved at Town Meeting, you can immediately go out to bid so it can be constructed in the  
197 2019 season.

198  
199 Shashok wondered how we'd know we're still on track for a November vote. Werner said one  
200 decision point would be the 40-day warning period before the bond vote, so by mid-September  
201 we'd have to have everything we needed and the numbers would have to be good. He said  
202 Lucht told him that if we make it through this process, there will be loan money for the  
203 construction.

204  
205 Seeley asked about the progress on the water meter replacement, and Kernan said they were  
206 still working on it and had installed a few more. Jackie Sullivan said they were able to install  
207 some when the owners were up for water shut-offs.

208  
209 Committee Concerns

210  
211 Fiske asked Kernan his thoughts on replacing some of the older tandem trucks. Kernan said  
212 they are working on creating a replacement schedule and are looking at quicker replacements.

213  
214 Wiger-Grohs said she had spoke with her contact at the State regarding the size of the chipping  
215 of Emerald Ash Borer diseased trees, and they had indicated a 5/8" chip would work fine. She  
216 also said with all the recent talk of economic development in Town, and the difficulty tourists  
217 might have in trying to get to the Marble Works, she felt Printer's Alley would be beneficial.

218  
219 Shashok said as the Committee had heard, she will not be running for the Selectboard again  
220 and was leaving the Infrastructure Committee. She thanked the Committee and said it had  
221 been a really hard year, but they had come a long way, and she was proud of serving with each  
222 and every one of them.

223  
224 Baker referred back to the Printer's Alley discussion and didn't think we should be helping the  
225 opposing attorney. There was some clarification over what was said and Seeley said she only  
226 wanted there to be clarification in the wording of the deed regarding the snow piling up. Tenny

227 said this is a deed, and you need to be more vague than that, although Seeley said it isn't vague  
228 now and isn't acceptable the way it is now.

229

230 The meeting adjourned at 9:20 a.m.

231

232 The next meeting is Thursday, February 8, 2018 at 8:15 a.m.

233

234 Respectfully submitted,

235 Beth Dow

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