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**Town of Middlebury  
Infrastructure Committee  
Thursday, April 22, 2021  
Meeting Minutes**

**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.**

Members Present: Lindsey Fuentes-George, Gary Baker, Candy McLaughlin, Matt DeBisschop and Alternate Erik Remsen. Heather Seeley, Judith Wiger-Grohs and Luther Tenny were absent. Remsen will be voting in this meeting

Staff Present: Town Manager Kathleen Ramsay, Director of Public Works Planning Dan Werner, Director of Public Work Operations Bill Kernan and Accounting Services Manager Jackie Sullivan,

Also Present: David Pistilli and Howard WidELITZ

**1. Call to Order**

The meeting was called to order at 9:02 a.m. by Vice-Chair Lindsey Fuentes-George.

**2. Approval of Agenda**

Baker moved to approve the agenda and Remsen seconded the motion. There were no changes, so the agenda was approved as presented with 5 in favor, 3 absent.

**3. Approval of February 8, 2021 and April 8, 2021 Minutes**

Remsen moved and McLaughlin seconded the motion to approve the minutes of February 8, 2021. There was confusion because the February 8<sup>th</sup> minutes had not been included in the packet, so Remsen and McLaughlin withdrew the motion and approval was deferred until the next meeting.

The minutes of the April 8, 2021 meeting were approved as presented upon motion by McLaughlin, seconded by Remsen. Motion carried with 5 in favor, 3 absent.

**4. Citizen Comments**

Resident David Pistilli said he was there as a follow up to an earlier meeting of the Infrastructure Committee when the possibility of forming a working group to look into

42 traffic calming measures on South Street and other streets in town was discussed.  
43 Ramsay said this subject is on the list of projects to be discussed at an upcoming  
44 Selectboard retreat and she isn't prepared to go forward with this topic at this time.  
45 Pistilli said it is a thorny issue and there doesn't appear to be a lot of appetite to discuss  
46 it, and it isn't really an infrastructure issue and it seems an easy issue to get punted  
47 around. He said he is just trying to get the ball rolling so it doesn't lose momentum. He  
48 said he does attend the Public Health and Safety Committee meetings, but this is a low  
49 level matter to them. Ramsay said Planning and Zoning Director Jen Murray was in  
50 touch with Erik Remsen on the possibility of bringing this to the Planning Commission to  
51 discuss as well.

52  
53 Pistilli said traffic and pedestrian safety is a town wide issue so he didn't want to lose  
54 focus on this, and he is willing to contribute to the effort. Fuentes-George thanked him  
55 for bringing this up again and assured him he isn't the only one in town with this  
56 concern, and she hopes sometime soon we'll have a clearer path.

57

58 **5. Engineering Services Agreement – Otter Creek Engineering**  
59 **Rail Platform Parking & Maple Street Storm Sewer Project**

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61 Werner said this request is for the Committee to recommend the Selectboard approve  
62 the Engineering Services Agreement for the construction phase services of Otter Creek  
63 Engineering. He said this combines the construction services for both projects into one  
64 document and Otter Creek's proposal for these two projects is \$16,500, which is about  
65 an \$11,000 savings from the original proposals at project conception.

66

67 McLaughlin moved to recommend the Selectboard approve the Engineering Services  
68 Agreement from Otter Creek Engineering for the construction services phase of the Rail  
69 Platform Parking and Maple Street Storm Sewer Project in the amount of \$16,500.

70 DeBisschop seconded the motion. The motion carried with 5 in favor, 3 absent.

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**6. Mowing Bid**

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74 Kernan said this is bid out every two years, and some bid packets have been adjusted  
75 from past years because Town staff will be doing this work. Kernan said in the past  
76 he's tried to pick one vendor if the bid numbers were close, but this year he's looking at  
77 awarding to the low bidders in various packets. He said he hasn't spoken to the  
78 vendors, so if the vendor who had only was awarded one packet refused, the bid would  
79 go to the next lowest bidder.

80

81 McLaughlin asked about the statement in Kernan's recommendation that no bidder met  
82 the threshold for electric equipment, and she asked what the threshold was and was  
83 anyone close. Kernan said no one was close, and they'd discussed a 15% cost  
84 adjustment, and the only one that was all electric was Bear Mountain and they were  
85 above the 15% cost adjustment, but some of the vendors have some form of electrical  
86 equipment.

87

88 Fuentes-George, a member of the Energy Committee, said she'd reached out to Chair  
89 Howard Widelitz and discussed the possibility of the Energy Committee picking up the  
90 difference if some of the packets were awarded to Bear Mountain. She said the Energy  
91 Committee had talked in general about possibly making up the difference in a bid when  
92 there was an energy component involved, but they also wanted to make sure that offer  
93 felt fair to the Infrastructure Committee since it does put the other vendors at a  
94 disadvantage. Ramsay said the Energy Committee's funding is part of the Capital  
95 Budget so would need to go for a capital expense, not an operating expense, so this  
96 wouldn't qualify. She said the Energy Committee's operating budget is \$1,500 for  
97 postage and \$500 for conference attendance fees.

98

99 Fuentes-George said the Energy Committee wanted to thank Kernan for putting this bid  
100 package together and hopefully we'll keep getting the alternative energy options going  
101 forward. Kernan said if the mowing with Town staff goes well this year, then there might  
102 be the need for the Town to purchase additional mowing equipment that would be more  
103 appropriate for assistance from the Energy Committee funds.

104

105 McLaughlin moved to recommend the Selectboard approve the low bidders for the  
106 mowing packets. Remsen seconded the motion. The motion carried with 5 in favor, 3  
107 absent.

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## 7. Tree Pruning Bid

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111 Kernan said this is a new bid packet that he worked on with the Tree Committee to put  
112 together a maintenance program. He said he broke the Town into five quadrants and  
113 would prune one quadrant a year to maintain safety, aesthetics and health of the trees.  
114 He said he sent it out to several bidders and only received one bid, but this is basically a  
115 time and materials bid and it would secure someone we could call on an as-needed  
116 basis or as we program for this. He said the Tree Warden would mark the trees for  
117 pruning and then they would go out and prune the trees until we reach our dollar  
118 amount in the budget.

119

120 Fuentes-George asked if the Committee was approving the total or the hourly rate.  
121 Kernan said basically it would be accepting the hourly rate and doesn't mean we  
122 couldn't use another vendor, and he doesn't see this as an exclusive contract.

123  
124 DeBisschop asked if this meant there was not a tree pruning program now, and Kernan  
125 said there is a dollar amount in the budget, but not a program in place so they're trying  
126 to develop one for regular maintenance.

127  
128 Baker moved to recommend the Selectboard approve the hourly rates as submitted by  
129 Trees, Inc. for tree pruning. DeBisschop seconded the motion. The motion carried with  
130 5 in favor, 3 absent.

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### 132 **8. Crack Sealing Bid**

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134 Kernan said this is our standard road maintenance program and we have \$20,000 a  
135 year for crack sealing, so we get a day price for vendors to come in and seal cracks and  
136 it includes traffic control as well, and we give them a list of priorities to address. He said  
137 we'd used Nicom in the past and we've used Fresh Coat Asphalt in the past as well, but  
138 Nicom is the preferred vendor so he was glad to see they were the low bidder. He said  
139 the amount is for a week's worth of work.

140

141 Baker moved to recommend the Selectboard award the bid to Nicom Coatings  
142 Corporation in the amount of \$3,950/day for 5 days for a total of \$19,750. McLaughlin  
143 seconded the motion. The motion carried with 5 in favor, 3 absent.

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### 145 **9. Line Painting Bid**

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147 Kernan said this bid package is for a two-year contract and was sent to 4 or 5 bidders  
148 and 3 responded. He said they were asked to provide amounts for a single white line  
149 and double yellow. He said the low bidder was L and D Safety Markings that gave a  
150 price of \$8,000 (\$.10 per 4" lineal foot) regardless of the color, and On the Line Striping  
151 out of Maine with a price for a white and yellow lines at a total of \$17,600.

152

153 DeBisschop moved to recommend the Selectboard award the bid to L and D Safety  
154 Markings with a bid of \$.10 per 4" lineal foot. Remsen seconded the motion. The  
155 motion carried with 5 in favor, 3 absent.

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**10. Water Department Class III Truck Purchase**

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Kernan said this is replacing the Water Departments 2010 F250. He said the bid specifications were sent to all local dealers and advertised as well, and we received two bids from G. Stone for a Ford F250 and Stone CDJR for a Dodge Ram 3500. He said both trucks meet the specifications, but the higher priced Ford has an all aluminum body and is a 2022 instead of a 2021 model. He said there are also some additions for an extended warranty and undercoating, and while these prices are a little over the budget estimate, this is coming out of a reserve fund so the money is there to make up the difference, which is under \$4,000. He said it's his recommendation to go for the Dodge Ram from Stone CDJR without an extended warranty or upgraded undercoating.

Fuentes-George said Committee member Tenny had mentioned in the past that the undercoating affects the resale value. Kernan said the undercoating is only about \$800, so he could find it in a line item rather than include it in a capital purchase, so it might get done at a later date. Fuentes-George asked if it was okay that the Dodge body was aluminum, and Kernan said the aluminum would hold up a little better, but we don't salt with this truck so it wouldn't be much different than any over-the-road vehicle.

Baker asked if other bids could be obtained, and Kernan said we've tried in the past, but they don't bid. DeBisschop said this was sent to five different vendors, yet these are the only two that bid. Fuentes-George said Selectboard Chair Brian Carpenter had mentioned in the past that vendors sometimes have "gentlemen agreements" not to infringe on other vendors local territory.

Kernan said he worked with the Energy Committee on this and they found a company that made an electric vehicle, but the pricing is still sky-high. He said this Dodge chassis is about \$31,000, and the electric vehicle chassis with batteries were around \$130,000. Fuentes-George said vehicles are becoming available, but we're just priced out of that market.

DeBisschop moved to recommend the Selectboard award the bid to Stone CDJR Ram 3500 (minus the extended warranty and undercoating) for \$56,501. Baker seconded the motion. The motion carried with 5 in favor, 3 absent.

**11. Wastewater Department Class IV Truck Purchase**

Kernan said this bid is for a Class IV truck, so it's larger than the Water Department Class III truck. He said the Wastewater truck this is replacing is a 2000 F450, and the bids came in quite a bit above his estimate of \$53,000.

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201 He said all three of the bids from the two vendors came in late, so nothing was received  
202 by the bid deadline. He said that doesn't mean they couldn't purchase something, and  
203 no one is excluded since no one came in by the deadline.

204

205 He said G. Stone Motors has a 2022 F450 and Stone CDJR bid on a Ram 4500 that  
206 would be built to specifications, and the other one they bid on is a Ram 5500 that is  
207 going to be delivered to them soon. He said they've indicated that the production time  
208 on these vehicles is behind, so if we were to go with the Ram 4500 it could be quite  
209 some time before we see it, but if we decided on the Ram 5500 we could have it as  
210 early as June.

211

212 Kernan said these 3 options all meet the specifications, and we should have enough  
213 money in our reserve fund even though the price is quite a bit higher than estimated.

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215 Baker asked if the Dodge vehicles were 2022, and Kernan said if we order one we don't  
216 know what year it would be.

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218 McLaughlin asked how far outside of Middlebury do we solicit bids. Kernan said he's  
219 sent bids to dealerships in Burlington and Montpelier. Baker asked why we didn't go to  
220 Rutland dealers. Kernan said there is an option to rebid this truck, since the bids didn't  
221 come in on time, so we could do that and send to other dealers, but they seem reluctant  
222 to bid against local dealers. Kernan said since we didn't get any bids within the  
223 deadline, we could go to a specific dealer and ask if they would like to price a vehicle for  
224 us. Fuentes-George asked Kernan if he felt the vehicle we're replacing could hold up  
225 until we were able to get another vehicle, and he said it would.

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227 Remsen said if the bidders that we have bids from are having trouble getting the  
228 vehicles, wouldn't other dealers have the same issues if we went back out to bid.  
229 Kernan said if he put it out to bid he'd change it to a 2022 model, or he could rebid it as  
230 a vehicle on the lot and bid the body separately, and we might find something available  
231 now. He said these are standard vehicles, except for the frame that could be part of the  
232 body build.

233

234 Werner wondered if there would be hard feelings from the two local dealers if we go  
235 back out to bid again, since their bids have been made public. Ramsay suggested  
236 Kernan just reach out to other dealers and see if they have something in stock, rather  
237 than go out for another bid.

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239 Kernan will gather additional information and come back to the Committee.

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## 12. Committee Member Concerns

Baker asked if anyone had discussed moving the historic New Haven railroad station to Middlebury. Ramsay said there was some discussion, but New Haven wants the station to stay in New Haven.

## 13. Adjournment

The meeting adjourned at 9:46 a.m. upon motion by McLaughlin, seconded by Baker.

Respectfully submitted,  
Beth Dow