

1 TOWN OF MIDDLEBURY
2 Infrastructure Committee
3 Town Offices Large Conference Room
4 Thursday, May 10, 2018
5 Meeting Minutes
6

7 Committee Members Present: Heather Seeley, Gary Baker, Kirk Fiske, Chris Robbins, Luther
8 Tenny and Alternate Judith Wiger-Grohs. Don Keeler and Lindsey Fuentes-George were absent.
9 Wiger-Grohs will be a voting member for 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, Chief of Police Tom Hanley and
13 Treasurer/Accounting Services Manager Jackie Sullivan. Also present was Dexter LaFavour of
14 Tata and Howard, Dean Rheume, Fred Dunnington and Laura Asermily.
15

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

18 Approval of Agenda
19

20 There were no additions to the agenda, but Werner requested moving the Chipman Park
21 discussion to the end of the meeting. Baker made the motion to approve the agenda as
22 amended, and Wiger Grohs seconded it. The agenda was approved 6 in favor, 2 absent.
23

24 Approval of Meeting Minutes for April 12, 2018
25

26 The minutes were approved with one change, upon motion by Tenny, seconded by Robbins.
27

28 Line 87 – Change then to them
29

30 The vote was 5 in favor, 2 absent, 1 abstention (Wiger-Grohs).
31

32 Citizen Comments
33

34 Dean Rheume asked about the status of Creek Road and reminded them that the Selectboard
35 had voted to open the road. Ramsay said that she had been working with Dan Werner and Amy
36 Sheldon since last fall on possible grant opportunities and the deadline to submit is coming up
37 this summer. She said there is also money in the Capital Improvements budget to cover any

38 matching funds should the grant application be successful. Seeley also said that Creek Road is
39 on their list of priorities, so it hasn't been forgotten.

40

41 Project Updates

42

43 Werner said the Water Reservoir Project is out to bid and the bids are due by May 25, 2018. He
44 said they had the contract signing on May 9th with Champlain for the Charles Avenue Project
45 and they should be starting work in a couple of weeks.

46

47 Old Wastewater Site

48

49 Werner said he and Chief Hanley had met with Judy Harris of Harris & Harris Consulting last
50 week to go over the needs of the Police Department. He said the plans are for the old sand
51 filter building to be removed and that space will be used for covered cruiser parking with better
52 accessibility, and for the old Wastewater control building to be removed and a new storage
53 building going in the southwest corner of the parking lot. He said Bond is waiting for cost
54 estimates and they will bring those and drawings to the next meeting.

55

56 Hanley said when the Police Station was being designed, to reduce the scope and scale of the
57 project, they decided to use some of the existing buildings for storage. He said they need
58 storage for hazardous materials away from the main building, so they use a smaller older
59 building for that, but it really isn't suitable as it's damp and there are old pipes in there. He said
60 the old control building was used for police storage even before they moved to the site, but he
61 said the condition is such that the building should be removed after 15 years without
62 maintenance. He said these new plans will address some of the storage needs the department
63 has.

64

65 Werner said they are trying to dodge some existing underground utilities and piping from the
66 old plant, so they've been shifting the location of the storage building to the north side of the
67 parking lot, but they're having a tough time with it. He said some of the old sewer piping is
68 asbestos and they're unsure whether to address this now or later, and one sewer line goes right
69 in front of the police station doorway and bisects the lot. He said if they can't relocate the
70 building there, it may be on the site of the current control building.

71

72 Fiske asked Hanley about the impound lot, and Hanley replied that would move to where the
73 control building is now. There was further discussion on the impound lot and what might
74 happen to the tanks that are there. Seeley asked about the old transformer and Werner said
75 that would be removed.

76 Rheume said there was a lot of empty space in the basement of the old control building, and
77 while there might be some asbestos that needs to be removed, he wondered about just burying
78 the building in the basement space. Werner said there is an environmental report, and he
79 doesn't believe it can be buried onsite. Ramsay thought it was worth looking into.

80

81 Seeley asked if there would be any Public Works storage included in this plan, and Werner said
82 there wasn't.

83

84 Wastewater Treatment Plant Evaluation

85

86 Dexter LaFavour from Tata and Howard joined the Committee to review the agreement for
87 professional services. LaFavour said this is a standard agreement that is used by the
88 professional engineers nationwide and is accepted by the United States Department of
89 Agriculture (USDA) and we are expecting to receive 50% grant funding for this project from
90 USDA. LaFavour said it is the same scope of work discussed with the Committee at an earlier
91 meeting and has just been put into contract form.

92

93 Seeley said they didn't need to go over the agreement, provided Werner and Ramsay were
94 okay with it. Ramsay asked Werner and LaFavour to check with the State to see if they needed
95 to review it as well.

96

97 Robbins questioned the wording in the agreement regarding "limited license" of documents,
98 and wondered if for some reason the company was unable to complete the project half-way
99 through, would Middlebury be able to obtain the documents prepared prior to their leaving the
100 project. LaFavour said they would turn over to the Town whatever they had produced to that
101 point, and that provision simply says that they need payment prior to conveying materials.

102

103 Tenny asked about working with Efficiency Vermont related to some of the ideas, especially on
104 the operational controls. LaFavour said they will be engaging Efficiency Vermont and will also
105 try and secure funds through them.

106

107 Ramsay asked him if anaerobic digesting is net metered, and he said it's possible to generate
108 enough energy from the methane to sell back to the utility, but if it's used on-site it is not
109 considered net metering. He thought they'd ruled out looking for other sources.

110

111 Baker made the motion to recommend the Selectboard approve the Agreement with TaTa &
112 Howard for the Wastewater Plan Evaluation. Fiske seconded the motion. The motion passed
113 with 6 in favor, 2 absent.

114

115 Condition of Route 30

116

117 Seeley said the letter regarding the condition of Route 30 had been sent to VTrans, and their
118 response was it isn't scheduled for any work until 2021. She said Werner had brought up this is
119 the Memorial Day Parade route and there is the issue of safety for those in the parade.

120

121 Tenny asked about the possibility of putting a shim coat over it. Kernan said there isn't that
122 kind of money in the budget, so this is above and beyond that. Robbins asked why it was in
123 such bad shape, and Werner said the pavement gets worn out and thin and once there's a
124 pothole the water getting under the surface and freezes and thaws over and over and breaks
125 up the pavement. He felt repairing it would work fairly well for most of the summer. Werner
126 said it's one of those necessary evils and why we have a Fund Balance, you just have to do it.

127

128 Seeley was concerned about the cost of having the Public Works staff repair it every year
129 compared to having D&F come in and do something that maybe lasts 2 years, and are there
130 benefits one way or the other. Tenny didn't think it needed to be milled, but a shim coat would
131 help. He said it's bad and it's dangerous and looks awful for people coming into town.

132

133 Ramsay asked what a shim coat might cost and Tenny guessed \$20-25,000.

134

135 There was discussion about whether to patch it or to look into a shim coat, and the timing
136 around the parade. Seeley suggested staff check with Pike and D&F and see if they can
137 schedule it before Memorial Day. Ramsay said it would need Board approval at their meeting
138 on May 22nd, which it makes it close for Memorial Day. Werner said you just need to have
139 them all set to go, so if approved Tuesday night you call them Wednesday to get going.

140

141 Wiger-Grohs moved that the staff prepare a recommendation for the Selectboard for their May
142 22, 2018 meeting for addressing the condition of Rt 30. The motion passed with 6 in favor, 2
143 absent.

144

145 Sidewalk Priorities

146

147 Werner said first on the list is the Rec Park sidewalk that goes to the courthouse, which is
148 around 100' portion of sidewalk to be replaced with a 30' path to the tot play area. He's met
149 with D&F Paving and they estimate \$4-5,000 for asphalt. He said the highway crew would need
150 to remove the existing asphalt, shape everything up and put a culvert under the main path and

151 one under the path to the tot area. He said all the parking lots of the buildings on Court Street
152 drain to this area, so we have to be sure there is a way for the water to get under this path.

153
154 Robbins asked if it would be better to have multiple small culverts as opposed to one larger
155 one, and Werner replied it was better to have it all go to one spot. Robbins had a photo of a
156 drainage ditch at UVM with plants planted at the inlet of the culvert to help absorb some of the
157 water. She said 10 or so plants wouldn't cost much and would help with that water. Werner
158 said the 48 trees the Rotary will be planting in that area will help with the absorption of water
159 as well. Seeley is concerned about these plantings and the maintenance in an area that's
160 mowed and a wet area that eventually needs to be cleaned out. Tenny said it can be
161 problematic to mow in front of a culvert because it's wet all the time, but these plants can help
162 dry it out, but it has to be done right.

163
164 Werner said the funds are there, so they're going to proceed with this sidewalk. He said it
165 would all be done in-house other than the asphalt for D&F.

166
167 They looked at the list of other sidewalk areas in Town to be replaced that Werner had
168 prepared. Seeley was concerned that these areas were segmented and she said they'd
169 discussed in the past how it isn't cost effective to do it this way. Werner said on North Pleasant
170 Street there is an area of sidewalk that is only two years old, so he didn't want to replace that.
171 Seeley felt we would spend more money in the long run trying to match up the new sidewalk to
172 that area, so maybe it would cost less to just replace it all. There was discussion on whether to
173 replace the entire sidewalk or to do only the areas that need replacing.

174
175 Seeley asked how many feet of sidewalk we could replace with the \$65,000 we have in the
176 budget. Tenny and Werner estimated approximately 900 feet.

177
178 Werner said he could put it out to bid and see what response we get, but he said there is a
179 shortage of people in the state who can do concrete flat-work. He had a problem not replacing
180 areas that have real trip hazards and have already been delayed for years. Seeley disagreed
181 and said it costs more to have a contractor constantly moving their equipment to do small
182 segments of sidewalk. Tenny said we have issues of putting too many eggs in one basket. He
183 said we've rebuilt an entire road when another road needs an overlay, so now you're taking
184 that approach with sidewalks where we're ignoring trip hazards so we can get a better price on
185 a sidewalk we may not need to replace.

186

187 Tenny mentioned the sidewalk on Mary Hogan Drive from Court Street to the circle in front of
188 Mary Hogan School is particularly bad, and Laura Asermily mentioned the sidewalk on Charles
189 Avenue going towards the high school was bad as well.

190

191 It was finally decided that Werner would put all the areas on his list out to bid and structure it
192 so that after the bids come in we can prioritize what areas will be replaced this summer, with
193 input from Asermily on where the most traffic is.

194

195 Water and Wastewater Department Budgets

196

197 Seeley asked Ramsay for the schedule on approving these budgets, and Ramsay said it would be
198 ideal if the Committee could approve the budgets at their June meeting so the Selectboard
199 could approve them at their 2nd meeting in June. She said that way the rates could go into
200 effect in the 1st quarter water billing of the next Fiscal year beginning July 1.

201

202 Werner said we talked about raising rates last year to cover expenses, so as this water budget is
203 presented we would need to make up \$43,541. He said this is the first year paying on the 2011
204 bond, so that is one of the major drivers in this budget. Ramsay said it would be a little over 3%
205 rate increase to cover the \$43,541. Werner said they can look at adding this to the base rate.
206 Seeley said she'd like to see it kept around 2% to match what most people are getting for COLA
207 increases each year. Ramsay said with the AgriMark agreement this year, the Wastewater
208 budget has no increase, so the overall Water and Sewer bill increase would be something less
209 than 3%.

210

211 There were some questions about some line items with \$0 figures, and those were just left over
212 from previous years and will be removed.

213

214 Werner asked if there were any questions on the budget to ask him or Ramsay prior to the next
215 meeting so they can have the answers ready.

216

217 Werner went over the revenue section of the Wastewater Budget and where the surcharge
218 amount increased due to the AgriMark agreement. He said due to the increase in revenues
219 from Agri-Mark, he has increased the Capital Improvements budget and added a line item of
220 Future Debt Retirement. He said those two line items are where a lot of this increased revenue
221 is going. He said this is a one year agreement and we will be negotiating again in the fall to
222 work on getting their per charge rate on par with other businesses.

223

224 Ramsay said in the rate review they'll be looking at the possibility of eliminating or phasing out
225 the minimum sewer rate, and the watching the bottom line of water and sewer. She said no
226 increases are planned for the sewer rate.

227
228 Dean Rheume asked if there were any pump stations included in the upcoming evaluation and
229 if there were any plans to improve pump stations in any upcoming bonds. Werner said the
230 main pump station was included in the study being done by Tata & Howard, but any work on
231 the pump stations would come from capital improvements or as part of the Combined Sewer
232 Overflow (CSO) project. Werner said Aldrich and Elliot are not looking specifically at pump
233 stations in the CSO project other than Stations #3 and #9, otherwise they are looking at
234 collections systems.

235
236 Rheume also asked about when the replacement for the 2001 crane truck is planned and they
237 also need a new radiator for the generator at the main pump station. Ramsay will check with
238 Bob Wells prior to the next meeting.

239
240 Chipman Park/South Street

241
242 Werner explained that due to the length of time it took the contractor to remove ledge on
243 South Street in 2017. The contractor is asking for an additional 27 calendar days of work time
244 in 2017 and 21 calendar days in 2018, for a total of 34 days over the contract deadline. He said
245 there is a penalty charge of \$800/day they are over the contract date, which would equal
246 \$27,200. The reason for these charges is to encourage the contractor to complete the project
247 on time, and to cover the cost of an engineer to be present to inspect the project if they go
248 beyond the completion date.

249
250 Werner also went over some other items that the Town is working out with the contractor,
251 such as payment for such items as full-width paving on South Street, and there is enough
252 money in the paving to cover this.

253
254 Seeley asked what the bottom line was in the increase. Werner said the big thing that needs to
255 be decided is the \$800/day penalty charge. Werner said the contractor has agreed to cover
256 other charges, so he is asking for the Town to reduce the daily charge. Werner said maybe to
257 charge them at-cost inspection time. Ramsay said she wants to see a tight line to get this
258 project completed, so would like the engineer to provide an estimate of what he thinks is a
259 legitimate time to get this work completed. Werner said the contractor is asking for 21
260 calendar days to complete the work, and at this point there is no more excavation, it's all
261 surface work.

262
263 Tenny moved that the contractor shall be responsible for the engineering cost overruns as the
264 result of the extension of the contract. Baker seconded the motion. The motion was approved
265 with 6 in favor, 2 absent.

266
267 Committee Concerns

268
269 Tenny asked about the schedule for repairing the Court Street water break and about fire
270 hydrant maintenance, as some need painting. Kernan said the break was scheduled to be
271 repaired Friday and they've discussed painting the hydrants, but there is no set time this will
272 happen.

273
274 The meeting adjourned at 9:54 a.m. upon motion by Baker, seconded by Tenny.

275
276 The next meeting of the Infrastructure Committee will be Thursday, June 14, 2018 at 8:15 a.m.
277 in the Town Offices at 77 Main Street.

278
279 Respectfully submitted,
280 Beth Dow

281
282
283
284
285
286
287