

1 TOWN OF MIDDLEBURY
2 Infrastructure Committee
3 Town Offices Large Conference Room
4 Thursday, June 21, 2018
5 Meeting Minutes
6

7 Committee Members Present: Heather Seeley, Kirk Fiske, Chris Robbins, Luther Tenny, Gary Baker, Don
8 Keeler and Alternate Judith Wiger-Grohs. Lindsey Fuentes-George was absent. Wiger-Grohs will be a
9 voting member for this meeting.

10
11 Town Staff: Town Manager Kathleen Ramsay, Director of Public Works Planning Dan Werner, Director
12 of Public Works Operations Bill Kernan, Director of Planning and Zoning Jennifer Murray and
13 Treasurer/Accounting Services Manager Jackie Sullivan.

14
15 Other's Present: Judy Harris, Dean and Maurice Rheaume, Bud Smith, and Leslie Kameny
16

17 The meeting was called to order by Heather Seeley at 8:46 a.m.
18

19 Approval of Agenda
20

21 Ramsay said there were two items to add to the agenda; the Municipal Roads Grant and Aid Program
22 and the concepts submitted by Heather Seeley for discussion on how to use the Cross Street Funds. She
23 said these concepts were not going to be discussed at this meeting, but would be on a future agenda.
24 Baker made the motion to approve the agenda as amended, and Fiske seconded it. The agenda was
25 approved 7 in favor.
26

27 Approval of Meeting Minutes for June 7, 2018
28

29 The minutes were approved with one addition, upon motion by Keeler, seconded by Baker.
30

31 Line 277 – Added: “Robbins said we need to start early to plan the publicity for the Water Bond.”
32

33 The vote was 6 in favor, 1 abstention (Baker).
34

35 Old WWTP Site – Building Re-use and Reconfiguration
36

37 Judy Harris, of Harris and Harris Consulting, gave some background information on this project that
38 began 3 years ago. She said at that time we were looking at three separate structures; a 30' x 60' open
39 carport for 6 patrol cars; an enclosed, tempered storage building approximately 36' x 80' to house the
40 Command Center, support vehicles and other equipment, and a new 16' x 16' “blast” building to house
41 hazardous materials.
42

43 Harris said when looking at locating these buildings on the site, the carport was very close to the
44 footprint of the current sand filter building and the storage building was within 5 feet either way of the
45 control building. She said the thinking was if these are the ideal locations, then those buildings would be
46 torn down and new buildings placed there. She said since the size of the existing buildings is so close to
47 the proposed new buildings, it was thought perhaps to look into adaptive reuse of these buildings, or at
48 least the foundations. Also, by using the existing foundations we would avoid any conflict with
49 underground utilities that run throughout this property.

50

51 Harris said there were some record drawings of these buildings and they were reviewed by Bill Nourse
52 of Engineering Ventures, and he gave a preliminary go ahead to reuse the existing foundations with
53 maybe some minor adjustments for reinforcing or pilasters. She said the sand filter building walls are in
54 pretty good shape, but the roof configuration is wrong as currently designed if the cars are to enter the
55 building from the south. She said the control building bay spaces are narrower than what is needed and
56 doors are only 12' x 12', plus there is the general poor condition of the building to deal with. She said
57 because of the condition, instead of a completely adaptive reuse of the building they looked at
58 individual elements, such as the foundation is good, the footprint is fine, the masonry walls are
59 reasonably good condition and continue to be weight bearing for raising the height to accommodate
60 higher doors and a new roof.

61

62 Harris reviewed the plans for the control building. Keeler said at one time the idea was to tear this
63 building down and sometimes it's cheaper than trying to reuse the building. Harris said that had been
64 the plan, but since the foot print was close to the size building they need for storage, and the foundation
65 is good, so felt it was looking at the elements above grade to see if any can be saved. She said if at any
66 point they determine an adaptive reuse of either of these buildings is going to be too costly or
67 inefficient, then the idea to readapt them will be abandoned.

68

69 Harris went over the plans for the sand filter building and the changes that would need to be made to
70 the structure, such as closing up the existing entrance on the east end and adding a gable on the south
71 end to accommodate 6 overhead doors for the patrol cars. She said a heated sidewalk and trench could
72 be added to help keep the area clear so cars can leave quickly in an emergency.

73

74 Chief Hanley said he was satisfied with this plan, and they'd been using the control building for storage
75 anyway for the past 24 years and the carport area is needed so the officers don't have to stop and clean
76 the snow off the cruiser when they need to leave in a hurry.

77

78 Keeler asked about the Bond on the Police Station. Hanley said the Bond was for 20 years and it was
79 taken out in 2003 and we began paying on it that year, so there are 5 years to go.

80

81 Keeler asked if this project would be phased, since we've already put this off way too long and each year
82 it sits there it deteriorates a little more. Seeley said this project would both decommission the old
83 Wastewater Plant and solve the storage problem at the same time, but until we can get a cost analysis

84 done on the plans, we won't know if it needs to be phased or not. Keeler said maybe we just need to
85 save the foundation, tear down the rest of the building and put up a metal building and be done with it.
86 Harris said a metal building would need 8' block walls anyway for impact resistance and security and
87 then a metal "skin" around it, and this foundation is designed for masonry walls. Keeler doesn't want it
88 to become so costly we can't afford it. Robbins thinks if the walls are in good shape, they're worth
89 saving.

90

91 Werner said at this point what was needed was a concurrence from the Committee that they want to
92 continue looking into this and then get the properties evaluated and a cost analysis done. He said there
93 is still money in the budget to get these things done.

94

95 Tenny asked about the heating of these buildings and where the heat for the sidewalk would come
96 from. Harris said the storage building would have Modern heaters and the carport would not be heated,
97 so the heat for the sidewalk would come from the Police Station building. Tenny said if the building is
98 unheated there is less chance of snow coming off the roof or melting and dripping that will freeze in
99 front of the doors, so he suggested pricing out the heated sidewalk and trench drain as an add-alternate
100 since this might be costly. Harris said the roof will have a metal roof and its south facing, so the snow
101 will come off, so that's why they suggested it. Fiske said snow guards might help too.

102

103 Harris said she could have the inspection and analysis done in a month, but since the August meeting is
104 going to busy, they are looking for a report for the first meeting in September.

105

106 Merchants Row Traffic Flow

107

108 Director of Planning and Zoning Jennifer Murray said that VHB, the engineering firm for the downtown
109 rail bridges, is working on finalizing their restoration plan by the end of June, and we haven't really
110 decided if Merchants Row is going to be one-way or two-way at the end of the project. Murray said the
111 Department Heads discussed this and they all feel that one-way toward the Soldier's Monument makes
112 the most sense. She said the entrance to the Battell Block will be wider so trucks can turn right when
113 they exit, which will eliminate the need to have any cars exiting onto Main Street, and since it will be
114 two lanes down to one, it's possible that we will be able to get 8-10 additional parking spaces. Ramsay
115 said there would need to be a change to the Ordinance to make this a one-way street.

116

117 Seeley asked if there had been feedback from the Merchants, and Murray said she had some and it was
118 positive. Keeler, Fiske and Tenny all said they were in favor of making it one-way. Robbins said she was
119 in favor as well, but asked about a bus lane that had been talked about for Merchants Row. Murray said
120 in the interest of efficiency and not complicating this for the engineers, that has not been contemplated
121 as part of this, but it doesn't mean it won't be part of the downtown master plan. Heather asked about
122 at least a bus pull-off area when looking at parking, but Murray said she didn't recommend that now to
123 keep this moving forward and we can figure the bus area out later. Ramsay said that the engineers are
124 trying to get these designs ready to go for construction plans in the next month or so, so there isn't time
125 to site a bus stop now.

126 Keeler made the motion to accept the staff recommendation on keeping Merchants Row on-way. Fiske
127 seconded the motion, and was approved 7-0.

128

129 Water and Wastewater Budgets and Rates

130

131 Werner went over the FY19 Water Budget major drivers that include; an increase in wages and benefits,
132 Water Gem software to be used with the water mapping being done in the water study, an increase in
133 electricity at Palmer Springs due to transfer of solar energy credits to the Town Offices, repair and
134 maintenance of meters to replace some of the older Orion meters, one-half the cost of a GIS hand-held
135 unit and the first principal payment on the Water Bond, which means we need to raise an additional
136 \$115,995 in revenue to balance the budget.

137

138 Werner said the proposed changes in the water rates include raising the base rate from \$35.52 to
139 \$43.74, with no change in usage rates at this time. Ramsay said this is following the recommendation of
140 both the State and Aldrich and Elliott to transfer more of the cost to the base rate. Werner said he
141 believes calculating rates this way is an attempt to eliminate the volatility in revenues.

142

143 There was discussion on raising the base rate and not usage rate. Keeler said costs should be shared
144 equally by everyone, and Seeley said that's what this does. Robbins didn't feel it was fair in some
145 instances, like larger buildings and apartments, with the emphasis on the base rate. Seeley said people
146 can conserve water to keep their bill down, but if they use less water then we need to raise the base
147 rate. She also said she hopes staff is building as much cost-control as possible into this process. Werner
148 said they were, and pointed out there isn't any increase going into Capital Improvements, which there
149 probably should be considering the needs in that area.

150

151 Werner went over the highlights of the Wastewater Budget for FY19, which included increases in the
152 following: staff wages, one-half share of the GIS hand held unit, biosolids supplies, maintenance of
153 mains, purchase of equipment and cellular endpoints, and capital improvements. He said the budget
154 also has decreases in benefits due to enrollment changes and property and casualty insurance. He said
155 the septage dumping receipts are also down \$20,000 to reflect the trend in receipts since the price
156 increase instituted during FY18.

157

158 Werner said he is recommending that the wastewater rates be done similar to water, so he is
159 recommending eliminating the 3,000 gal/quarter minimum charge. He said by doing so, you need to
160 lower the base rate or we would be raising way too much money, so he is proposing dropping the base
161 rate from \$39.60 to \$29.00 and lower the usage rate from \$7.78/1,000 gallon to \$6.78/gallon.

162

163 Keeler asked why the need to lower the rate. Werner said that by eliminating the minimum the 3,000
164 gallon charge, we would need to lower the base rate and user rate or we would earn a few hundred
165 thousand more than we need, so we need to adjust the rates based on the additional increase in
166 revenue from the new AgriMark agreement, which brings them more in-line with everyone else. Keeler
167 is concerned that increasing the water rates will cause people to conserve water, and since sewer usage

168 is based on the amount of water used, he's afraid lowering the base rate and the usage rate for sewer
169 will cause sewer revenues to drop too low.
170
171 Werner went over a graph showing how the proposed rates will impact different users. He also provided
172 a chart showing examples of how bills will reflect the new changes for higher and lower usage
173 customers. The residential users using 9,300 gallons/quarter will see an increase of \$11.68 in their bill.
174 Seeley asked how much the rate increase was in 2017, and Werner said it this increase would be much
175 higher. Ramsay thought the average user saw an increase of around \$8.00/quarter last year.
176
177 Keeler said he understands we're trying to help users save money, but he doesn't want to be too
178 conservative and end up with a shortfall. Ramsay said there is still additional revenue in the Capital
179 Improvements budget that the Selectboard could transfer to cover any possible shortfall.
180
181 Wiger-Grohs said that the smaller residential user will see an increase, while the larger users see a
182 decrease. Werner said the users who use an extremely low amount of water and the larger users will
183 see a reduction in their bill, but households using the typical amount of water will be the ones that see
184 the increase. There was some more discussion on the impact of the rates on various users and not
185 reducing the wastewater base rate. Keeler said we aren't fixing our infrastructure by reducing rates.
186
187 Baker made the motion that the Committee recommend the proposed FY19 Water Fund budget of
188 \$1,249,341 to the Selectboard for adoption. Tenny seconded the motion, and it was approved with 5 in
189 favor, 2 opposed (Keeler and Wiger-Grohs).
190
191 Ramsay asked Keeler if he was opposed because he felt we should be raising more for Capital
192 Improvements, and he said absolutely. He said all we're doing is covering our current costs.
193
194 Baker further moved that the Committee recommend to the Selectboard a water base rate of \$43.74 for
195 in-town users and a water base rate of \$48.74 for out-of-town users and usage rate of \$3.04 per 1,000
196 gallons for FY19. Fiske seconded the motion and it was approved with 5 in favor, 2 opposed (Keeler and
197 Wiger-Grohs).
198
199 Seeley wanted to go with the staff recommendation on the wastewater rates because it makes the math
200 simpler and was recommended by both the State and Aldrich and Elliot to move in this direction. They
201 talked some about what bills would be if the rates stayed the same or lowered them only somewhat,
202 but Werner said you start raising some serious income at the expense of the rate payer. There was
203 further in depth discussion and debate on whether or not to do anything with the wastewater rates and
204 whether to make the changes or not. Keeler wanted it known that he was not in favor of the changes.
205 Seeley wanted to move ahead with the staff proposal this year, and next year look at a wastewater base
206 rate and usage rate similar to the way we bill water, and she thinks Keeler will be happier with that.
207

208 Baker moved that the Committee recommend the proposed FY19 Wastewater Fund budget of \$2,699,
209 274 to the Selectboard for adoption. Fiske seconded the motion and it was approved 6 in favor, 1
210 opposed (Keeler).

211
212 Baker moved that the Committee recommend to the Selectboard eliminating the minimum usage of
213 3,000 gallons/quarter and reducing the minimum base rate from \$39.60 to \$29 per quarter and reducing
214 the usage rate of \$7.78 to \$6.78 per 1,000 gallons for FY19, and Fiske seconded the motion.

215
216 Robbins made the motion to amend the motion to raise the base rate to \$30 per quarter instead of \$29.
217 Keeler seconded the motion.

218
219 Werner said that would increase revenues by \$7,320. Keeler withdrew his second because the amount
220 gained isn't enough. Since there was no other second, the motion doesn't carry.

221
222 Baker called for a vote on the original motion, and it was approved 6 in favor, 1 opposed (Keeler,
223 although he supported ½ the motion).

224
225 Keeler did request a status report next year on the difference in revenues from the year before.

226
227 Creek Road Update

228
229 Werner reported that he and Director of Public Works Operations Bill Kernan had met with Amy Sheldon
230 of Landslide Natural Resource Planning, Mike Kline of Vermont River Management Program (RMP)
231 Director, Jaron Borg, the RMP Regional Engineer and Allen May of VTrans Better Roads Program for a site
232 visit at Creek Road. He said they inspected all the eroded areas north of the gate, and Kline is concerned
233 a 25' riparian buffer wouldn't last and thought a wider buffer, up to a 200' one, might be a good
234 investment. Werner said May of VTrans didn't like this as a project and would have a hard time moving
235 it through a grant program, and they weren't enthusiastic about us using a stormwater grant to relocate
236 Creek Road. Ramsay said this grant was the main source of funding we were looking at for this project,
237 and this grant was just announced with applications due July 13th.

238
239 There was discussion over the 25' buffer and the benefits of it. Seeley asked if they didn't like the 25'
240 buffer, is there a distance they would accept, since this would impact the runoff into the creek. Werner
241 said some of this grant money comes from Federal funds and the projects are supposed to solve a
242 roadbed drainage problem and not riverbank problems. Ramsay wondered if it was worth at least
243 submitting an application, but Werner felt it really wasn't worth the effort since May said he wasn't
244 going to move it forward.

245
246 Seeley said this will need to be on a future agenda to see how we're going to go forward with the
247 project, since we can't continue to ignore this problem. Ramsay reminded the Committee she and
248 Werner had met with Sheldon on funding, and this was our leading possibility and this site visit was in
249 anticipating of applying, and this is the outcome.

250 Tree Removal in the Town Green and Court Square

251

252 Leslie Kameny of the Tree Committee said they had received a Caring for Canopy grant and they had
253 tried to focus on the Town Green because they'd noticed some failing trees there. They hired Mark
254 Dunteman, an Urban Forestry Consultant, to evaluate the trees on the Green. She said Tree Warden
255 Chris Zeoli had accompanied Dunteman and was in agreement with 8 trees he is recommending be
256 removed. She said one of them is the hollow Maple tree on the green that they'd like to do something
257 creative with, so would like to preserve an 8' stump.

258

259 Wiger-Grohs said technically nothing further is needed from the Town, but would like to arrange for
260 publicizing this. Seeley said removal of these trees will cost money, so it will need to go out to bid. She
261 said there is no money in the budget for this so it would need to wait until the next budget year. Both
262 Kameny and Wiger-Grohs said this was urgent and couldn't wait as it puts users of the green at risk and
263 the Town is responsible for this. Fiske said it used to be that if the tree wasn't marked then the Town
264 wasn't liable, but both Kameny and Wiger-Grohs said once the Town is made aware of this, they are
265 now liable.

266

267 Kameny said it is unclear if the Caring for Canopy grant can help pay for the tree removal, but are unsure
268 how much of the grant funds are available. Werner said there is \$12,675 in the budget for this project,
269 and another \$5,000 will be added July 1st. Ramsay said that money was earmarked for DPW tree
270 removal, but if there are no other trees to remove, then this money could cover these trees. Werner
271 said it will need to go through the bid process. Seeley said that by August or September she'd like some
272 number on how to go forward with this, and she recommended keeping pruning separate from the tree
273 removal. She said if it was critical they come down sooner, then it would need to go directly to the
274 Selectboard.

275

276 Baker asked if replacement trees had been looked at, and Kameny said the Tree Committee had talked
277 about it. She said it's a very tree covered Town Green so they think it may actually benefit the Green to
278 not replace them.

279

280 Replacement of Motor on 2012 International Truck

281

282 Ramsay said Kernan had obtained two bids to replace this motor, J&B International had a bid of
283 \$26,017.15 and Clark's Truck Center's bid was \$28,136.59. She said Kernan reports that the truck has
284 lost power, and is in complete failure. The motor is 6 years old with 24,000 miles and 2200 hours of use.
285 Werner said around 2012 the Federal Government was pushing for reducing emissions on diesel trucks,
286 so manufacturers were scrambling to meet these standards. He said International knows there's a
287 problem with this series of motors. Ramsay said Kernan has asked both vendors to work with the
288 manufacturer to see if there is some kind of rebate considering the low mileage of the vehicle. Werner
289 said it has passed the typical warranty period for a truck.

290

291 Ramsay said there is not a preferred vendor, so it is recommended the bid go to the low bidder, J&B
292 International.

293
294 Fiske asked what a new truck would cost, and Werner said it would be well over \$100,000. Seeley
295 wondered about the bid going to the bidder who could get this engine in faster, since the truck is not
296 usable now, however she said they're both reputable dealers.

297
298 Robbins asked about the emissions standards of the new motor, and Seeley guessed the new motor
299 would be even better with emissions than the old motor. Keeler said if we purchased it from Clark, he'd
300 just as soon pay the extra money to go with someone who might work to get us more money.

301
302 Wiger-Grohs made the motion to recommend awarding the bid to J&B International for the low bid of
303 \$26,017.15. Baker seconded the motion and it was approved with 7 in favor.

304
305 Municipal Roads Grant and Aid Program

306
307 Ramsay said this is the same program we participated in last year. The State will give us \$19,250 that we
308 have to match with 25%, to work on roadside stormwater runoff projects and all we have to do is submit
309 a Letter of Intent to participate.

310
311 Fiske made the motion to recommend the Selectboard approve signing this Letter of Intent. Robbins
312 seconded the motion, and it was approved with 7 in favor.

313
314 Suggestions for Cross Street Bridge Funds

315
316 The list of suggestions was handed out and it will be discussed at the next meeting. If anyone else has
317 suggestions to add to the list, let Ramsay know.

318
319 Next Meetings

320
321 Seeley said due to staff vacations in July, there will not be a meeting in July. She said an additional
322 meeting in August may be needed, but as of now the next meeting will be August 9, 2018 at 8:45 a.m.
323 She said if you're unable to attend, please let Ramsay know so we will know if a quorum will be present.

324
325 The meeting adjourned at 10:57 a.m. upon motion by Baker, seconded by Fiske.

326
327 Respectfully submitted,
328 Beth Dow