

Town of Middlebury  
Public Health and Safety Committee

Meeting –Monday January 27, 2020

Present:

Committee Members: Chair- Thomas Hanley, Fire Chief Dave Shaw , Selectboard Rep. Laura Asermily, At-Large Andrew L’Roe, Town Health Officer Tom Scanlon, Dept of Public Works Bill Kernan  
Public: Jim Gish, Bill Cunningham, ACTR, Diane Nancekivell, Ed McGuire, Carolyn Schmidt, Randy Krithausky, Emily Joselson, Mary Chapman, Hanna Mass, Brian Byrnes, Jeannie Montross

Meeting called to order at 4:00 p.m. in the Police Community room.

1. Agenda

Motion: David Shaw – approve the agenda

Second: Laura Asermily

Motion carried on unanimous voice vote

2. Minutes of the October 21, 2019 meeting.

Motion: David Shaw – accept minutes

Second: Laura Asermily

The motion carried on unanimous voice vote

3. Homelessness in Middlebury and the creation of a consortium to further study and come to resolutions on the issue.

Referring to handouts provided to the committee, in particular the Police Dept summary of interventions, Chief Hanley provided an overview of resources used for calls involving the homeless/vagrant population and the rise in need for services. The verbal overview included a breakdown of calls specific to the Charter house:

2017 - 5 total calls

2018 - 15 total calls

2019 - 25 total calls

A review of 16 homeless individuals was completed and provided a comparison of what are referred to as Intervention type calls. Examples of this call type include any time police involvement is required due to inebriation, fighting, disorderly conduct, trespass, welfare checks and transportation due to a mental health crisis. The summary looked at two years:

2018 - 77 total calls

2019 - 269 total calls

Chief Hanley reported that there is an increase in reports that those considered homeless are found to be loitering and/or sleeping at various places around town. Examples provided were: Memorial Sports Center, several bank ATM vestibules, Champlain Valley Unitarian Universalist Society, Desabrais Laundry. Campsites at these and other private and publicly owned properties have also been reported.

Before opening the topic to the group, Chief Hanley made note of a particular case that may reach the Supreme Court level. *Martin vs. Boise (City)*. The case concentrates on an ordinance relating to the ticketing of someone known, or announced to be homeless and/or without shelter. This case was heard by the 9th Circuit and could influence future findings and recommendations.

Doug Sinclair, Charter House, spoke to those with acute mental health issues and the elderly being the majority of folks the Charter House is serving at this time. D.S. suggested in some cases, the elderly residents are looking to avoid assisted living and by staying at a shelter their essential needs get met. He noted that both the mentally ill and the elderly create a higher demand on our local emergency services such as MREMS, Porter Emergency room and other community resources such as those offered through CSAC. He noted there has been a decrease in incidents involving alcohol and that is greatly in part due to the relationship with the Police Department. Doug also noted that Vermont State Police have started bringing individuals to the Charter House when in need. It was noted that when beds are full in surrounding counties, Middlebury has become an option. For example, Chittenden County service have referred to Charter House.

Chief Hanley said in some cases MPD offers access to the Community Room at the MPD to those without shelter. Though no food is available, the room can be utilized until dawn and offers running water, a public restroom, heat, electricity and shelter from inclement weather. This is an option to assist with keeping someone out of the cold. In several cases, homeless individuals have had to be brought to Porter Emergency Dept due to injury such as frostbite.

Laura Asermily asked Jeannie Montross, HOPE, to speak to the group about what HOPE is encountering. Jeannie reported that they are also serving many with mental illness and the elderly. In the past, they have allowed campsites but she noted that recently there have been attempts by homeless person(s) to sleep in the lobby area. With regard to the Community Room, Jeannie offered to provide non-perishable foods to have on hand at the Police Department in the case of an emergency overnight stay. Jeannie shared that in years past, HOPE offered vouchers to pay for overnight lodging. It was recognized by the group that this was more of an option when there were more hotels rooms/beds available. Jeannie is willing to relook at the voucher program.

Chief Hanley introduced Hanna Mass who is a Middlebury College student who is providing research to the UVM Health Network. Hanna advised that she will be completing her time with the program within the next week but the program can be used by the task force that will be focusing on matters around homelessness.

The conversation then moved to the creation of a task force specific to providing recommendations to the town regarding the homeless population. Randy K. requested there be a clear distinction between those agendas that would be researching and providing documentation, reports, statistics and recommendations vs. an actual task force of those doing the on the ground type work of addressing the issues involving our homeless and mentally ill population. Randy K. suggested that the first meeting held by the task force include the creation of not only long term goals but a list of tasks that could be addressed in the short term.

The conversation was thoughtful and many were able to share their thoughts. St. Stephens Episcopal Church attendees Ed M. and Diane K. shared that they have a group within the church that speaks to these and other concerns around the topic. Jeannie M. then spoke about the local Housing Coalition whose mission is invaluable but different in scope to what an actual task force would be. Tom Scanlon suggested that there are many resources available to Veterans in terms of housing. There seemed to be a general consensus among the group being served in our community, few are homeless vets.

Doug S. shared that there are now vouchers for persons aged 18 -24 that are specific to assisting this portion of the homeless population.

There was clarification that the Town of Middlebury is not funding the proposed screener.

The discussion concluded by naming the consortium: **Task Force on Homelessness** will take on the mission of making policy recommendations to the town. The first meeting will be held on Thursday, January 30th at 3:30pm in the conference room at HOPE. Brian Brynes volunteered to help administer the group and was given a list of participant names and emails of those wishing to be involved. Among those to be invited were John Graham, Community Trust and CSAC.

#### 4. Mental Health and Substance Abuse Issues

Chief Hanley gave an overview of what is considered a Mental Health Incident. Calls involving attempts or threats of self harm or suicide and those involving individuals in acute mental crisis. These calls typically take 1-2 officers and can last for hours and hours. In most cases other emergency service providers are involved and it is highly likely that the person will be brought to Porter Emergency Dept. Porter Hospital will house the individual until a bed is made available at an appropriate mental facility. It is not uncommon for this process to take days and in most cases require security level monitoring.

The UVM Health Network program was also a part of this discussion as services and resources are available around the challenges encountered by the mentally ill. Hanna advised Dr. Holmes is overseeing the program in our area and would be the best contact.

Chief Hanley provided a brief update on substance abuse stating that there is a noted increase in Meth use. The recent crimes and increase in violence go hand in hand with the homelessness issue.

#### 5. Ordinances - Potential Ordinance to deal with abandoned, destroyed and dangerous buildings

Discussion about various structures and buildings that would fall under the category of abandoned, destroyed and/or dangerous buildings. Specific examples: Blue Spruce Hotel, Randall residence, a particular barn/shed structure that poses an immediate threat of caving in on Court St. David Shaw suggested a review of the City of Barre ordinance that deals with this subject. The group recognized that an ordinance will require strong language and detailed descriptions as to what constitutes a public nuisance. Chief Hanley will follow up with the City of Barre, Vermont to determine if a copy of their ordinance can be obtained for review.

Motion: David Shaw - Recommends the Selectboard enact an ordinance to define a public nuisance with respect to buildings that have been destroyed, damaged, abandoned that create a danger to public safety or diminish neighboring property values, for abatement of the nuisance and effectively remove

the building, with a cost recovery for removal through the property owners insurance or sale of the property.

Second: Tom Scanlon

Motion carried on unanimous voice vote

#### 6. Parking Issue on Mill Street - Public or Private

Owners of The Mill removed the parking signage along the Otter Creek/building side of the street. The signs were replaced with private property signage. The owners of The Mill are maintaining the spaces. The Town is not currently. There has been a question raised to clarify if the property is owned by The Town or privately by the owners of The Mill.

Discussion: Per Planning and Zoning the spaces are “public”. Benjamin Putnam’s research on this matter suggests that all property beyond 35’ of the southeasterly corner of the 3 Stone Mill building belong to the town. It should be noted that B.P. was unclear on exactly *how* the spaces were previously assigned and if any agreements existed that would outline this matter. The committee concluded that based on the information available, there may be some confusion around the language in the most recent agreements with The Mill; in particular “buying spaces with permitting” may be being interpreted as the 38 spaces specific to the buildings permit are indeed owned by The Mill. Bill K. described that the DRB allocated spaces but also states “the allocated spaces are to remain public” and are available on a first come first serve basis. Based on the Planning and Zoning documentation the spaces are considered by this committee as public spaces.

Chief Hanley is meeting with the owners of Community Barn on Tuesday, January 28th regarding this matter.

Motion: Tom Scanlon - Recommends to the Selectboard the documentation is clear that the spaces are owned by the town and therefore are public. If an agreement can be reached with the owners of The Mill regarding property maintenance, taxes, etc that would be a matter better decided by Selectboard.

Second: Bill Kernan

Motion carried on by unanimous voice vote

#### 7. Request for Handicap space in front of Star Mill on Park Street

Discussion. Town currently has 9 spaces which exceeds the requirement. The area in front of Star Mill would require an abundant amount of work to be fit for a handicap space. Consideration of grade, proximity to other spaces, building and sidewalk were discussed.

Motion: Bill Kernan - Deny the request to designate a handicap space on Park Street in front of Star Mill.

Second: Laura Asermily

Motion carried on by unanimous voice vote

#### 8. Other

A. Chief Hanley announced that Middlebury College will host Charles Murray on March 31, 2020 at 4:30.

B. Vermont Brew Arena Football Team will begin using the Memorial Sports Center at the end of March.

Information of interest to the committee: There are 25 team members. The majority of players are

from out of state, Sunrise Orchards will be providing housing and transportation by van to the team. Alcohol will be served at the events. Discussions have begun around traffic control, use of parking lots.

- C. Jim Gish announced that there is a requirement to review traffic control for the detour plan. It was proposed that one meeting be dedicated to this matter. David Shaw requested the meeting take place sooner rather than later as multiple emergency responders/service agencies will be required to be involved. Dedicated meeting was set for March 23, 2020 at 4pm. Jim G. will send an agenda and the preliminary plans. Jim G will invite a representative from MREMS to the meeting.
- D. Chief Hanley shared that there had been an Active Shooter Drill discussion with Middlebury College recently that had many in attendance and went well.

#### 9. Adjournment

The Chair announced the next committee meeting will be February 24, 2020 at 4pm in the Community Room of the Police Department.

Motion: Tom Scanlon

Second: David Shaw

Motion carried on unanimous voice vote.

The meeting was adjourned at 5:06 p.m.