

Town of Middlebury
Public Health and Safety Committee

Meeting –Monday, December 14, 2020

Present:

Committee Members: Chair- Thomas Hanley, Fire Chief Dave Shaw, Selectboard Rep. Laura Asermily, Nick Artim, At-Large Andrew L’Roe, Town Health Officer Tom Scanlon, Dept of Public Works Bill Kernan, Public: Bill Cunningham – ACTR, Chris English, David Pistilli

Meeting called to order at 4:00 p.m. in the Fire Depart training room. Zoom link opened by Roy Graham, ran by Chris English.

1. Agenda

Motion: Laura Asermily – approve the agenda

Second: Bill Kernan

Motion carried on unanimous voice vote

2. Minutes of the January and March 2020 meetings

Motion: Tom Scanlon – accept minutes

Second: Laura Asermily

Motion carried on unanimous voice vote

3. Presentation by Bill Cunningham regarding proposed new ACTR stop.

ACTR looking for guidance and conversation about moving the current Battell Block stop to the and the stop in front of the Post Office towards the Duclos Building where the current handicap space is in front of the National Bank of Middlebury or just north of the cross walk. The primary goal is to continue to provide down town accessibility.

David Shaw spoke on behalf of Joel B from National Bank of Middlebury who stated that the current curb is too dangerous and that the members of the bank would be subject to exhaust fumes from idling buses. Joel had suggested the spot in front of Sweet Cecily.

Bill C recognized that the curb would need to be cut back and stated that the bus follows the town ordinance for idling. He emphasized the need for access to the downtown core.

Chief Hanley questioned the grade and what type of problem there may be in the proposed area.

Bill C confirmed the grade met the State guidelines for bus stop grade.

When asked if foot traffic, bus patrons waiting at the sidewalk, were a concern, accessibility was again emphasized as the main goal.

Nick A suggested a real concern about the grade, ice build up and drainage. Nick noted that the area had been a spot of contention during the railroad construction. He questioned if changes to the curb would mean changes to the building code aspects for the entrance of the National Bank of Middlebury. Nick C asked if ACTR could simply not have a "pull off" spot but if it made sense to operate like other bus lines and just stop in the street and have cars wait.

Bill C confirmed that while most bus stops are less than 2 minutes, those requiring handicap loading can take between 5-7 minutes and stopping traffic can lead to unsafe travel in the roadway. Bill C noted that while he was researching and scoping out the best spot to propose he witnessed an incident involving a woman with a walker and said it poses dangerous maneuvering.

With regard to the grade, it was noted that the final top coat of pavement is planned for 2021 and may help with the grade issues.

There was reference to the map that Bill C had provided the group. David S suggested that one area in particular appeared to be much safer than the others and appeared to require less curb disruption. It was mentioned that at one time ACTR had considered the park side of the street and the group moved to research this further with a bus and an onsite review. Bill C offered a demonstration. The group confirmed that the Battell stop would be eliminated.

Tom S asked if there were any infringement on the cross walks and has seen near misses.

Bill C agreed to demonstrate for the group at any point.

Nick A suggested that Jim Gish contact VHB regarding options. Bill K has contact with VHB and will initiate the conversation.

Jim Gish, Tom Hanley and Bill K will conduct a site visit and measure spaces 12/15 and will connect with Bill C, ACTR. Bill C is unavailable to meet.

Conversation tabled until a site visit has been completed.

4. Meeting moved to Agenda: Proposed ordinance revisions
 - a) Create a public safety ordinance defining and controlling open burning and contained burning. Designate this as a civil ordinance. This was brought about as a way to clarify the existing ordinance.

Motion: Laura Asermily to approve

Second: Tom Scanlon

Motion carried on unanimous voice vote

- b) Remove Article 7 (burning) from the Ordinance for the Collection and Disposal of Solid Waste as well as relevant definitions in Section 204, 205 and 206. From a practitioner's standpoint, the existing burning ordinance within solid waste stands as a criminal ordinance, it is ill-defined, and difficult to enforce. Removing burning and making it a civil ordinance with improved language will give the ordinance clarity and a simpler means of enforcement.

Motion: Laura Asermily to approve

Second: Tom Scanlon

Motion carried on unanimous voice vote

- c) Amend the Ordinance for Regulation of Speed to adopt the new state speed limits on Rte 116 and 125 in East Middlebury to bring the ordinance to statutory compliance.

Motion: Tom Scanlon

Second: David Shaw

Motion carried on unanimous voice vote

- d) Amend the ordinance for Traffic Control to list Merchants Row as a 1-way street; amend the ordinance to authorize the stop sign on Merchants Row at South Pleasant Street (formerly a Yield sign).

Tom Scanlon received a complaint grade is treacherous in the winter. There was a brief discussion about the pros and cons of the stop vs yield sign. Walking hazard with yield sign was the final decision maker to keep it a stop sign to court square from Merchants Row and a Stop sign from S Pleasant St.

Motion: David Shaw to approve

Second: Nick Artim

Motion carried on unanimous voice vote

Public discussion about the Stop sign that was on Seymour St Ext near the Pulp Mill Bridge that temporarily went down. Chief Hanley confirmed it cannot be corrected by warrant but suggested that MPD could complete a traffic survey.

Some had complained about an increase in the revving of engines when the Stop sign went in.

Andrew L'Roe provided comment as a resident of the area and noted the danger in *not* stopping with the limited sight towards the bridge. The Stop sign served a multitude of purposes through the construction.

Chief Hanley noted it was the direction from the PHSC to complete a traffic survey to be shared at a future meeting.

Laura A would like to see the discussion of public restrooms return to the agenda.

Bill K noted that the Rotary Club was interested in helping with this initiative and he could report back.

Laura A would like to see a discussion by the board regarding the retail aspect of Cannabis Regulation.

Laura A would like to see a discussion about snow removal, de-icing particularly on sidewalks as pet owners have expressed concern with the amount of salt used and would like to see more balance.

Laura A asked if there was any concern about the town green gazebo lights being on or off.

Bill K confirmed it was DPW that controlled the lights and that they could be put on a timer if the board thought it appropriate. It was agreed this would be discussed at the next meeting.

Public Attendee David Pistilli had joined to monitor the board discussions in order to determine if his concerns with traffic, speeding and pedestrians in the area of South Street would be appropriate to bring to this group. He will further consider and attend a future meeting.

Andrew L'Roe asked if there were any way for the Board to put in effect any type of burn notice from the town of Salisbury in the spring/summer months. He had been approached by several neighbors when the wind had carried heavy smoke north from the controlled burns in Salisbury. It caused quite a bit of alarm. The group discussed the pros and cons of putting a notice in effect and concluded it could be discussed but that putting a notice in effect may prevent the public from reporting actual fires.

The Chair announced the next committee meeting will be announced in the future.

Motion: Adjourn the meeting Chief Hanley

Second: Tom Scanlon

Motion carried on unanimous voice vote.

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