

Town of Middlebury
Public Health and Safety Committee

Meeting –Monday October 21, 2019

Present:

Committee Members: Chair- Thomas Hanley, Fire Chief Dave Shaw , Selectboard Rep. Laura Asermily,
At-Large Gary Baker, Town health Officer Tom Scanlon.

Public: Jim Gish, Bill Cunningham, ACTR, Fred Dunnington, Ingrid Pixley, CSAC

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

1. Agenda

Motion: Gary Baker – approve the agenda. Second: Tom Scanlon

Motion carried on unanimous voice vote

2. Minutes of the September 23 meeting.

Motion: David Shaw – accept minutes

Second: Laura Asermily

One addition noted – Ingrid Pixley of CSAC was at the meeting, her name was left off the attendance roster.

With that addition, the motion carried on unanimous voice vote.

3. Homeless / Vagrancy issue

Chief Hanley provided an update to the homeless/vagrant issue. St. Stephen's church is proposing a wrought iron gate across the entry way to the alcove at the rear of the church. This must be approved by the Selectboard. This area has been used for litter disposal and as a lavatory. There is also a lot of electric utilities in the alcove that should be protected in any event. Trash receptacles are scheduled to be placed around the gazebo by DPW. Laura Asermily suggests receptacles should also be added near the Cross St Bridge abutments in the lower municipal lot due to trash disposal.

Reports of various campsites along Otter Creek on both sides of the Creek. A large one is behind the Marble Works condominiums. When the creek hits flood stage in spring a lot of the refuse there will fall into the creek. The property managers have not taken any action on prohibiting people from camping there. Laura Asermily recommended a "Clean the Banks" campaign in coordination with property owners, public works and civil groups (Scouts, Rotary, Lions) before encampment debris along Otter Creek below falls on Happy Trail and MarbleWorks becomes harder to remove or washes into river. She offered to coordinate this.

Ingrid Pixley asked if there was any chance of locating a camp site for homeless. Chief Hanley reports he is not in favor of this. These areas become festering sources of disturbances and crime and substance abuse. Ingrid reported difficulty in finding lodging for the homeless otherwise.

4. Police staffing.

Chief Hanley reports the police currently have 4 ineffective staff positions- one is a recruit position and the other three are workers comp cases awaiting medical treatment. He is meeting with workers comp officials on November 4 to inquire as to what the holdup is in getting treatment is and what can be done to get injured officers back on duty quicker.

5. Ordinances

A. Civil vs. Criminal Ordinances

Chief Hanley reports the State's Attorney will not prosecute a town criminal ordinance, saying it should be civil. The ordinance in particular is the open container ordinance. Maintained as a criminal ordinance in 1995 due to potential violators having no requirement to provide identification, essentially invalidating any enforcement. The law was changed in the past 10 years requiring violators to provide identification or face being taken into custody and held until identified. One of the other shortcomings is the entire civil process whereby there is little teeth in a finding for the town. A concern with some of the recent open container cases among homeless.

Motion: David Shaw – re-classify the noise ordinance and the open container ordinance as civil ordinances with civil penalties, subject to the judicial bureau.

Second: Tom Scanlon

Motion carried on unanimous voice vote

B. Bike Ordinance.

Discussions on the proposed ordinance. Review of submitted comments by others who worked on the ordinance in 2015.

Printers Alley was added back into the amended ordinance. Another section classifying Main Street between Seymour Street and South Street as a shared roadway and to be marked as such. Chief Hanley explained the shared road designation on Main Street was to encourage cyclists to get off the sidewalks. A suggestion was proffered that the ordinance on adoption should be sent to all bike tour operators. There was a discussion on a section of the ordinance that allowed bikes to ride abreast in the roadway, a measure of concern for the committee. Chief Hanley explained the section had been adopted by the board at the strong insistence of the cyclists on the committee.

Discussion ensued regarding how the public is taught the bike ordinance, especially among recreational users and Middlebury College students. Laura Asermily said rules of the road are reviewed with the public on monthly Walk and Roll to School Days and during annual Bike Smart training. Students are taught to ride single file to right and which downtown sidewalks to avoid, noticing "Walk Bikes" stencils on Main St and Merchants Row indicating the zones. (The November 6th flyer is attached for reference).

Motion: Tom Scanlon recommend the ordinance as amended be submitted to the selectboard.

Second: Gary Baker

Motion carried on unanimous voice vote.

6. Traffic Routing Plan during Bridge Construction.

Presented by Jim Gish and Bill Cunningham.

1. Temporarily eliminate the left-hand turn from South Pleasant Street onto Cross Street to improve traffic flow during the Summer 2020 shutdown of Main Street and Merchants Row. Implement May 1 - August 31, 2020. VTrans to fund appropriate signage. At this time the Committee will not be recommending eliminating the left-hand turn from South Street onto Route 30/South Main Street. We will, however, be monitoring traffic flow in real time next summer and may ask Public Health & Safety and the Selectboard to consider additional adjustments to managing traffic downtown.
2. Temporarily reduce parking time in the lower municipal lot behind the Town Offices from all day to 3 hours (same as the upper lot), during hours that are consistent with the town's parking ordinance, and enforce.
3. Post parking in the 12 spaces directly behind Ilsley Library for seniors and families with small children. Goal is to set aside the Ilsley parking lot for customers of businesses in town during the Summer 2020 shutdown. Implement May 1 - August 31, 2020. VTrans to fund appropriate signage. The municipal lot between CSAC and Mister Up's will remain all-day parking.
4. Temporarily eliminate parking on Route 30/South Main Street between Academy Street and Mahaney Arts Center. Goal is to facilitate delivery of oversize precast concrete pieces from the Fifield Farm to Main Street/Merchants Row without shutting down Route 30 altogether. Implement for 3 weeks, approximately June 7 - June 27. Kubricky to cone off spaces when needed.
5. Temporarily convert Franklin Street to one-way traffic (headed up the hill toward the College) and convert the right-hand lane to parking spaces. Goal is to create additional parking within five minutes of downtown and to provide parking for Sanderson Funeral Home during the 3-week period parking on South Main Street is eliminated. VTrans to fund signage and line striping. Depending upon the use and feedback received during this trial period, consider implementing this as a long-term improvement.
6. ACTR to run a continuous shuttle service between the Marble Works and Main Street/Merchants Row, with stops at the Post Office, Town Hall Theater, and the Town Offices. Goal is to transport pedestrians from one side of the open rail cut to the other on a 10-minute cycle during the Summer 2020 shutdown. Implement May 1 - August 31, 2020.
7. Install bike racks at the following locations around town to facilitate getting around town by bike during the Summer 2020 shutdown: Post Office, Town Green, Star Mill, Mill Street, Riverfront Park, Rec Park, and Addison County District Court.
8. Install temporary crosswalk protection devices for the 4 South Main Street crosswalks for the duration of soil transport from the construction site during 24 X 7 operations.
9. no left turn from Seymour onto Main Street and closing access to Main St from No. Pleasant St.

Discussion. Tom Scanlon reports he is not in favor of item #3 as it is contrary to MUTCD requirements. He also said the town cannot have such dedicated spaces on a public highway

(parking lot). This was not going to be included in any ordinance and is an unenforceable sign, it was hoped it would encourage voluntary cooperation. The Committee recommended eliminating the left-hand turn from South Pleasant St onto Cross St and preparing schools and Mary Johnson Child Care Center with adequate notification.

Motion: Gary Backer- recommend suggestion 1-2 and 4-9 to be implemented by the selectboard on May 1, 2019, ahead of the bridge construction slated to start on May 27, 2020. Hold Item 3 in abeyance until the matter of legality can be determined.

Second: Tom Scanlon

Motion carried on unanimous voice vote.

7. Fire Department Apparatus Purchase Study Committee

Fire Chief Shaw reports the Fire Department has a committee established to create specifications for a planned replacement of Engine 3.

8. Other

A. Praise was offered for the work of Parking Control Jodi Covey in helping people in the downtown area.

B. Laura Asermily queried whether the issue of regulating vaping on town property would come under the purview of the Public Safety Committee. Consensus of the committee was that this was a matter best regulated by the state at this time.

9. Use of herbicides by the Town

Laura reports this is a closed matter and that DPW hasn't generally been applying them.

10. Adjournment

Motion: Tom Scanlon

Second: David Shaw

The Chair reported there are no items for the November meeting and so the meeting is cancelled.

The chair will notify the committee when the next meeting is scheduled.

Motion carried on unanimous voice vote.

The meeting was adjourned at 5:15 p.m.



WED NOV 6

Get recognized when you walk or roll to school (bike or bus). Keep visible (use reflectors on bright colors, yellow is easiest to see from distance, gray is hardest). Form **Walking School Bus Routes** or **Bike Trains** from your neighborhoods or get dropped off at remote points (e.g. Shaws lot, sports center) and walk in from there. Avoid drop off by car right at school entrance.

TEACH RULES OF ROAD

Pedestrians should use sidewalks, cross at crosswalks, wait for signals, use crosswalk safety flags & **rapid flashing LED beacon lights** to signal intent to cross (*at Cross/ S Pleasant St intersection by high school, Court/N Pleasant St by Middlebury Inn and Seymour St at Pulp Mill Bridge*). These lights **improve your visibility significantly**. Always look first & make eye contact with motorists before crossing. Cyclists ride with traffic bearing as far right as practicable, claim lane to navigate rotaries or turn left, yield to pedestrians, stop at stop signs, signal turns with arms, use lights/reflectors at night. Drivers slow down for, yield to walkers & cyclists, don't text & drive, **SLOW DOWN FOR SAFER TOWN!** *Walkers hit by cars at 40 mph have 15% survival rate while those hit at 20 mph have 85% chance of survival.*

ENCOURAGE BENEFITS

Enhances health (arrive at school exercised and alert for classes), Reduces traffic, improves air quality, deepens commitment to neighborhood, helps test for safe routes.

Hosted by Middlebury Safe Routes