

**Town of Middlebury**  
**Public Health and Safety Committee**  
**Meeting – Monday, March 22, 2021**

Present:

Chief Thomas Hanley, Chief David Shaw, Tom Scanlon, Bill Kernan, Gary Baker,  
Andrew L’Roe, Dan Brown Zoom Host: Chris English

Others present: Laura Asermily, Fred Dunnington, Jim Gish, Erik Remson and Kathleen Ramsey

4:02 TH called meeting to order

1. Agenda

Motion: D. Shaw - approve the agenda

Second: B. Kernan

Motion carried on unanimous voice vote

2. Minutes of December meeting

Motion: T. Scanlon – accept minutes

Second: A. L’Roe

Motion carried on unanimous voice vote

L. Asermily requested additional items for agenda:

1. Crossing blinking light on Court St near Mary Hogan Drive/Dunkin Donuts
2. Status of lights at the gazebo
3. Scooter proposal

Group agreed to provide time for each.

4. Traffic Study complete for return of STOP sign at Seymour Street Ext

-Chief Hanley reported there is not enough traffic in this area according to the MUTCD warrants for a multi-way stop sign. The Seymour Street traffic study by Mike Winslow at ACRP did not reach the threshold for vehicle volume either. Seymour Street Ext was far fewer. Recommendation based on the traffic study was that no sign is required.

Motion: T. Scanlon - to not put the sign back up

Second: A. L’Roe

Motion carried on unanimous voice vote

5. Should Franklin Street be turned back to 2 way street?

- Jim Gish reported no negative feedback in keeping it a One Way Street. Noted 20 additional parking spaces and recommended that Franklin remain One Way.
- Chief Hanley reported that he had asked for MCPS comment and reported MCPS has no concerns from a safety perspective.

- Chief Hanley reported that the light at Academy and Rt 30 is functioning better; is a good cycle.
- Bill Kernan agreed.
- Chief Shaw confirmed that in an emergency MFD enters as flow of traffic allows; Chief Hanley agreed about emergency vehicle use.

Motion: Tom S moved to have Franklin St remain a One Way Street, as is.

Second: Dan B and will let the Select Board know the same.

Motion carried on unanimous voice vote.

## 6. Cannabis Retail

- Chief Hanley confirmed that retail operations have passed and opened the discussion to
- Fred Dunnington suggested the following considerations for the ordinance:
  1. Keep the ordinance limited
  2. Define "public space"
  3. Define whether there is an issuing licensure process or will there be an appointed control commission?
  4. Outline zoning issues
  5. Consider that operational issues will be similar to retail venues around noise, smell, and nuance issues
  6. Ordinance should include language around annual conditions/inspections
  7. Suggested that Select Board be asked before May/June to be prepared
- Tom S asked what zoning district would be appropriate.
- Fred D regarding zoning: Rule out walking routes to schools and keep out of vicinity of both schools and daycares. Recognize public park definitions and where the general public may be. Fred compared this to liquor licensing; if the retailer becomes problematic than suspending or revoking a license vs. relying only on zoning permits. Suggestion made that there be a review of the draft before April. Noted that rule making will be at State level and State will influence some local licensure but ultimately it will be decided at the local level.
- Fred D suggested that a draft copy be provided to League of Cities and Towns for comment so this group can collaborate with State
- Chief Hanley is looking to get a copy of the draft, review of pages 3-5 most crucial
- Tom S commented that reports from CO State suggest there is a lack of enforceability due to the limited nuances included

## 7. Dog Waste

- Chief Hanley revisited Hinesburg Ordinance Template regarding dog waste pick up. Noted fine structure of \$25 mail in, \$35 court fee but there is no mitigation and no clean up necessary. We only have a part-time dog warden, suggested that we could advertise the ordinance.
- Tom S agreed there is value in the ordinance and getting the word out is important.
- Chief Shaw noted the ordinance suggests waste can be "six inches buried" and asked if this would be true in the public park as well. – Group agreed to strike that phrase out.
- Laura A suggested it is wise to move forward and to educate our community as there is an increased amount of waste

Motion: Tom S - to amend the draft ordinance

Second: Andrew L

- Bill K noted that the word “container” should be removed due to possible sewage complications

Motion: Tom S - suggested a “friendly” amendment and to move as amended

Second: Andrew L

Motion carried on unanimous voice vote

## 8. Scooter Proposal

- Proposal includes looking at partner to collect, charge (gather) scooters for use within town  
Company offered a presentation and a standard agreement to review. Company suggests scooter stops in certain areas. All scooters are electronic and have GPS ability.
- Tom S noted that sidewalk “drops” could be a challenge. Questioned if DPW would be required to pick up, seize the scooters?
- Chief Shaw suggested there is need around educating public
- Chief Shaw asked about how many would end up in the river and noted that this was the case in Montpelier. - Chief Hanley will call Montpelier Police Dept. for information on this concern.
- Group agreed to invite company in for next meeting to present, noted that the MOU is not a good one due to the municipality issue.
- Fred D agreed, suggested that area businesses be asked where scooters might be stored
- Laura A echoed Tom S’s comment to invite MC because the company is clearly targeting the MC students

Group agreed to invite company in. No motion at this time.

## 9. Public Restroom

- Bill K commented that the Rotary is interested in a 4 person committee and that the committee would be talking with Charter House and the Chamber of Commerce regarding options and considerations.
- Jeff Conrad will be reaching out
- Location is a big topic on this – Laura A suggested Merchants Row and asked Bill K his thoughts.
- Bill K suggested possibly the visitor center, asked if they planned to be staffed. Suggested perhaps the Boardman bldg.
- Fred D has researched public restrooms – considerations – who maintains them? Is this a big issue for retailers?
- Weaved into this conversation there was a side conversation about E-Bikes Free Loan program coming back this summer. Where to corral them? This prompted Laura to ask the group to think further about the need for E-Vehicle parking

Items left over from the January meeting:

## 10. South Street Speeding Concern

- It is excessive and LE is only a temporary solution, residents at a loss at this point as being on the Emergency Route also poses a problem. Speed Limit is 25 but typical speeds are 30, 35, 38 and 40.
- Tom S will send an AOT booklet with an idea that includes a center lane design.

- Chief Shaw commented that the big offenders are the Eastview and Porter employees and that this is more noticeable during shift change, possible speed enforcement during these times would assist
- Chief Hanley noted that the traffic counting devices could be put out soon to analyze this. It is a work in progress though.
- Bill K asked if it were possible to get more visible signage and a speed study even without the necessary number of machines Middlebury has.
- Chief Hanley asked Dan B if the Select board did divert funds to buy another machine for this purpose. Chief Hanley will contact Kathleen Ramsey.
- Laura A suggested the group look at a program called "Road Diet" which was piloted in Lincoln. Program includes tightening lanes, adding trees, a wide shoulder. Program by Addison County Regional Planning Commission and she offered a presentation.
- David Picilli suggested that a subcommittee had formed in addition to the infrastructure committee to address this issue.
- Bill K said no movement yet, the town had committed \$7500 in next year's budget to have 1 installed in a fixed manner.
- Bill will talk with Heather to move it along.
- Erik Remson, Alternate on Infrastructure Committee held off on these discussions because it made the PHSC meeting agenda but would like to move it offline.

#### 11. Court Street Flashing Light (in front of Dunkin Donuts)

- Flashing light to be removed
- Dan B said Select Board talk about it, what happens to the pole and arm?
- Chief Shaw suggested that the SB had agreed to leave the pole
- Bill K would remove it and repurpose the pole
- Chief Hanley not in opposition to the removal of the flashing light.

#### Motion interrupted

- Laura A is not in opposition of remove of the pole but does not want the crosswalk removed as it is very important to the flow of pedestrians in that area.
- Discussion proceeded around the issue of preserving the crosswalk. There will be 1 month without a crosswalk due to construction. Further observations would be needed, more visibility is also needed. Concern for the kids that regularly use this crosswalk and the Washington Street one as well.
- Construction will "channel pedestrians"
- Chief Hanley – Leave the crosswalk, the light can be removed as it is ineffective.

Motion: Tom S – adjourn meeting

Second: Chief Shaw

Meeting ended at 5:07pm