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**Regular Selectboard Meeting**  
**Large Conference Room – Town Offices**  
**Tuesday, July 25, 2017**  
**Meeting Minutes**

Members Present: Brian Carpenter, Susan Shashok, Laura Asermily, Nick Artim, Heather Seeley and Victor Nuovo. Farhad Khan was absent.

Staff Present: Town Manager Kathleen Ramsay, Ilsley Library Director Kevin Unrath, Director of Planning and Zoning Jennifer Murray, Community Liaison Jim Gish, Director of Public Works Operations Bill Kernan and Director of Public Works Planning Dan Werner. Also present was Bill Cunningham of Addison County Transit Resources (ACTR), members of the Economic Health Task Force and interested citizens.

The meeting was televised on MCTV by Jim Corbett.

**1. Call to Order**

The meeting was called to order at 7:00 p.m. by Chair Brian Carpenter.

**2. Approval of Agenda**

Carpenter said there was an addition of agenda item 4.a. for an amended Outside Consumption Permit for Otter Creek Brewery.

Asermily moved to approve the agenda as amended with the addition of item 4.a. Nuovo seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

**3. Approval of Minutes of July 11, 2017 Regular Selectboard Meeting**

There was one change to the minutes on Line 148, to change “shows” to “show”.

Shashok moved to approve the minutes of July 11, 2017 as amended, Seeley seconded the motion. The motion carried with 4 in favor, 2 abstaining (Carpenter and Artim), 1 absent. **MOTION PASSED.**

**4. Citizen Comments**

There were no citizen comments.

**4.a. Otter Creek Brewery Amended Outside Consumption Permit**

48 Tim Brown and Mikayla Shaw from Otter Creek Brewery explained the permit is to increase  
49 the area for outside consumption of alcohol to allow for games on the lawn and some  
50 Adirondack chairs. They said they currently have approval for 90 seats, with 50 inside and  
51 40 outside, and the number of seats will not change, in fact they currently only have 24 seats  
52 on the patio. Shashok asked about monitoring the larger area, and they said they will be  
53 putting in a temporary fence connecting to the existing fence, and the area is visible from the  
54 patio so wait staff can see whoever is out there.

55  
56 Asermily moved to authorize approval of the amended permit for expansion of outside  
57 consumption. Nuovo seconded the motion. The motion carried with 6 in favor, 1 absent.  
58 **MOTION PASSED.**

59  
60 **5. Approve Grant Agreement for VT Department of Forests, Parks and Recreation**  
61 **“Communities Caring for Canopy Grant”**

62  
63 Leslie Kameny of the Urban Forestry Group was present and stated they had applied for  
64 \$3,000 and received \$2,310. She said now they need to work with DPW to see how to use  
65 these funds. She said part of this grant is training for the Public Works staff and volunteers  
66 on the proper method of pruning and maintaining trees. The funds need to be used by July  
67 31, 2018. Kameny said the in-kind match is staff and volunteer time.

68  
69 Shashok made the motion to authorize Town Manager Kathleen Ramsay to sign the grant  
70 agreement with the Department of Forests, Parks and Recreation for the Communities Caring  
71 for Canopy Grant. Seeley seconded the motion. The motion carried with 6 in favor, 1  
72 absent. **MOTION PASSED.**

73  
74 **6. Addison County Transportation Resources Bus Hub Relocation during Downtown**  
75 **Bridge Replacement Project – Discuss & Act on Recommendation from ACTR**  
76 **Relocation Working Group & the Infrastructure Committee**

77  
78 Jennifer Murray joined the Board and said the Working Group had been able to reach a  
79 consensus on the Academy Street location that works reasonably well for everyone. She  
80 said the plan had been before the Infrastructure Committee and the next step was for the  
81 Board to approve it so they could move on to the design and permitting phase.

82  
83 She went over the diagram of the proposed location showing an 8’ cutback in the curb for the  
84 busses to be out of the travel lane and the re-location of the shelter structure from College  
85 Street to Academy St. She said they will work with an engineer to help with pedestrian safety  
86 in this area and the traffic signal timing to keep traffic and busses flowing smoothly. Murray  
87 said ACTR will also need to establish a couple of bus stops in the downtown area to make up  
88 for the loss of the Merchants Row location. Cunningham said they will need those stops  
89 downtown in order to make the changes to the system work. Cunningham praised Murray  
90 who guided the Working Group through some contentious meetings where everyone had  
91 strong opinions, but they were able to come to a consensus. Murray thanked the Board for  
92 forming the Working Group and thought it was a good process that might be used in other  
93 situations.

94  
95

96 Shashok said the Infrastructure Committee realized there were a few things to be worked out,  
97 but preferred this location over any of the others looked at.

98  
99 Asermily, Nuovo and Artim all praised the location and the Working Group for coming to  
100 consensus on a location.

101  
102 Irene Barna said she did not think the College students were that aware of the ACTR busses  
103 and more communication was needed on campus. She also questioned the location of the  
104 shelter shown on the drawing. Cunningham said this drawing is simply a concept and is  
105 subject to changes by the design professionals, but the location shown was done in talks with  
106 Middlebury College and the goal is to locate it off the sidewalk.

107  
108 Carpenter asked Cunningham for a timeline of what was next. Cunningham said the RFPs  
109 went out and Resource Systems Group (RSG) and Otter Creek Engineering were selected.  
110 He said this conceptual plan was sent to the State to look at to see if they would fund it, but  
111 he felt they would since there wasn't that much construction involved. He felt the goal of  
112 being relocated by Thanksgiving or before was achievable. Murray said the DRB process  
113 would need to be included in the process, and if they had a plan in early October they could  
114 have the hearing and take public input, however Carpenter felt that would need to happen  
115 sooner so it would be complete by November.

116  
117 Nuovo moved to endorse the Infrastructure Committee's recommendation to approve the  
118 Academy Street proposal for the temporary relocation of the ACTR Transit Hub, as agreed to  
119 by the ACTR Working Group. Artim seconded the motion. The motion carried with 6 in favor,  
120 1 absent. **MOTION PASSED.**

121  
122 Carpenter thanked everyone for working through this and in the end we have a better  
123 solution.

124  
125 **7. Director of Planning & Zoning Jennifer Murray with an Update on Local Motion's**  
126 **Technical Assistance Program Recommendations & Approval of the Agreement for**  
127 **Use of Trailer & Equipment for Demonstration Projects.**

128  
129 Murray said she had also been working with the Local Motion Technical Assistance group, a  
130 multi-faceted group made up of staff, police, fire, Safe Routes to Schools and the bike-ped  
131 group. She said representatives from the State Local Motion Program came down with  
132 someone from Alta Planning and Design to look at various locations around town pinpointed  
133 by the Working Group as safety hotspots. She said the engineers produced interesting  
134 engineering plans that they will use going forward when prioritizing projects with the  
135 Infrastructure Committee and applying for grants.

136  
137 She said the Local Motion group also has designs for four conceptual proposed pop-up  
138 demonstration projects, which involve using some temporary portable bollards to see how a  
139 project might work. She said if approved, they would drop off the equipment trailer August  
140 18<sup>th</sup> and pick it up in September 8<sup>th</sup>. She said they will develop a plan for outreach and line  
141 up volunteers, and will work with Police, Fire and DPW to assure safety. She is looking for a  
142 conceptual endorsement to go forward with making these plans and for signing an agreement  
143 with Local Motion.

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Shashok asked for a quick summary of projects and the schedule, and to come to the Infrastructure Committee with what they find out from these demonstrations.

Carpenter thought some of these ideas were relatively inexpensive and the designs were interesting. Seeley wanted to point out that snow plowing bump outs would be more difficult and she thought the Merchants Row design might be a nightmare for delivery trucks to maneuver. Carpenter said there is a way to make bump outs more visual and vehicles would be able to drive over them.

Murray said they hoped to have monitors at each location to see how they worked and to ask people what they think in real time, as well as surveys afterwards. There was further discussion on the safety and functionality of the designs.

Asermily moved to authorize Planning & Zoning Director Jennifer Murray to proceed with planning and implementation of the bike-pedestrian safety demonstration projects, as outlined. Nuovo seconded the motion. The motion carried with 6 in favor, 1 absent.

**MOTION PASSED.**

Artim moved to authorize Town Manager Kathleen Ramsay to sign the Agreement for Use of Local Motion's Pop-Up Project Mobile Support Unit Trailer and Equipment. Seeley seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

Carpenter reminded everyone this is just an experiment that we might learn something from, but it isn't a "cut-in-stone" project.

### **8. Heather Seeley, Chair, Economic Health Task Force, Regarding the Task Force's Recommendations to the Selectboard.**

Heather Seeley wanted to thank everyone who served on the Task Force. She thought it was a good group of people with different opinions, so not everyone was in agreement, but she thinks that indicates a good process. She also thanked Town Manager Ramsay for her help and Beth Dow for the minutes.

Heather Seeley reviewed each point on the recommendations to the Board.

1. Do not, at this time, reinstate the \$0.01 tax (per \$100 of assessed property value) used to support the Middlebury Business Development Fund (MBDF).

Seeley said this is to support the decision already made by the Board.

2. To establish a Middlebury Economic Development Revolving Loan Fund (RLF).

Seeley said they recommend taking the remaining Middlebury Business Development Fund (MBDF) money and combine it with the Community Development Grant money already earmarked for a RLF to make a bigger amount available – approximately \$200,000.

3. Create an Economic Development Committee to review applications to the RLF, monitor economic conditions and analyze local economic strategies.

192 Seeley said they recommend this group meets at least quarterly to review loan  
193 applications and look at trends and economic indicators, and to report annually to the  
194 Selectboard any recommended changes to these recommendations based on trends.  
195 Carpenter asked if they'd talked about who would make up this committee, and Seeley  
196 said they thought it should be no more than 5 members and be made up of community  
197 members with a background in business, finance and/or economic development.

198  
199 Asermily asked what happened with the Addison County Economic Development  
200 Corp. (ACEDC) reviewing these loan applications. Seeley said the ACEDC will  
201 provide the framework and guidelines that govern the RLF, along with the ongoing  
202 operation and administration of the RLF, but she thinks the Selectboard may ultimately  
203 have the decision on that. She thinks there may be more details to be worked out on  
204 the process.

205  
206 Nuovo felt this was a new venture and should include new committee members and  
207 that the Town should advertise for these available positions. Seeley said she wasn't  
208 opposed to having current members of the MBDF Advisory Board if they were  
209 interested, however, and maybe the members need to be reviewed annually.

210  
211 4. The Town Website has the potential to be a key driver for business support in Middlebury.  
212 It should show that the Town is business-friendly and helpful. We recommend revising the  
213 Town Website to include a business support and resource section, permitting information,  
214 and revolving loan information.

215 Seeley said this was an area that might need more work. The Town's website has  
216 been updated, and there's Experience Middlebury site, but she didn't feel they were  
217 being well utilized. Seeley wanted to see a tab at the top of the Town's website home  
218 page that says "Business", but she said Ramsay didn't agree and felt the website was  
219 more of a government resource. Seeley said one idea had been to have a "help  
220 desk", and this recommendation to beef up the website is a pared down idea for a help  
221 desk that doesn't require staff. There was additional discussion on how to the website  
222 could be designed to work better for businesses.

223  
224 5. Create a local permitting brochure similar to the State Permit brochure that can be  
225 downloaded and picked up at various locations.

226 This would be designed to provide local permitting information to businesses.

227  
228 6. Use surplus Local Option Sales Tax revenue to fund and leverage additional funds for  
229 infrastructure projects directly related to economic development.

230 Seeley said they recommend the Selectboard set aside one half of the annual excess  
231 revenue generated by the Local Option Sales Tax, not already designated for debt  
232 service or maintenance of the Cross Street Bridge, for infrastructure improvement  
233 projects. The proposed Economic Development Committee would consult with the  
234 Infrastructure Committee to develop criteria for qualifying projects and create a list of  
235 potential projects for Board consideration. She said they are asking for the Board to  
236 move ahead on what to do with that money, and this is what they recommend they do  
237 with it. Ramsay said Aaron Guyette of VHB is working on a maintenance plan for the  
238 Bridge to give us a better idea of what the excess would be over and above debt  
239 service and maintenance.

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7. Continue to explore the option to create a Tax Increment Financing District.

Carpenter expressed his thanks to the Task Force members for taking the time to work through this task. He said we all want Middlebury to thrive and we know that won't happen without business growth.

Task Force member RJ Adler thanked Seeley for leading the group, and said these recommendations have a lot of thought put into them. He said he liked these recommendations, but wanted them to keep all options open and be innovative and keep things fluid as times change.

Artim also thanked Seeley for her leadership and all the thought that went into these recommendations, but he did not vote to support them. He didn't feel they were given enough time to do a good job and felt there should have been more discussion on strategy. He feels what they ended up with are lots of parts, but it's not a plan. He felt they should have looked at what had been accomplished in the 3 ½ years of the MBDF, what worked and how do we advance things that were possible leads and directions that might come to fruition. He thinks the single most important recommendation is #3, and wants to be sure we get the right blend of capabilities, knowledge and experience to really come at this strong and tell us what we need to do as a town, what the business community needs to do and to keep track of trends. He said while these ideas are good, they aren't unique, and what can we do as a small New England town that is unique and how do we make ourselves better than the average. He'd like to endorse it, but feels he'd only be endorsing average, and he wants to endorse great. He thanked everyone for what was accomplished.

Bill Townsend, also a part of the Task Force, wanted to share his own perspective and respond to Artim's comments. He doesn't agree they ran out of time, and believes these recommendations are reflective of what we believe the Town's role in economic development should be. He believes the idea that it's the Town driving whether economic development is successful is misguided, and it is the people on Main Street and Exchange Street that are already doing the things that make Middlebury successful and thrive that are key. He thinks we're fortunate to have a Selectboard and Town Manager who recognize the value of economic development and support and enable it, and he feels these recommendations are largely reflect of that.

Nancy Malcolm, another Task Force member, said she agreed with Townsend that they didn't need more time. She thought the survey showed there are a lot of things we can't control, such as population, housing and childcare, but the survey also mentioned funding issues, and that's somewhere that we can do something about. Malcolm feels the proposed Economic Development Committee doesn't need a Selectboard member on it, since none of them really fit in with the experience needed for this Committee. She also thanked Seeley for a great job as Chair of the Task Force.

Victoria DeWind asked about the Revolving Loan Fund. Robin Scheu, from ACEDC and a member of the Task Force, said they currently operate 5 revolving loan funds with other towns, and they have the infrastructure in place to administer one for Middlebury. She said the Economic Development Committee would decide the minimum and maximum loan

288 amounts, but she thought with a fund of around \$200,000, you would have loans between  
289 \$5,000 and \$50,000. She explained these loans don't compete with banks; they're there to  
290 help fill the gap beyond other funding. Scheu said ACEDC would advise the Town on the  
291 decision points, but the Town designs the loan criteria and approves the loans, then ACEDC  
292 administers the fund, sends bills and collects the funds. Seeley said the repayment on the  
293 original community block grant is around \$14,000 a year, so that would go into the funds and  
294 the interest from the loans goes back into the funds as well.

295  
296 Carpenter said he deliberately stayed out of this process, because he believes government is  
297 not an economic leader, but thanked those on the Task Force for going through that process.  
298 He said he agrees with Townsend that government has a role in enabling business and  
299 making sure the infrastructure is there, and there needs to be a mindset to support growth of  
300 the town and local permitting needs to look at ways to making things work.

301  
302 Asermily was glad it was called Economic "Health" Task Force, because businesses can look  
303 for efficiencies as well, either through equipment or process. Shashok is excited by this and  
304 she likes the thought of additional money for infrastructure projects. She liked the idea of  
305 reviewing it annually and agrees that the businesses should be the innovators and the Town  
306 should be there to support them.

307  
308 Shashok moved to accept the final recommendations of the Economic Health Task Force.  
309 Nuovo seconded the motion. The motion carried with 5 in favor, 1 opposed (Artim), 1 absent.  
310 **MOTION PASSED.**

311  
312 There was some additional discussion around creation of the Committee, and it was  
313 determined there would be an advertisement for Committee members based on  
314 recommendations of the Task Force.

315  
316 **9. Kevin Unrath, Ilsley Library Director, regarding the award of the Contract for the**  
317 **Ilsley Library Capital Campaign Feasibility Study Consultant.**

318  
319 Ilsley Library Director Kevin Unrath and Chair of the Ilsley Library Board Catherine Nichols  
320 joined the Board to recommend awarding the contract for a feasibility study. Unrath said a  
321 year ago \$20,000 of Capital funds were set aside for this study to see how much private  
322 money could be raised for renovation or expansion, and the Selectboard approved the  
323 Request for Proposals a few months ago. Four proposals were submitted and two were  
324 significantly over the \$20,000 budget and two firms were competitive, so the Library Board  
325 interviewed those two and unanimously recommended hiring CPG Enterprises, Christine  
326 Graham – Principal Consultant, to the Selectboard for approval. Unrath said they chose CPG  
327 because of their extensive experience with libraries in the past in Vermont. He said the  
328 contract amount would be \$22,100 and the Library Board had previously agreed to add  
329 anything over \$20,000 from their funds.

330  
331 There was a discussion over how to word the motion, since the money is a range and not a  
332 set amount.

333  
334 Asermily made the motion to endorse the recommendation of the Ilsley Library Board of  
335 Trustees to award a contract for the Ilsley Library Capital Campaign Feasibility Study to CGP

336 Enterprises, Inc, for an estimated cost not to exceed \$25,500. Nuovo seconded the motion.  
337 The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

338  
339 It is estimated the study will take approximately 8 weeks.

340  
341 Unrath also announced to the Board that he had accepted the job of Director of the Pearson  
342 Library in Shelburne, and he would be starting there in early September. He said now that he  
343 is a father, the commute is not working. Nichols said that the Ilsley Board was disappointed,  
344 but not surprised. Carpenter said the Selectboard and the entire town would miss him and  
345 appreciate all he's done.

## 346 347 **10. Bridge and Rail Project Update.**

348  
349 Community Project Liaison Jim Gish joined the Board to give them an update on the status of  
350 the installation of the temporary rail bridges. He said the Main Street bridge is gone and they  
351 are working on assembling the Mabey bridge, and beginning the 27<sup>th</sup> Merchants Row will be  
352 closed entirely and the bridge work will begin there as well. The end date is August 12<sup>th</sup>, so  
353 there will be 8 days of no-through traffic due to the closure of both Main Street and Merchants  
354 Row. He said Kubricky is doing an excellent job sticking to the schedule.

355  
356 Gish said the ACTR shuttle service has begun, but ridership has been slim. He's continuing  
357 to push for employees to use the shuttle, and it may pick up when both Main and Merchants  
358 are closed, and they will continue to promote the service. He said the Information Booth  
359 has been well received. He also mentioned the big event downtown on August 2<sup>nd</sup> put on by  
360 Better Middlebury Partnership that will involve various events and sales.

361  
362 Regarding the larger project beginning next year, on July 12, 2017 VTrans completed its work  
363 on the revised Environmental Impact Assessment that includes all the responses to the  
364 comments taken at the public hearing. He said a lot of analysis and revision of the  
365 assessment took place as a result of these comments. It was submitted to the Federal  
366 Highway Administration for their comments, and he was notified this afternoon that Federal  
367 Highway has determined there is no significant impact on the community, so no  
368 Environmental Impact Statement would be required and the project can move forward as  
369 planned. A copy of the determination will be forwarded to the Board. Gish felt it was a  
370 worthwhile timeout from the project to take a look at the environmental impact and it allowed  
371 for some more intensive planning to take place so the project runs in a very organized way.

372  
373 Gish said Kubricky will be back in the spring of 2018 to work on the drainage system for the  
374 rail corridor, so there will not be the road disruption you see now. Artim asked about the  
375 construction of the haul road connecting the Battell Block parking lot to Water Street along  
376 Otter Creek, and Gish said that will be done in 2018 as well.

377  
378 There was discussion about the direction of the project and the commitment of the VTrans  
379 and VHB teams.

380  
381 Victoria DeWind said she had read about a sidewalk project starting on South Pleasant Street  
382 and wondered about the timing of that work with the bridge project going on. Carpenter said  
383 that work was to have been done before the bridge project, but the contractor is also doing



384 the North Pleasant Street drainage and sidewalk project and that project got delayed, so Dan  
385 Werner has worked with the contractor to slide both project schedules back until after the  
386 bridge project.

387

388 Shashok asked about the drainage issues on the North Pleasant Street sidewalk project,  
389 since there are already drainage problems and she's concerned about there not being a  
390 sidewalk there for awhile. Werner said this project was delayed because the Congregational  
391 Church requested it be held up while they did their construction work, and now by delaying  
392 the South Pleasant Street job, it will probably be the last week in August before there are  
393 sidewalks on North Pleasant Street. Shashok again asked about what to do about the  
394 stormwater runoff now that the sidewalks have been torn up, and she doesn't want to upset  
395 the church.

396

397 There was discussion about the timing and the schedule, and the feeling that perhaps the  
398 entire project should have been delayed until after the bridge project. Nuovo felt this wasn't  
399 the time for this conversation. Ramsay thanked Werner for working all day to get this project  
400 shut down and rescheduled for after the completion of the temporary bridges, and Carpenter  
401 agreed.

402

403 Following some more discussion on what should have happened and what could be done for  
404 the drainage, Carpenter asked for this to be discussed later since it was more of an  
405 Infrastructure Committee topic.

406

407 Carpenter commended Amey Ryan and Karen Duguay of the Better Middlebury Partnership  
408 for stepping up to work with Gish to help make it easier for the businesses during this project,  
409 and hoped it would continue for the bigger project beginning in 2018.

410

#### 411 **10.a. Letter Promoting Shopping Locally During the Construction Project.**

412

413 Gish said he had not had time to draft this letter so it was still being worked on, but he thinks  
414 it is important for the Board to make a public comment supporting the downtown businesses  
415 during this project.

416

#### 417 **11. Infrastructure Committee's Meeting of July 13, 2017.**

418

419 Shashok said she assumed everyone had read the information, so wasn't going to take a lot  
420 of time going over things, but she wanted to mention there is a lot of infrastructure work going  
421 on in the next few years and it will be impacting with the rail project quite a bit. She wants to  
422 be able to discuss this at some point, as she's concerned how these projects will conflict, and  
423 Shashok feels these meetings are the time to discuss it. Nuovo disagreed and said standing  
424 committees are policy committees, and we have professional staff to carry out these policies,  
425 so he feels this is micromanaging. Shashok disagreed and said she is trying to support the  
426 work Werner is doing from the committee and Selectboard standpoint. Carpenter said he  
427 assumed Werner would be working closely with the rail project staff on timing. Werner said  
428 we really didn't have anything planned for the area around the project, except for a water  
429 project that they are still waiting for information on. He said the Town may be contributing to  
430 help with some of the infrastructure problems with this project, but that still needs to be sorted  
431 out. Artim said he has sat in on some of these meetings with town staff and VTrans and

432 VHB, and he sees a high level of professionalism and feels we should let them do the job  
433 they're hired to do.

434  
435 **11.a. Award Bid for Installation of Halpin Road Culvert**  
436

437 Werner said there are 3 easements needed from property owners and he has obtained 2 so  
438 far. He went over the Wetlands Permit approval process and timing and said he's trying to  
439 move this along as soon as he can, because he is in hopes of completing this by October 1<sup>st</sup>,  
440 which is the date the Army Corps will say to get out of the stream. He said there are  
441 discussions that need to happen, but they can't happen until a contractor is selected, and the  
442 Infrastructure Committee wants the award of the contract pending completion of all 3  
443 easements. Werner said he needs to know how to proceed.

444  
445 Asermily moved to award a contract to Champlain Construction, at a total cost of  
446 \$139,001.45, pending finalization of all required easements. Artim seconded. The motion  
447 carried with 6 in favor, 1 absent. **MOTION PASSED.**  
448

449 DeWind, a resident of Halpin Road, hoped that there would be good communication about  
450 this project with everyone on Halpin Road and not just the properties around the project.  
451 Carpenter said this is why they encourage everyone to be on our e-mail list as it's a good way  
452 to send out information. Werner said the Post Office has already said they won't deliver mail  
453 so it will need to be picked up at the Post Office, and they now have to work on bus routes.

454  
455 **11.b. Potential Sale of the Middlebury Administrative Offices of the US Forest Service**  
456 **at 1007 Route 7 South.**  
457

458 Shashok said this property had first been discussed a couple of years ago when looking at  
459 the Public Works Department space and storage needs, so that when the Infrastructure  
460 Committee heard this property was coming up for sale, they wanted to Board to direct staff to  
461 investigate the opportunity and see if is a possibility. She said the property abuts Town-  
462 owned property, so the location and opportunity is almost too good to pass up.

463  
464 Shashok made the motion to support the Infrastructure Committee's request for Town staff to  
465 investigate the suitability of the US Forest Service administrative offices parcel on Route 7  
466 South as possible expansion space for the Department of Public Works. Artim seconded the  
467 motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**  
468

469 **12. Vermont Agency of Transportation's Closeout of the Sandhill Bridge Project:**  
470 **Maintenance Agreement with VTrans for a portion of North Branch Road at the**  
471 **intersection of Route 125.**  
472

473 Town Manager Ramsay said the Town had received a Maintenance Agreement from VTrans  
474 for the small portion of North Branch Road where it meets the State's right-of-way on Rt. 125  
475 by Sand Hill Bridge. Ramsay said this is part of the close out of the Sand Hill Bridge Project  
476 and the Agreement turns the maintenance of this small sliver of land to the Town. She said it  
477 had been reviewed by Dan Werner and Bill Kernan and they have no problems with it.  
478

479 Shashok moved to approve the VTrans Maintenance Agreement for a portion of North  
480 Branch Road at the intersection of Route 125 as part of the close out of the Sand Hill Bridge  
481 Project. Asermily seconded the motion. The motion carried with 6 in favor, 1 absent.  
482 **MOTION PASSED.**

483  
484 **13. Second Amendment to License Agreement, including Agreement for Construction**  
485 **of Facilities, between the Town of Middlebury and Bell Atlantic Mobile Systems for the**  
486 **tower on Chipman Hill.**

487  
488 Ramsay said this request is for a very minor amendment to the agreement to improve the top  
489 20 feet of the Chipman Hill tower to make it safer and more durable. This adjustment is being  
490 made to accommodate the installation of municipal emergency services and state police  
491 antennas at the top of the structure.

492  
493 Artim made the motion to authorize Town Manager Kathleen Ramsay to sign the Second  
494 Amendment to the License Agreement, including Agreement for Construction of Facilities,  
495 between the Town of Middlebury and Bell Atlantic Mobile Systems for the tower on Chipman  
496 Hill. Seeley seconded. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

497  
498 **14. Green Mountain Power Request for Easement to Service Battell Block.**

499  
500 Ramsay said this request is for a very small easement area behind the Battell Block near the  
501 Town's sewer pump station. She has reviewed it with both the Water and Wastewater  
502 Departments and they are agreeable to it.

503  
504 Nuovo moved to approve the GMP easement request for the Battell Block parking lot, and  
505 authorize Town Manager Kathleen Ramsay to sign the easement deed, pending 24 V.S.A.  
506 1061 notification, if applicable. Shashok seconded the motion. The motion carried with 6 in  
507 favor, 1 absent. **MOTION PASSED.**

508  
509 **15. Application for Addison County Regional Planning Commission Transportation**  
510 **Advisory Committee Grant.**

511  
512 Ramsay said Planning and Zoning Director Jennifer Murray has prepared an application for a  
513 Transportation Advisory Fund Grant for a study on the possible location for a passenger rail  
514 platform. This study would update a study done in 2003 and may incorporate some work  
515 done by the College. She said this is the same source of funding used for the Creek Road  
516 Erosion Study.

517  
518 Asermily moved to approve the FY2018 Transportation Planning Study grant application and  
519 authorize Board chair Brian Carpenter to sign the application on behalf of the Town of  
520 Middlebury. Shashok seconded. The motion carried with 6 in favor, 1 absent. **MOTION**  
521 **PASSED.**

522  
523 **16. Report on College Lunch.**

524  
525 Brian Carpenter reported on the Town/College Lunch of July 14th, which included updates on  
526 the Bridge & Rail Project, the ACTR hub relocation and upcoming Town infrastructure

527 projects. He said the College discussed their financial support to the Town and how the  
528 criteria used to calculate it, as well as such things as broadband, climate economy and the  
529 gas line project.

## 530 **17. Approval of Check Warrants**

531  
532  
533 Asermily said she had reviewed the checks and made the motion to approve total  
534 expenditures in the amount of \$423,328.30, consisting of \$317,067.55 for accounts payable,  
535 and \$106,260.75 for payroll, for the period July 12, 2017 through July 25, 2017. Nuovo  
536 seconded the motion. The motion carried with 6 in favor, 1 absent. **MOTION PASSED.**

## 537 **18. Town Manager's Report**

### 538 **18.a. Update on Recent Middlebury Riverbank Erosion.**

539  
540  
541  
542 Ramsay said they had a very well attended site visit on July 24<sup>th</sup> to view the damage to the  
543 Middlebury River caused by the flash flooding on July 1<sup>st</sup>. She said they walked from Cone  
544 Drive to Lower Plains Road Bridge and noted the damage and how the river had changed  
545 since the last visit. Seeley said she also had damage to her property that borders the River  
546 from the storm.

547  
548 Shashok said there was no further erosion on Creek Road, but there was significant damage  
549 in East Middlebury with some residents losing 5-25 feet of property, downed trees and rocks  
550 and undercutting of the river bank. She said there are a lot of very nervous residents. The  
551 damage may require the engineers working on the River Project to adjust the 2<sup>nd</sup> round of  
552 engineering designs.

### 553 **18.b. Middlebury Reappraisal Status and Job Ad for Temporary Help.**

554  
555  
556 Ramsay reminded the Board that Middlebury's first town-wide reappraisal since 2005 gets  
557 underway in August, and we are advertising for an office assistant/scheduler to support the  
558 project, a temporary, part-time position that will begin in August and run through the duration  
559 of the appraisal process. This position will be funded with the reappraisal funds.

## 560 **19. Board Member Concerns**

561  
562  
563 Artim thanked Jamie Gaucher for his service to the Town the last 3 ½ years. He said he  
564 gave us some different ways to think and he hoped we carried it forward. He wished Jamie  
565 and his family all the best in their next endeavor.

566  
567 Asermily said stormwater runoff is a concern for everyone, and homeowners can find  
568 valuable information on the Addison County Regional Planning Commission website.

569  
570 Carpenter wanted to thank the Public Works staff for the excellent ditching job they did on  
571 Munger and East Munger Streets. He said it was the best job he'd seen in years and they  
572 crowned the road so the water will runoff the way it should. He said he even heard from  
573 neighbors on the great job. He was also impressed with the way they stayed and secured  
574 the job each day before leaving. He said the residents were very appreciative.

575

576

## **22. Adjourn**

577

578 The meeting adjourned at 9:45 p.m. upon motion by Seeley, seconded by Shashok.

579

580 The next meeting of the Middlebury Selectboard is Tuesday, August 8, 2017 in the Town  
581 Offices at 77 Main Street.

582

583 Respectfully submitted,

584 Beth Dow