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Selectboard Meeting
Large Conference Room – Town offices
Tuesday, June 12, 2018
Meeting Minutes

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Members Present: Brian Carpenter, Heather Seeley, Lindsey Fuentes-George, Victor Nuovo, Laura Asermily, Farhad Khan and Nick Artim.

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Staff Present: Town Manager Kathleen Ramsay, Director of Public Works Operations Bill Kernan and Director of Public Works Planning Dan and several members of the public. Assistant Town Manager Chris English attended the strategic planning follow-up session.

The regular meeting (not including the strategic planning retreat) was televised on MCTV by Jim Corbett.

Selectboard Strategic Planning Follow-Up Session

At 6:00 p.m., the Board met as a follow-up to its strategic planning session in April. During this portion of the meeting, the Board:

- Reviewed, refined and approved the project priorities for 2018;
- Reviewed, refined and approved the use of the project request form;
- Reviewed and approved the use of the decision-making funnel and project prioritizing worksheet;
- Revisited and decided to retain the key community objectives and Board values from 2017; and
- Scheduled check-ins and updates on priorities for 2018 during the second meeting of the month in July, October and January.

1. Call to Order

Brian Carpenter called the meeting to order at 7:00 pm.

2. Approval of Agenda

Khan made the motion to approve the agenda and Seeley seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

3. Approval of Minutes of May 22, 2018 Selectboard Meeting

Khan made the motion to approve the minutes and Asermily seconded the motion. The minutes were approved as submitted, with 7 in favor. **MOTION PASSED**

4. Citizen Comments

50 There were no comments.

51

52 **5. Glenn Andres with a Proposal for a New State Historic Marker for Court Square**

53

54 Glenn Andres, Professor Emeritus of History of Art and Architecture at Middlebury College,
55 gave some background on the Vermont Division for Historic Preservation's Vermont Historic
56 Site Marker program. He said the historic marker proposed for Middlebury would
57 commemorate both the location of the first courthouse and an important court case in 1804,
58 heard by Justice Theophilus Harrington, regarding the status of a fugitive slave from New
59 York. Andres feels this marker would reinforce the recognition of Middlebury's role in African
60 American history.

61

62 Andres said these historic markers are required to be installed in the State highway right-of-
63 way and he is proposing that the marker be placed on Court Square, facing the Middlebury
64 Inn. He said the State pays the entire cost of the marker and they organize installation as
65 well, however he warned this is a lengthy process and they have a 2-year backlog in their
66 budget to install markers.

67

68 Andres feels the Town is the most likely applicant and would carry the most weight with the
69 State. Andres will complete the application and submit it to Town Manager Ramsay.

70

71 Seeley made the motion to approve, with strong support, the submission of the application on
72 behalf of the Town of Middlebury to the Vermont Division for Historic Preservation's Vermont
73 Historic Site Marker program, pending the successful resolution of any issues relative to the
74 final location selected for the marker. Khan seconded the motion. The motion carried with 7
75 in favor. **MOTION APPROVED.**

76

77 **6. Karen Kotecki, Vermont Gas, Request for an Easement for Installation of a Gas**
78 **Distribution Line on Pinewood Road and Jackson Lane**

79

80 Karen Kotecki, Vermont Gas Right of Way Manager, said Vermont Gas has been working
81 with Public Works and the Water Department to establish where the Town's existing utilities
82 are and after resolving several issues, they are now requesting the Town grant them an
83 easement to install natural gas lines in portions of Pinewood Road and Jackson Lane to
84 service the apartments located on Jackson Lane. Kotecki also said the easement was drafted
85 exactly as the one for lines on the 77 Main Street property and has been approved by Town
86 Counsel. Ramsay confirmed that the issues had been resolved and the easement is ready
87 for approval.

88

89 Artim moved to authorize Town Manager Kathleen Ramsay to sign an Easement Deed
90 granting an easement to Vermont Gas on portions of Pinewood Road and Jackson Lane, as
91 outlined. Fuentes-George seconded the motion. The motion carried with 7 in favor.

92

92 **MOTION PASSED.**

93

94 Artim also moved to authorize Town Manager Kathleen Ramsay to work with Counsel to
95 initiate a Section 1061 process for the conveyance of Town-owned land. Seeley seconded
96 the motion. The motion carried with 7 in favor. **MOTION PASSED.**

97

98 **7. David Hallam, P.E., Project Manager, with recommended next steps on**
99 **David Page Cotton Mill Site (also known as the Powerhouse Site)**

100
101 David Hallam said the State had been saying that the site needed to be cleaned of
102 contaminants, so he requested they come and take a look at the site themselves. He said
103 they came in May to see the site and realized that maybe it isn't as big a job as they'd
104 originally thought. Hallam said the State is, however, requesting 3 more soil samples within
105 the easement where the gravel walkway goes to the Eichenger/Jackson property to see if
106 there are any more contaminants in that space and to see if there is a GEO technical barrier
107 in there. He said he's learned since the site visit that there is no GEO technical barrier, so
108 one will probably need to be installed at some point. He said they have a submittal from
109 Lincoln Applied Geology for \$3,586 to do the next level of testing, but he doesn't think we'll
110 find anything unusual and the State agreed that we will need to provide more fencing and
111 signage and that will probably be the end of it. He said Lincoln Applied Geology will also
112 need to do a Containment Action Plan and submit it to the State to show how we're going to
113 contain it, but isn't sure if that will be this year or next year. He said any future developer of
114 this site would eventually need to clean up the site. He said right now he's only requesting
115 approval for the \$3,586.50 for the additional testing.

116
117 Seeley asked if these funds were available, and Ramsay said they had budgeted for this so
118 the money is there. Seeley also asked what would be involved to clean up the site, and
119 Hallam said there is about 6" of soil that would need to be removed, along with the trees and
120 the soil on the bank. He said that he thinks the tree roots are holding the bank in place, so
121 we don't want to remove them if it isn't necessary.

122
123 Asermily made the motion to approve the Lincoln Applied Geology work plan, as presented,
124 for a total cost of \$3,586.50 and authorize Town Manager Kathleen Ramsay to sign the
125 contract once it is prepared and approved by Counsel. Khan seconded the motion. The
126 motion carried with 7 in favor. **MOTION PASSED.**

127
128 **8. Application for a 2018 Vermont Agency of Transportation Bike & Pedestrian**
129 **Program Grant for funding to construct Exchange Street**
130 **Bike & Pedestrian Path from Catamount Park to Bridge School**

131
132 Town Manager Ramsay is proposing applying for a 2018 Bike & Pedestrian Grant to seek
133 funding for Phase 3A, a 1,500-ft. segment of the Exchange Street Bike and Pedestrian Path,
134 which would extend the path from Catamount Park to just beyond the Cabot Creamery plant.
135 She said the estimated cost of this project would be \$375,000, to be funded by grant funds of
136 \$300,000 and the Town's matching share of \$75,000. She is proposing to raise the \$75,000
137 by dividing it over 4 years in the Capital Budget. She is also recommending contracting with
138 Kevin Russell, a grant writer and former VTrans program coordinator, who provided a cost
139 estimate of less than \$1,000 to complete the grant application, and she feels this would
140 improve our competitiveness. She said the Infrastructure Committee reviewed the proposal
141 for Phase 3a at its June 7th meeting has recommended that the Town proceed with the
142 application. The deadline for applications is June 22nd.

143
144 Asermily made the motion to authorize the submission of a 2018 VTrans Bike-Ped Grant
145 Program application for \$375,000 (including a \$75,000 Town match) to fund a 1,500-ft.

146 segment (Phase 3a) of the Exchange Street Bike & Pedestrian Path, from Catamount Park to
147 Cabot Creamery. Seeley seconded the motion. The motion carried with 7 in favor. **MOTION**
148 **PASSED.**

149
150 Asermily further moved to sign the Selectboard Letter of Support for the 2018 Bike-Ped
151 Program grant application. Seeley seconded the motion. **MOTION PASSED.**

152 **9. Consider Framework for Next Steps on Economic Health**

153
154
155 Addison County Economic Development Corporation (ACDEC) Executive Director Fred
156 Kenny joined the Board for this discussion.

157
158 Town Manager Ramsay said she had worked with Kenny to develop a proposal for the next
159 steps for forming the Economic Health Committee, starting with the three people who have
160 already come forward to express interest in economic development, and a clearly defined
161 scope of work to do over the summer, and a report on their work for the Selectboard in the
162 fall. Kenny said they would build on the work done by the Economic Health Task Force and
163 look at new information, with new eyes, to bring back new ideas to the Board as possible
164 tools to use going forward. He is recommending extending the schedule beyond the fall to
165 allow for busy schedules in the summer. He suggests perhaps coming back to the Board
166 with a report in early November.

167
168 Carpenter said this builds on the Board's Strategic Planning Retreat goal of working with
169 ACEDC on our economic development platform and to take advantage of their expertise and
170 full-time staff. Asermily thought November sounded like a long ways away and wondered if
171 there were any minor steps that could be done in the meantime, such as having something
172 on the Town's website. It was pointed out that there is currently work being done on the
173 Experience Middlebury website, which also has links for business. Carpenter said he was
174 more interested in seeing a process developed that the Board could endorse going forward.
175 He said we have some people willing to serve on the committee so he'd like to get going on
176 it. Khan said he would like to serve on the Committee as well.

177
178 Seeley said she would like to see the work done by the Economic Health Task Force
179 considered when making decisions and recommendations. She said the Task Force had
180 recommended using the remaining Middlebury Business Development Funds to form a
181 Revolving Loan Fund, but this new committee might have new ideas of what to do with the
182 funds.

183
184 They talked about the vacancies in the downtown, and Seeley said Bristol downtown has
185 vacancies too, so it isn't all about the construction going on. Artim said it's really about how
186 to retain and expand retail in this Amazon world.

187
188 Besides Kenny and Khan, Stacey Rainey and Mary Cullinane of Community Barn Ventures,
189 have also offered to serve on this Committee. Artim said since Rainey and Cullinane were
190 both from the same company he saw them as one voice, and while he respected their
191 expertise he didn't want to narrow the scope of this Committee. Kenny said one of their tasks
192 was to recruit others to the Committee.

193

194 Seeley made a motion to endorse the Middlebury Economic Health Committee proposal as
195 amended, as developed by Town Manager Kathleen Ramsay and ACEDC Executive Director
196 Fred Kenny. Khan seconded the motion. The motion carried with 7 in favor. **MOTION**
197 **PASSED.**

198
199 Seeley also moved to appoint Fred Kenney, Farhad Khan, Mary Cullinane and Stacey Rainey
200 as initial members of the Committee, with instructions to recruit and recommend up to five
201 additional committee members for the Board's consideration at a July meeting. Khan
202 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

203
204 **10. Infrastructure Committee Chair Heather Seeley &**
205 **Director of Public Works Planning Dan Werner with updates from the**
206 **June 7, 2018 meeting of the Infrastructure Committee**

207
208
209 **10.a. Updates on Current Projects (Chipman Park/South Street and Charles Avenue).**

210
211 Public Works Planning Director Dan Werner said he'd spoken with the Construction Manager
212 of the Chipman Park/South Street project and some yard restorations have been made and
213 paving will be removed the week of June 18th. He said the temporary water system was
214 installed on Charles Avenue, and the Water Monitoring Project has the foundations installed
215 and some of the piping is going in as well.

216
217 **10.b. Recommendation on Water Reservoir Concrete Repair Bid**

218
219 Werner said the repairs needed to the concrete reservoir on Chipman Hill involve repairing
220 some spalling on the top of the concrete, some hairline cracks in the side and there was an
221 expansion joint that needs to be replaced. He said there were two bids received for this
222 project; Kingsbury Co. at \$141,300 and low bidder G.S. Bolton from New Hampshire at
223 \$78,525. He has checked Bolton's references and they were all very good and some had
224 used them for repeat jobs.

225
226 Werner said the cracks and spalling bids are estimates based on the lineal feet of repair, and
227 since these will need to be pressure-washed prior to repair, the measurements may change
228 once the damage is fully exposed. He said eventually the reservoir will need to be fenced at
229 the request of the State and a protective cover installed over it, but this bid is simply for the
230 repair.

231
232 Seeley made the motion to award a contract to G.S. Bolton for the Water Reservoir Repair
233 Project for an estimated cost of \$78,525. Khan seconded the motion. The motion carried
234 with 7 in favor. **MOTION PASSED.**

235
236 **10.c. Recommendation on Library Air Conditioning – Replacement of non-functioning**
237 **Air Conditioning Unit for Community Meeting Room**

238
239 Werner said they have received an estimate from Dennis Newton Electrical, Refrigeration
240 and Air Conditioning, Inc for \$3,970 to replace the condensing unit and evaporator coil for the
241 air conditioning unit for the Community Meeting Room in the basement of the Library. He

242 said there is nitrogen leaking from the condensing unit and it can't be repaired, and the
243 condensing unit uses refrigerant which is no longer used, so both units needs to be replaced.
244 He said it was discussed at the Infrastructure Committee meeting about seeking some funds
245 from Efficiency Vermont, but he said Efficiency Vermont does not see air conditioners as
246 energy efficient, so they don't participate for any type of grant for them.

247
248 Seeley made the motion to approve the replacement of the non-functioning air conditioning
249 condenser and evaporator coil at the library by Dennis Newton Electrical, Refrigeration and
250 Air Conditioning, under the Emergency Purchases exception of the Town Purchasing Policy,
251 for a total cost of \$3,970. Khan seconded the motion. The motion carried with 7 in favor.
252 **MOTION PASSED.**

253
254 There was some discussion about possibly exploring a heat pump unit, but that would need
255 to go to bid and the Library needs this now, plus it would be more expensive and with the
256 possibility of a major improvement project at the Library in the next few years, there might not
257 be enough time to get a return on investment for a heat pump.

258 259 **10.d. Recommendation on Fire Department Floor Repair**

260
261 Werner said this request is to repair cracks in the epoxy finish covering the concrete floor at
262 the Seymour Street fire station that has separated with the natural movement between the
263 2013 and 1978 sections of the building. An attempt to repair this crack has failed, so the
264 Vermont Protective Coatings company, who installed the original floor, now recommends the
265 installation of a commercial-grade expansion joint along the length of the apparatus bay,
266 where the two building connect, and has provided a cost estimate of \$4,300. Werner said the
267 recommendation from the Infrastructure Committee was pending finding a funding source,
268 but Ramsay said they had found some funds remaining from a maintenance budget for
269 Station #1 that would cover the cost.

270
271 Seeley thought it was pretty inexpensive insurance to prevent a larger problem if this is not
272 repaired. She said Chief Shaw was to look into a warranty for the repair. Lieutenant LeRoy
273 Graham of the Middlebury Fire Department said Chief Shaw had spoken with someone from
274 Vermont Protective Coatings and a one-year warranty comes with the repair product and an
275 extended warranty would be 8-10% based on the length of the warranty. The representative
276 said that they didn't sell that many extended warranties and didn't think they were worth the
277 additional cost, so Graham said they are not looking to purchase one. Seeley also pointed
278 out that since most applications that this process is used on are outdoors, the product should
279 last much longer in an enclosed environment.

280
281 Seeley made the motion to endorse the Infrastructure Committee's recommendation to
282 approve the repair of the concrete floor at the Seymour Street fire station with the installation
283 of a commercial-grade expansion floor joint between the 1978 and 2013 sections of the
284 building, for a total cost of \$4,300. Artim seconded the motion. The motion carried with 7 in
285 favor. **MOTION PASSED.**

286 287 **10.e. Recommendation on Sidewalk Project Bid**

288

289 Werner said three firms had submitted bids for repairs to ten sidewalk segments in and
290 around the downtown area. The bidders were Parker Excavation with \$152,040.00,
291 Champlain Construction with \$100,796.45 and low bidder Acker Excavating at \$97,000.00.
292 Werner said the available budget funding for FY18 sidewalk repairs totals \$68,000. Werner
293 said he and the Infrastructure Committee agreed to recommend award to low-bidder Acker
294 Excavating but dropped sidewalk segment 7.0 (Court St. 101 ft.), segment 9.0 (Franklin St.
295 196 ft.), and segment 10.0 (Mary Hogan Dr., South, 141 ft.) lowering the total cost to \$65,200
296 and keeping it within budget. He said the bidders were aware that the bids would be adjusted
297 to fit the Town's budget. Seeley said this depletes the Town's sidewalk funds until FY20, but
298 it does take care of a large portion of sidewalk area.
299

300 Seeley made the motion to award a contract to low-bidder Acker Excavating for repairs to
301 seven downtown sidewalk segments, for a total cost of \$65,200. The motion was seconded
302 by Artim. The motion carried with 7 in favor. **MOTION PASSED.**
303

304 **10.f. Recommendation on Paving of Walk between Mary Hogan School Parking Lot** 305 **and the Court House** 306

307 Werner said this project is to pave a 134-ft. section of the walkway that runs from the Mary
308 Hogan parking lot to the Court House property and a new section of path connecting to the
309 adjacent play lot. He said this would also involve replacing two culverts to take some of the
310 drainage water to the gravel driveway. He said the Highway Department would do the
311 excavation, install the culverts and do the grading and then D& F Excavating would do the
312 fine grade and paving, so he is requesting the Board approve their bid of \$3,600.
313

314 Asermily made the motion to award a contract to D&F Excavating & Paving to pave a portion
315 of the walkway between the Mary Hogan School Parking Lot and the Court House for a total
316 cost of \$3,600. Artim seconded the motion. The motion carried with 7 in favor. **MOTION**
317 **PASSED.**
318

319 **10.g. Recommendation on Harold Curtis Park Basketball Court Repair** 320

321 Werner said the two bids received for the Harold Curtis Park Basketball Court Repair project
322 were Lowell Landscaping at \$41,300 and Waterman Landscaping at \$77,150, and both bids
323 significantly exceeded the \$28,000 budgeted for the project. He said the project will be
324 postponed until the funding is found, but until then these bids will need to be rejected.
325

326 Seeley said Parks & Recreation Department Program Coordinator Dustin Hunt had noted
327 when he appeared before the Infrastructure Committee meeting that several firms that would
328 normally be expected to bid on such a project did not, which may be a result of the timing of
329 the RFP. She said also that the scope of this project was not the same as the original project
330 estimated to cost \$28,000.
331

332 Seeley made the motion to accept the Infrastructure Committee's recommendation to reject
333 all bids received for the Harold Curtis Park Basketball Court Repair project and restructure
334 the RFP for release at a future date. Artim seconded the motion. The motion carried with 7 in
335 favor. **MOTION PASSED.**
336

337 **10.h. Recommendation on Easement and Agreement with Foster Brothers Farm for**
338 **Constructing and Operating a Water Monitoring Building as Part of the Town Water**
339 **Monitoring Project.**

340

341 Werner said this request is for an agreement and easement with Foster Brothers Farms for a
342 permanent, 3,503 sq. ft. easement to the Town for the construction and operation of the
343 water monitoring building on Foster Brothers property. He said in return, the Town agrees to
344 address pre-existing drainage issues on the property by constructing drainage improvements
345 along the west side of Rt. 116 that will tie into a new drainage system to be installed as part
346 of the new monitoring station and pay fees associated with withdrawal of the property from
347 the State Current Use Program and recording fees.

348

349 Asermily moved to accept the Easement Deed from Foster Brothers Farm, and Seeley
350 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

351

352 Seeley moved to authorize Town Manager Kathleen Ramsay to sign the agreement with
353 Foster Brothers Farm as part of the Town's Water Monitoring Project. Khan seconded the
354 motion. The motion carried with 7 in favor. **MOTION PASSED.**

355

356 **11. Director of Public Works Planning Dan Werner with the Planning Advance Loan**
357 **Documents for the 20-year Engineering Evaluation and Facilities**
358 **Planning Study for the Wastewater Treatment Facility**

359

360 Werner said this request is for certification of the Clean Water State Revolving Fund
361 (CWSRF) application to fund the 20-year Engineering Evaluation and Facilities Planning
362 Study for the Wastewater Treatment Facility. This is a 5-year, \$140,000 loan to fund for the
363 20-year Engineering Evaluation and Facilities Planning Study being done by Tata & Howard.

364

365 Asermily moved to certify the Clean Water State Revolving Fund loan application for
366 \$140,000 to fund the 20-year Engineering Evaluation and Facilities Planning Study for the
367 Wastewater Treatment Facility. Seeley seconded the motion. The motion carried with 7 in
368 favor. **MOTION PASSED.**

369

370 Seeley said that the Infrastructure Committee has adjusted their schedule to accommodate
371 the busy June schedule, so will be meeting on the June 21st to discuss water and sewer
372 rates.

373

374 **12. Recommendation from Parks & Recreation Committee on Committee Membership**

375

376 Public Works Operations Director Bill Kernan said in doing some research, the Parks &
377 Recreation Committee had expanded from 7 members in 2012 to 8 in 2018, and then 10 in
378 2017, with additional ex-officio members. He said in talking with the Committee about the
379 work they're doing and their subcommittees, they have come up with the proposed plan.
380 Kernan said currently there are 8 members and they'd prefer to have an odd number for
381 voting purposes, so they are looking to reach that eventually through attrition of one member,
382 leaving them with 7 members. He said there would only be 3 positions on the Committee not
383 appointed by the Selectboard as they represent organizations. Kernan said they have also
384 adjusted terms to have better rotation on the Committee.

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Asermily made the motion to approve the new structure for the Parks & Recreation Committee, as presented. Khan seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

13. Request Extension of Downtown Transportation Fund Grant for Landscaping & Site Improvements to the Triangle Park Section of the Town Green

Town Manager Kathleen Ramsay said she had prepared a draft letter to Gary Holloway, Downtown Program Coordinator, Community Planning and Revitalization, for the Vermont Department of Commerce and Community Development, seeking an extension of the grant, which currently expires on August 31, 2018. This is the second extension request the Town has made for this grant in response to the complexity and evolving nature of the Bridge and Rail project and construction schedule. The Town's first request, to extend the close-out deadline for the grant to August of 2018, was granted in July 2016. This second request, if approved, would extend the deadline to July 2021. She said these grant funds were awarded to the Town of Middlebury in 2014, and provides \$100,000 in funding for tunnel landscaping, Main Street and Merchants Row Pedestrian Improvements and Bridge/Tunnel railings.

Seeley made the motion to approve the letter from the Selectboard to the Vermont Department of Commerce and Community Development seeking an extension on closing out the \$100,000 Downtown Transportation Fund Grant for Landscaping & Site Improvements to the Triangle Park Section of the Town Green until July 2021. Artim seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

14. Request from Public Works Operations Director Bill Kernan for a Large Purchase Order for Asphalt Road Crack Sealing

Kernan said the Highway Department operating budget carries a \$20,000 line item annually for this work, and he is making this request under the Sole-Source Purchases exception of the Town's Purchasing Policy. He notes that the Town has used Barre-based NICOM for this service for many years, since it is the only firm in the area of sufficient scale to perform the work reliably.

Seeley made the motion to approve Public Works Operations Director Bill Kernan's request for a \$20,000 Purchase Order to NICOM Coatings Corporation for asphalt crack sealing at various locations around town. Asermily seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

15. Year-to-Date Budget Report with Year-End Projections.

Town Manager Kathleen Ramsay said as reported earlier in the year, the Highway Department is looking at a \$70,000 overage in their budget. She said due to some robust revenues for interest on investments, there is an additional \$20,000 in revenue. She said we are also looking at an additional \$15,000 in the College Gift, which varies with investment revenue, an increase of around \$10,000 in Recreation Department revenues, and a savings in the Police Department budget of around \$30,000 due to staffing shortages. She said the revenues should offset the overage to arrive close to target at the end of the fiscal year.

433
434 **16. Approval of Check Warrants**
435

436 Fuentes-George made the motion to approve total expenditures in the amount of
437 \$1,072,370.25, consisting of \$854,286.54 for accounts payable, and \$218,083.71 for payroll,
438 for the period May 23, 2018 through June 12, 2018. Seeley seconded the motion. The
439 motion carried with 7 in favor. **MOTION PASSED.**
440

441 **17. Town Manager's Report**
442

443 **17.a. Property & Casualty Insurance:** Ramsay reminded the Board that the Town bid-out
444 property and casualty insurance last year, which resulted in a reduction in premiums of over
445 \$100,000. She said due to a recent inquiry about the Town's plans for re-bidding insurance,
446 she contacted Fred Satink of the Vermont League of Cities & Towns' Property and Casualty
447 Intermunicipal Fund (PACIF) to discuss best practices for insurance bidding, and based on
448 that conversation with Satink and a follow-up e-mail from him, she is recommending bidding
449 insurance every 3 to 5 years, instead of annually.
450

451 **17.b. Net Metering/Solar Update:** Ramsay said as a follow-up to the approval of the
452 Memorandum of Understanding (MOU) with groSolar/EDF Renewables, and South Ridge
453 Solar Project Developer Charlie Kireker's interest in exploring the possibility of the Town
454 being an off-taker of that local net metering project, she has been working with Steve Maier of
455 the Energy Committee and Jeremy Gildrien, a Vermont Law School student and member of
456 the Vermont Law School Energy Clinic, to explore net metering options for the Town. She
457 said while they have mapped out a game plan for exploring currently identified options, such
458 as South Ridge Solar, groSolar/EDF Renewables, Foster Brothers and other ACORN
459 projects, there remains a considerable amount of work to do before they will have a
460 framework/strategy to recommend to the Board.
461

462 Ramsay said since the premium paid for solar power is scheduled to decrease on July 1,
463 2018, developers are pushing to submit applications for Certificates of Public Good (CPG) to
464 the Public Service Board before the July 1 deadline. She said Charlie Kireker would like to list
465 the Town as a solar off-taker on the CPG application for the South Ridge Solar project and
466 Peck Electric has submitted a proposal for installing a solar array on the Recreation Center
467 with no upfront cost and a 5% reduction in the cost of electricity for the Town Offices. She
468 also said under Peck's recent proposal the Town would keep the Renewable Energy Credits
469 (RECs), which would allow the Town Offices to be labeled "Net-Zero" rather than "Net-Zero
470 Ready" as it is today.
471

472 Ramsay said both South Ridge and Peck would like a response from the Town, but without
473 additional research on net metering options, she, Maier and Gildrien are not in a position to
474 make a recommendation to the Board at this time. She met again with Gildrien on Monday
475 and his recommendation is to go forward once we have a framework, with a Request for
476 Proposals (RFP) to developers so we can compare apples to apples.
477

478 **17.c. South Ridge Solar Access Road:** She said as Charlie Kireker mentioned when he
479 appeared before the Board to request the Town's endorsement as a Preferred Site for its

480 application for a Certificate of Public Good, he and his team have been working on road
481 access to the proposed solar array and their latest concept is outlined in the June 6, 2018
482 e-mail in the Board's packet and depicted on the updated site map from Kireker.

483

484 Khan didn't think the 5% reduction in the cost of electricity for the Town Offices sounded like
485 much. Ramsay said she had discussed that proposal with Gildrien and he felt that was a little
486 light. There was some discussion about other possible sites that might benefit from this
487 savings more and the need for pursuing other options to compare. Ramsay said we're very
488 fortunate to have Gildrien available this summer to help us formulate this RFP.

489

490

18. Board Member Concerns

491

492 Asermily mentioned how wonderful all the Neighbors, Together beautification projects looked
493 downtown. She said National Dump the Pump Day is on Thursday, June 21st when you
494 could try riding the ACTR busses for free, and she mentioned the Broken Repair Café being
495 held at the high school to show people how to repair broken or damaged articles.

496

497 Seeley wanted to thank the Department of Public Works staff and management for their work.
498 She said the paving and sidewalk painting all look great. She said we have good staff and
499 they do a good job.

500

501 Artim mentioned the bear and her cubs that have been sighted in the Buttolph Acres and
502 other neighboring areas in town. He wanted to remind everyone that bears can become very
503 dangerous, very quickly, especially if the mother thinks her cubs are in danger, so wanted
504 everyone to please respect this and stay away from them.

505

506 Khan wanted to thank Karen Duguay, Nancy Malcolm and Amey Ryan for all their work on
507 the downtown projects. He also congratulated the MUHS high school graduates.

508

509

19. Executive Session – Anticipated – Contract Negotiations

510

511 Seeley said in accordance with Vermont's Open Meeting Law requirements, I move that the
512 Board find that premature general knowledge of the consideration of a pending contract
513 negotiation would clearly place the Selectboard at a substantial disadvantage, because the
514 Select Board risks disclosing its litigation strategy if it discusses the pending contract
515 negotiation in public. Asermily seconded the motion. The motion carried with 7 in favor.

516

MOTION PASSED.

517

518

519 Seeley further moved that the Board enter into Executive Session to discuss the pending
520 contract negotiation, under the provisions of Title 1, Section 313(a)(1) of the Vermont
521 Statutes. Asermily seconded the motion. The motion carried with 7 in favor. **MOTION**
522 **PASSED.**

523

524 The Board entered into Executive Session at 8:40 p.m.

525

526

20. Action on Matters Discussed in Executive Session and Adjournment

527

528 The Board exited Executive Session at 9:26 p.m. upon motion by Khan, seconded by Artim,
529 and adjourned with no further action.

530

531 The next regular meeting of the Middlebury Selectboard will be on Tuesday, June 26, 2018 at
532 7:00 p.m. in the Town Offices at 77 Main Street.

533

534 Respectfully submitted,

535 Beth Dow