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**Regular Selectboard Meeting
Large Conference Room – Town Offices
Tuesday, December 10, 2019**

Meeting Minutes

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

Staff Present: Town Manager Kathleen Ramsay

Others Present: Interested citizens and Middlebury College officials

The meeting was televised on MCTV by Jim Corbett.

1. Call to Order

Brian Carpenter called the meeting to order at 7:03 p.m.

2. Approval of Agenda

Seeley moved to approve the agenda and Nuovo seconded the motion. The motion carried with 7 in favor and the agenda was approved as presented. **MOTION PASSED.**

3. Approval of Minutes of November 19, 2019 Selectboard Meeting

Khan moved to approve the minutes of November 19, 2019, seconded by Asermily. The minutes were approved as presented with 6 in favor, 1 abstention (Fuentes-George). **MOTION PASSED**

4. Citizen Comments

There were no citizen comments.

5. Discussion of Planning Commission Review and Public Comments on Encore Renewable Energy's proposed 5MW solar project off of South Street Extension in collaboration with Middlebury College and Green Mountain Power

Carpenter asked if there were any major changes to the project that Encore would like to present to the Board. Derrick Moretz of Encore Renewable Energy said there hadn't been any major changes, but he had a summary of where they had started and where they are now.

Moretz went over the timeline of the project, starting in March of 2019 with a Planning Commission meeting, and on December 5th the Planning Commission endorsed the project with conditions. He said they had looked at various sites around town, including

47 locations such as parking lots and rooftops, but it was clear that the fragmented sites
48 would not achieve what was needed to reach the College's energy goals. He said they
49 are committed to this site and are hoping to file a Certificate for Public Good (CPG) by
50 the end of the year or early next year.

51
52 Moretz said this solar project is set back 800 to 1,000 feet off South Street Extension
53 and they have a very robust screening plan, but they are looking to enhance that plan.
54 He said this project will produce tax revenues to the Town of roughly \$40,000 the first
55 year, and around \$60,000 in future years (education taxes are not included in this
56 estimate). He encouraged the Town to support the Town Plan that looks to consider
57 locally generated renewable energy projects that complement the community, and he
58 said Encore believes this project does that.

59
60 Artim asked Moretz what the project would generate for power on a cloudy day such as
61 Middlebury had today, and Moretz said he wasn't sure since they look at an annual
62 number, but that was why there is a battery backup for shorter, darker days.

63
64 Asermily said she appreciated the list of sites they'd looked at and the reasons why they
65 arrived at the site they'd chosen, but while people understand the value of a larger
66 array, they still question if this is the right site. She said the RT 125 corridor site has no
67 technical reason it can't be located there, so she wanted more information on that.
68 Moretz said that the Route 125 site has a large Class II wetlands, so it would be
69 impossible to achieve the scale they needed for the project.

70
71 Nuovo asked about utilizing all the parking lots the College has, and Moretz said even
72 before Encore came to the project, the College had done an inventory of all the rooftops
73 and parking lots and it was realized they would be unable to reach the scale needed for
74 the project. He said projects on rooftops in parking lots are very expensive to construct
75 and there area a lot of fixed costs to overcome. Nuovo said one dramatic step the
76 College could take would be to forbid student cars, and since the College is doing this
77 largely for their reputation as an environmentally committed institution, it seemed that
78 would be a possibility to explore.

79
80 Artim asked if this project could expand in the future, and Moretz said that wasn't within
81 the scope of this project and they have no plans to expand it and he felt this would be
82 the extent of the project on South Street Extension.

83
84 Khan asked about visual cues to give the public a better visualization of the project, and
85 Moretz said they have put stakes with flags in the corners of the array that matched the
86 height of the racks to show the footprint, but they were placed based on the original
87 footprint that has shrunk somewhat now. He said while they will be placing more stakes
88 around the entire perimeter, he feels the renderings are better aids to visualize the
89 project.

90
91
92

93 Public Comments

94
95 Judy Wiger-Grohs – Asked about the archeological and historical significance in the
96 Upland Site that was mentioned earlier.

97 Response: Moretz said they'd reached out to the State Archeologist at Historic
98 Preservation about evaluating the two sites, and while there was no evidence of
99 archeological significance, the archeologist did say that that the Upland Site was
100 more archeologically sensitive.

101
102 Chris Zeoli – Asked if they had looked at the southern end of this South Street
103 Extension field, near Morse Road.

104 Moretz said he wasn't familiar with that area, and the inventory of all College
105 sites had been made before Encore came to the table, but looking at the aerial
106 photo he can see there are more residences in close proximity to the field.

107
108 Zeoli also questioned the Upland Site being in the viewshed of Rt 30, since he'd driven
109 that route specifically to see if that site was visible, and he said you'd have to stop your
110 vehicle to see it.

111 Moretz said he'd stood on the top of the Upland Site and could very clearly see
112 Route 30 and the residences along that road.

113
114 Zeoli asked how can we be sure Encore will do what they say they're going to do, and
115 asked about the screening plantings and will they be replaced as they die off.

116 Moretz said the Planning Commission had established conditions and there
117 would be conditions at the State approval level as well that they will need to meet
118 to stay in compliance, so there are levels of enforcement. He said their
119 commitment is that the plantings will be maintained and replaced throughout the
120 life of the project and the contract is for 25 years.

121
122 Leslie Caer-Amadora – She said coming from an arts background, she was wondering
123 about capitalizing on this project and making it an art installation in tandem with it being
124 an energy solution. She said she realizes this would change the cost of the project, but
125 thinks going forward, if we want to create a community of peace where one need
126 doesn't become the be-all-and-end-all, you need to consider the needs of residents that
127 live in the area or others who enjoy the area for recreational activities as well. She said
128 she thinks to some degree by adding creativity to the mix you can mitigate the
129 industrialization of the project, and there can be other creative values as well. She said
130 the Planning Commission has recommended pollinators being added that will support
131 our agricultural community and perhaps it could become an educational center on the
132 College's part.

133
134 Debbie Tracht – She is a South Street Extension resident, and said she's very opposed
135 to this project, and while she's in favor of solar, we need to protect our visual landscape
136 and we won't get that valley back once it's built. She said the issue of siting large solar
137 arrays is relatively new to Vermont, so we need to be careful when siting such a large,
138 industrial project and not be too hasty when choosing a site. She does not believe

139 Encore and the College's statement that this is the only location. She said the Uplands
140 Site is deemed "archeologically sensitive", but wonders why that wouldn't be the case
141 with any site. She also thinks the "skyline view" that they say the Uplands Site would
142 have for the residents of Route 30, would be minimal compared to the full 30 acre view
143 in the South Street Ext. corridor. She thinks maybe the College needs to spend a little
144 more money to protect our open spaces that we can't get back.

145
146 Bill Bieterman – He said covering parking lots is not just about solar, it also cools the
147 earth and cuts down on fossil fuels because you don't need to run the cars as long to
148 warm them in the winter or cool them in the summer. He said there are 9-acres of
149 parking lots on the College campus, and while that wouldn't be enough for this project,
150 it's something to think about. He said he also sees this as a public relation project for
151 the College and thinks it would be more useful if it was displayed on the campus than
152 down on South Street Extension. He asked how the power was being transported and if
153 it was being trenched or will there be more infrastructure coming down South Street.

154 Moretz said there is an existing single-phase service coming down South Street
155 that will be upgraded to a 3-phase line and connect to an existing 3-phase line by
156 Porter Hospital.

157
158 Molly Anderson – Anderson said she's on the College faculty and she's a member of
159 the Conservation Commission. She said the extra cost to locate the project on the
160 Upland Site instead of the Lowland Site is a bit nebulous to her and she wonders what
161 the cost difference is and who would bear that cost, since the Upland Site seems to be
162 the preferred site.

163 Moretz said on the Uplands Site they would need to attach the structures to
164 bedrock, which adds around 10% to the project cost, and because of the terrain it
165 would be 20% less productive than the Lowlands Site, which equates to around
166 \$158,000 in annual production value, or \$3.7 million over the life of the project.
167 He said the College is looking to maximize the yield on their investment and
168 reduce their carbon footprint, so it's financial but also environmental. Carpenter
169 asked the total cost of the project and Moretz said it would be in the ballpark of
170 \$8 to \$9.5 million installed.

171
172 Mark Mooney – Mooney said the question about the total cost of the project is key and
173 we should know the financial picture for the College, Encore, the Town of Middlebury
174 and GMP. He asked how they calculated what the taxes would be for the Town and
175 what would those amounts be and what would the income be on the project.

176 Moretz said the State had a model on how to value these projects, and the model
177 generates an annual taxation based on the town's tax rate. He said it is
178 estimated taxes would be \$40,000 the first year and escalate to \$60,000 over the
179 25-year term. Carpenter asked Moretz if the tax is calculated on the production
180 rather than the cost to build, and Moretz said it was based on the rate of energy
181 and total production of energy. He said there is also a tax on the underlying land
182 of the project as well. Moretz said the return on investment is between 6-8%.

183 Mooney asked if the cost to develop the Upland Site was cost prohibitive and
184 Moretz said it was.

185
186 Steve Maier – Spoke in favor of the project and thought it was a good site and it was
187 time for Middlebury to move ahead more aggressively in securing more of these
188 projects in town. Khan said he didn't think anyone in the room was against solar
189 energy, just not the location of this one project.

190
191 Leslie Kameny – Kameny read a prepared statement from residents on how this project
192 has had them grappling with the dire need for alternative energy while preserving our
193 beautiful natural landscapes. The statement said that these 5 MW arrays are relatively
194 new to Vermont with only 9 in the State, and are usually built on undevelopable
195 Brownfield or landfill sites. She said the College has chosen to develop their project in
196 a less populated area, out of view from the College, and while applauding their attempt
197 to find alternative energy solutions, they are demanding a lot of the community to
198 sacrifice this beloved viewshed, and abutting landowners who will look over this
199 industrial array the rest of their lifetime. They are urging the College to go back to the
200 Upland Site and try to meet this difficult challenge of preserving our natural world with
201 the need for alternative energy. Since there is no way to comment on this project to the
202 Public Utility Commission other than through the Selectboard or Regional Planning
203 Commission and abutters, they urge the Board to not endorse the siting of this project
204 and work with the College on how we can fit these industrial sized arrays into our
205 community. Kameny presented the Board with a petition signed by 93 people
206 (including 21 online signatures) urging them to not endorse the location.

207
208 Jeff Howarth - Howarth is a member of the College faculty, and said the core question
209 for him is when planning for climate change, is this the best use for this property. He
210 said with climate change there will be more rain and flooding, the wildlife will need
211 places to relocate and there needs to be habitat connectivity. He said the College is
212 focused on energy, but he'd like to see them do more planning on their various
213 properties on climate change in general and to think of what the town will look like in 20
214 years when there are more people in the downtown that need these types of places for
215 refuge and as a habitat connectivity. He said alternative climate change use of the area
216 would be to restore it to a wetland.

217
218 Will Amidon – Amidon is a Geology professor at the College, and he said while he
219 doesn't live in Middlebury, he does recreate and work here. He said this project is
220 driven by the College and will outlive any of the proponents at the College who are
221 pushing for this project, so he wants the Board to think of what's best for the town. He
222 said these types of projects don't fall under any kind of environmental review and they
223 really are industrial sites that are semi-permanent, so do you really want to see an
224 industrial site in a pretty spectacular place in the Otter Creek corridor. He said he was
225 on the site visit with Encore when they were going to site it on the Upland Site and he
226 was excited that they'd be able to site this project in a location that was almost invisible,
227 so he was surprised when he heard they'd moved it to the Lowland Site. He asked
228 about what the viewshed analysis of the Upland Site looks like, because he's having a
229 hard time imagining seeing it from Route 30 and doubts that the viewshed was the
230 reason to relocate it and cost was the real driver.

231 Moretz said the Upland Site was the preferred site and it wasn't until they did the
232 detailed value costs of the site that revealed it wasn't an option and the terrain
233 made it inefficient as well. There was further discussion and explanation on the
234 viewshed evaluation process.

235
236 Monica Pryzperhart said people view these panels as ugly and we try to hide them from
237 view, but you should view them as beautiful and a symbol of our energy independence.
238 She said she thinks the concern that they won't be beautiful is because we think the
239 view is beautiful as it is.

240 Board Comments

241
242
243 Seeley asked what happens to this installation at the end of life and who pays for the
244 removal of it.

245 Moretz said in Vermont, Statute says any project over 1MW has to have a Letter-
246 of-Credit/Bond posted with the PUC that is held during the life of the project, and
247 those funds are spent to decommission the array and reclaim of the site. He said
248 the Department of Agriculture has input on how the land is reclaimed and the soil
249 returned to its original state or better.

250
251 Seeley then asked how much land should be set aside should the town of Middlebury
252 want to become energy independent, and how many projects would it take and where
253 should we plan for these projects to be.

254 Moretz said that this 5MW project will produce 30% of the College's total electric
255 demand, so you'd think that by adding another 10MW it would take care of all
256 their electric demand, but it doesn't help to keep adding more solar. The panels
257 only generate when there's sunshine, so that's where the battery backup helps,
258 and at some point you have to look at your return on your investment.

259
260 Artim said he agreed with Khan that everyone is behind the need for alternative energy,
261 although he is skeptical about solar power in this part of the country, but he wonders if
262 Green Mountain Power (GMP) has to purchase this power, or if another, larger site
263 comes along with cheaper power could GMP abandon this site and go with the cheaper
264 power.

265 Moretz said a contract is needed to finance the project and the contracts are
266 usually for 25-years. He says whether or not GMP has to buy the power is
267 probably a legal question, but there is Federal precedent about open market for
268 the grid, and GMP does want to facilitate this project.

269
270 Fuentes-George asked about any noise generated by the project and would the
271 neighbors hear it, or would she hear it if she rode her bike out South Street Extension.

272 Moretz said there had been considerable concern about the noise and it is a valid
273 concern. There are 3 components that generate noise: converters that convert
274 the power to AC, transformers that convert the AC to distribution voltage, and the
275 battery storage component which has cooling fans. He said the solar
276 components only generate noise when the sun is shining, so they will make no

277 noise at night. He said the project setback from the road and residences will help
278 mitigate the noise and they will be monitoring it, and an acoustic impact
279 assessment will be filed with the CPG.

280
281 Asermily thanked everyone for their comments and knew how very hard this was for
282 them and how hard it was for the Planning Commission to consider this, and she said
283 she hoped the Board would follow their recommendation. She said she thinks if we're
284 going to have this, what can we do to create value for the community who will be
285 missing this view, and can we make it creative and artful and also make it a recreational
286 destination. She suggested the possibility of a bridge at Three Mile Bridge to connect
287 Creek Road to South Street Extension to make a recreational loop. She said she is still
288 struggling with whether this is the right site, while we know we want a large project like
289 this and we need ones covering parking lots too, and she said she understands they
290 need a return on investment to make this all happen quickly, so she's wrestling with this.

291
292 Carpenter asked if the Board was ready to make a decision on this or if more time was
293 needed. Nuovo said he'd like to know if the College accepts the Planning Commission
294 conditions. Matt Curran, Director of Business Services at Middlebury College, said the
295 College does accept the conditions of the Planning Commission, which were to make
296 use of pollinators, to add a public access recreation trail, additional screening, no further
297 extension of the project northerly to South Street Extension and to provide battery
298 backup power to Porter Hospital in the event of an emergency blackout. He said the
299 battery backup power to Porter Hospital is something Green Mountain Power is working
300 on to see if it's feasible.

301
302 Nuovo said this is a very difficult decision, since we all know we have an environmental
303 crisis, at the same time he's troubled about the way the College has gone about this.
304 He said he's retired faculty, so he has a connection to the College, and it seems the
305 College has not involved the Town until this late date. He said he thinks this started as
306 a public relations venture before it became a serious community responsibility, so thinks
307 the College has to start over and engage with the Town. He said as someone
308 connected to the College he feels ashamed and cannot support this particular venture,
309 but he strongly supports the Town and the College engaging in finding alternative
310 renewable sources of energy.

311
312 Carpenter asked again if the Board was ready to vote. Artim said he had been when he
313 came into the meeting, despite his skepticism, but after hearing all the comments that
314 brought up very valid questions, it has changed his opinion so he is not ready to vote
315 and needs to digest what he's heard.

316
317 Carpenter thanked everyone from coming and said we're only going to make things
318 better by talking, and no matter where it goes it will be in someone's backyard. He said
319 the Selectboard will be meeting with College and it will be on a future agenda. Moretz
320 said he didn't want the Board to miss its opportunity to express its position, because
321 they will be filing with the Public Utility Commission over the next few weeks. Carpenter
322 said they would be making the decision at their meeting next week.

323
324 Khan said he thinks it's time the College should respond to this, and this is not a NIMBY
325 situation, it impacts the community who enjoy that area. Sue Ritter of Middlebury
326 College said she takes issue with the statement the College has not been collaborating
327 with the Town, since there have been multiple discussions, and would be glad to
328 provide a history of those discussions, but she wants people to know the College does
329 take the Town's input seriously. She said President Patton is very passionate about
330 moving forward with the Town to design something that brings the Town along with the
331 College's energy initiatives. Carpenter said that's true that they have been dealing with
332 the Planning Commission, but what has shifted is the location of the solar project.
333 Moretz said the Planning Commission has actually endorsed this site twice, with
334 conditions.

335
336 Carpenter said the Board would issue their position next week.

337 338 **6. One-year review of Tree Policy**

339
340 Judy Wiger-Grohs, Chris Zeoli and Leslie Kameny were there to discuss recent
341 changes to the Tree Committee's Tree Policy. Wiger-Grohs said most of the changes
342 were made by either Director of Public Works Operations Bill Kernan or Director of
343 Public Works Planning Dan Werner, for the purpose of clarity. She said they also need
344 to do a periodic review to renew our Tree City USA status.

345
346 Seeley moved to adopt the proposed revisions to the Town of Middlebury Tree Policy,
347 as presented. Nuovo seconded the motion. The motion carried with 7 in favor.

348 **MOTION PASSED.**

349 350 **7. Consideration of Downtown Improvement District Commission request for** 351 **current-year DIDC budget expenditure for the purchase and installation of** 352 **sidewalk frames for events during the Downtown Bridge Construction Project and** 353 **discussion of potential policy considerations**

354
355 Carpenter said Town staff has looked to see if these frames meets all the Town policies
356 and ordinances, and they found they do as long as the sign frames are on Town
357 property. He said there's still a couple shown on College property that can be worked
358 out later, but for now the DIDC just wants approval to purchase the frames. He said
359 these frames will hold the marketing information for events typically displayed on the
360 banner across Main Street that won't be up during the construction next summer.

361
362 Asermily moved to approve the DIDC's recommendation to allocate \$1,000 from the
363 current-year DIDC budget to fund the purchase of six sidewalk sign frames and
364 brackets, for use while the Main Street banner program is suspended in the summer of
365 2020. Seeley seconded the motion. The motion carried 7 in favor. **MOTION PASSED.**

366
367 Seeley thanked the staff for looking into the policies upon her request to be sure these
368 signs meet all the Town rules.

369
370 **8. C & P Brick and Mortar, LLC, Request for Stormwater Easement on Town-**
371 **owned property to the north of C & P's 453 Exchange Street Parcel**
372

373 Vice-Chair Seeley led this discussion since Carpenter recused himself as owner of C &
374 P Brick and Mortar LLC.
375

376 Seeley said this is a request for a permanent stormwater easement and right-of-way
377 across a portion of a narrow parcel of Town-owned land that separates Champlain
378 Valley Equipment and property to the south to facilitate the construction of a new
379 stormwater system that would serve the southerly property. She said if the Board is
380 amenable, then the next step would be to initiate a Section 1061 notification process for
381 the conveyance of Town-owned property as done with previous request for easements
382 by utility companies.
383

384 Khan moved to authorize Town Manager Kathleen Ramsay to work with Town Counsel
385 to initiate the required 30-day Section 1061 public notification process for the
386 conveyance Town-owned property. Nuovo seconded the motion. The motion carried
387 with 6 in favor (1 recusal). **MOTION PASSED.**
388

389 Khan also moved that if no citizens' petition objecting to the conveyance is received in
390 the Town Clerk's Office within the 30-day comment period, the Board authorizes Town
391 Manager Kathleen Ramsay to sign the Easement Deed with C&P Brick and Mortar,
392 LLC. Nuovo seconded the motion. The motion carried with 6 in favor (1 recusal).
393 **MOTION PASSED.**
394

395 Carpenter said this was reviewed with Town staff and there was a minor concern about
396 the cover over the force main, but they're committed to making sure there is a proper
397 cover. He said they're working with Otter Creek Engineering and DiBisshop Excavating.
398 He thanked the Board for their support.
399

400 **9. Follow-up to Meeting with Middlebury's Legislators**
401

402 Carpenter said there had been feedback and letters on the homelessness discussion,
403 and there had also been a commitment to get back to the Legislators with some data
404 and he wasn't sure how Chief Hanley was coming on that. He said Amy Sheldon is
405 willing to champion and work with other chairs to try and get some support for a
406 screener here in Addison County. He said that is critical to minimizing the time our
407 officers are required to be out of the service area for transporting impaired individuals
408 for screening, and that was the data the Legislators were looking for.
409

410 Khan would like to meet quarterly with Legislators to keep on these topics.
411

412 Artim said he thought it was beneficial to have a longer time for discussion and they
413 seemed to hear us and are thinking about how to help. He said these aren't issues that
414 can be solved quickly, but he's thankful to them and for the good dialog and agrees with
415 Khan that he'd like to see it happen more often.
416

417 Seeley said she would like to see a local place for housing people in need of detox.
418 She said they have to go to Rutland or Burlington even after they've been screened, so
419 if we can house them locally it would also help keep our officers in town.
420

421 Asermily said she liked Rutland's Project Vision that has three subcommittees working
422 on crime & safety, substance abuse and community and neighborhood housing. She
423 said there are some concrete things we could do, and the Public Health and Safety
424 could look at these. She said she'd be willing to talk to Chief Hanley and help him
425 organize a meeting of stakeholders. She thought Neighbors Together might help with
426 this.
427

428 **10. Finalize Agenda for Town-College Lunch; Decide on Third Member to Attend**

429
430 Carpenter went over the agenda with the Board and there was discussion on who the
431 third member to attend the lunch with Carpenter and Seeley. Since Asermily is rotating
432 off the Board this year, it was decided she would attend this lunch and Artim would
433 attend the next lunch when the downtown construction would be discussed.
434

435 **11. Approval of Check Warrants**

436
437 Artim moved to approve total expenditures in the amount of \$641,945.03, consisting of
438 \$364,620.68 for accounts payable, and \$277,324.35 for payroll, for the period
439 November 20, 2019 through December 10, 2019. Nuovo seconded the motion. The
440 motion carried with 7 in favor. **MOTION PASSED.**
441

442 **12. Town Manager's Report**

443
444 Ramsay said there would be a conference call at 1:00 p.m. on Wednesday, December
445 12th with the Vermont Traffic Committee on the speed limits on Rts 116 & 125. The
446 traffic study that came out of the traffic count recommended keeping the speed limits
447 the same.
448

449 She reported the Battell Trustees are seeking permission from the Court to transfer
450 \$65,000 to the Town as part of its commitment to the Land Conservation Trust Fund.
451

452 Ramsay said the Board will be reconsidering Jeff Olsen for reappointment to the
453 Addison County Economic Development Corporation Board, but consistent with Town
454 Policy the appointment was advertised and the Board will appoint at their first meeting in
455 January.
456

457 She said the Town has received the dues schedule from the Vermont League of Cities
458 and Towns, and our dues have increased from \$11,200 to \$11,700, or about 4%. She
459 will incorporate the increase into the budget.

460
461 She said Lindale Mobile Home Park has increased the grant for their septic system from
462 \$30,000 to \$60,000 and Addison County Community Trust will provide the required
463 matching funds. They have requested an extension on the application deadline to June
464 of 2020.

465
466 Ramsay reported the Planning Commission reviewed the Purpose Energy Resource
467 Recovery Center application and generally supports the project with some minor
468 concerns. They will notify the Public Utility Commission that Purpose Energy has done
469 its best to comply with our zoning regulations.

470
471 She said Middlebury Area Land Trust thanked Vermont Railway and ECI for delivering
472 gravel to the edge of Wright Park at no cost so volunteers can fix the wet spots in the
473 Trail Around Middlebury.

474
475 Ramsay said the Town of Weybridge has hired Brian's Lawn Care for winter
476 maintenance of the Pulp Mill Bridge sidewalk that's in Weybridge.

477
478 Finally she reported that Vermont Gas Systems subcontractor New England Utilities,
479 helped our Town crew repair a water break in some nasty weather a couple of weeks
480 ago, and we have thanked them for their help.

481

482 **13. Board Member Concerns**

483

484 Fuentes-George wanted to say how much she appreciated how thoughtful our citizens
485 are and how they come to the table with well researched thoughts that add to the
486 discussion. She said she feels it's helpful to her when making a decision. Artim and
487 Nuovo agreed.

488

489 Seeley wanted to thank the Better Middlebury Partnership for putting on Very Merry
490 Middlebury. She said she had seen Jim Gish working downtown Saturday and how one
491 of the merchants at "ground zero" had great things to say about Gish and his
492 communication skills. She said she wants to thank VTrans for providing funds for Gish
493 and how fortunate we are to have him.

494

495 Seeley said the Creek Road Task Force is meeting on January 3rd, 2020 and they are
496 hoping to come to a consensus then that they will present to the Infrastructure
497 Committee at their January 9th meeting and to the Selectboard at one of their January
498 meetings.

499

500 Asermily said she is just amazed at how culturally rich Middlebury is and mentioned
501 several community events that happened recently. Asermily also said she is not
502 running for reelection in March and wants to give others a chance to come on the

503 Board. She's said she is honored to have been on the Board and urged others to
504 consider running for her position or a committee position.

505

506 **14. Executive Session – Personnel & Contracts**

507

508 Fuentes-George said in accordance with Vermont's Open Meeting Law requirements, I
509 move that the Board find that premature general knowledge of the consideration of
510 consideration of a Personnel and Legal Matter and Contracts would clearly place the
511 Selectboard at a substantial disadvantage, because the Select Board risks disclosing its
512 litigation strategy if it discusses the Personnel and Legal Matter and Contracts in public.
513 Seeley seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

514 Fuentes-George further moved that the Board enter into Executive Session to discuss
515 the Personnel and Legal Matter and Contracts under the provisions of Title 1, Section
516 313(a)(1) of the Vermont Statutes. Seeley seconded the motion. The motion carried
517 with 7 in favor. **MOTION PASSED.**

518

519 The Board entered Executive Session at 9:15 p.m.

520

521 **15. Adjournment**

522 The Board exited Executive Session and adjourned at 10:00 p.m. with no further action.

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524 The next meeting of the Middlebury Selectboard will be Tuesday, December 17, 2019 at
525 7:00 p.m. in the Town Offices at 77 Main Street.

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527 Respectfully submitted,

528 Beth Dow

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