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**Special Selectboard Meeting**  
**Large Conference Room – Town offices**  
**Monday, March 25, 2019**  
**Meeting Minutes**

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

Staff Present: Town Manager Kathleen Ramsay, Community Liaison Jim Gish.

Others Present: Representative Amy Sheldon, and State Senators Chris Bray and Rudy Hardy. Karen Horn from Vermont League of Cities and Towns (VLCT) participated via phone for the Legislative discussion. Also present were other interested community members

The meeting was televised on MCTV by Jim Corbett.

**1. Call to Order**

Brian Carpenter called the meeting to order at 6:30 p.m.

**2. Approval of Agenda**

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

**3. Meeting with Legislators – Updates on Legislative Session**

Carpenter asked the legislators to begin by giving their impressions of the session so far and then the Board would ask questions.

Sheldon said this year she is Chair of the House Natural Resources and Fish and Wildlife Committee, and their main focus is updating Act 250. She said there have also been a few other bills that have been forwarded to them by other committees.

Bray is Chair of the Senate Natural Resource and Energy Committee, and said that there is also an economic development proponent in this committee as well. He said they have been focusing this half of the session on Natural Resources, and the Clean Water Initiative and they've been tuning up the delivery system, and instead of Agency of Natural Resources (ANR) managing all the grants, doing more block grants and have seen good results with this. He said another bill they are working on relates to polyfluoroalkyl substances in drinking and surface water. He said this year's bill proposes to carry this standard over to public water systems as well.

Bray said Bill S.113 will be on the Senate floor this week that will ban plastics bags by July of 2020. He said the reason for the delay in implementation is based on a

47 recommendation by Brattleboro, which said their smooth implementation was due to  
48 having ample time to work on the specifications, publish them, work on public outreach  
49 and work with vendors, so when they began the ban it went very smoothly. He said  
50 S.113 also limits plastic straws to people who specifically ask for them. He said the Bill  
51 also includes a ban on polystyrene (Styrofoam) containers to keep them out of the  
52 waste stream, and forming a working group to look at the waste streams in general to  
53 help the recycling industries. He said another exciting thing is a proposed pilot  
54 program that would allow communities greater latitude to make decisions regarding  
55 local governance that would ordinarily require going to the legislature to request a  
56 Charter change. He said they are looking at trying this with several communities before  
57 doing it State wide.

58  
59 Hardy said she is on the Agriculture and the Education committees. She said the  
60 Agriculture Committee is working on a Rural Economic Development Bill specific to  
61 agricultural and forestry products and also a Wetlands Bill and agricultural practices on  
62 wetlands, which will be important to Addison County. She said they are also working on  
63 a Hemp Bill, which establishes a program, sets fees and creates regulations for Hemp  
64 producers. She said in Education, there are several miscellaneous bills they're working  
65 on. One is for small, private colleges that close and would create requirements for what  
66 they have to do when that happens in regard to student records and transfers. She said  
67 there is also a bill to establish a Task Force on campus sexual harm, and another one  
68 creating a Career and Technical Education pilot program under which Vermont's State  
69 Colleges and Career Centers would work together to explore and create an Associate  
70 Degree type program for high school seniors.

71  
72 Nuovo said he'd like to see the State move in the direction of offering opportunities for  
73 residents going through public schools all the way to their Baccalaureate free of charge.  
74 Hardy said they are looking at a Bill for a scholarship program, but isn't sure we can  
75 ever get to a program to offer free tuition. She said her focus has been on the State  
76 colleges where the vast majority of Vermont students attend and they often tend to be  
77 the neediest students. She said it will probably be a two-year process as they put this  
78 package together to make higher education more affordable for Vermont students.

79  
80 Ramsay noted that Representative Robin Scheu was unable to attend this evening, but  
81 had noted there was an additional \$3 million included in the budget for State colleges.  
82 Hardy said that money is in the Governor's Budget, along with the money for this pilot  
83 project for career centers and Vermont Technical College, which she believes everyone  
84 is in favor of. She said the scholarship program would be in a future year.

85  
86 Khan asked about the roundabout at Route 7 and Exchange Street, and wondered how  
87 we could move this up on the agenda of projects, since it had been discussed for years  
88 with no action. Bray said he had asked about this project when he returned to  
89 Montpelier at the beginning of this session, and his sense was that VTrans is consumed  
90 by the rail project here in town, and they had told him they were aware of the  
91 roundabout project but they have no definitive answer of when it will happen. Khan said  
92 there had been a fatality on Rt. 125 last year and VTrans is only proposing rumble strips

93 to help in that area, and they don't agree a speed reduction is needed. He wondered  
94 why they are this way. Bray said he wished he could answer that, but he had spent  
95 over a year trying to get the speed reduced by Breadloaf campus in Ripton, only to have  
96 them say the speed limit was fine. He said the most influential thing the Town could do  
97 was to have it at the top of the list of projects at the Regional Planning level. Hardy said  
98 she knew the Town had sent a letter along with the Regional Planning Commission  
99 regarding the Rt. 125 issue, and she would be happy to pursue that further with VTrans.  
100 Sheldon said she knew the roundabout project was in the queue of State projects, so  
101 she would look to see what the status of it was. Carpenter said he understood the  
102 roundabout was the top project on the Regional Planning list, so he'd appreciate her  
103 finding out where it is in the State list.

104  
105 Nuovo asked if this proposed bill for more local control would include towns having  
106 more control over the State highways in their communities, and the ability to set the  
107 speed limits. Bray said this bill is S.106 and since this is a pilot program, he isn't sure  
108 how much control the State is willing to cede to towns, but traffic issues was mentioned  
109 in discussion. Karen Horn of VLCT said that local control of State highways that go  
110 through downtowns and congested areas was one of the issues that has been  
111 discussed in S.106. Seeley asked how towns were selected to be a part of this pilot  
112 program in S.106 and asked them to send information regarding the selection process  
113 to Town Manager Ramsay. Bray said he would do that, and was sure Horne would be  
114 keeping an eye on this as well.

115  
116 Seeley said Middlebury is dealing with how to sustainably fund infrastructure projects in  
117 the future, and wondered what discussions the State was having on funding future  
118 highway projects while promoting more electric vehicles on the road in the future that  
119 won't be paying the Carbon Tax. Bray said they looked at this problem and one of the  
120 suggestions was to have the owners of electric vehicles who weren't paying the Carbon  
121 Tax, pay a flat fee at the time of registration. He said it is now being studied, but it is a  
122 work in progress. Sheldon said her Committee has looked at the funding that will be  
123 needed for municipal water systems in the future in relation to the Clean Water Initiative,  
124 so there is an awareness of local infrastructure needs. Bray said there was around \$80  
125 million dollars available for wastewater projects, and around \$30 million for drinking  
126 water projects. Seeley said Middlebury has approximately \$22 million in water projects  
127 alone that we need to find funding for.

128  
129 Artim spoke about how much further ahead other countries are when it comes to  
130 technical training and infrastructure. He asked, when it comes to an Act 250 update,  
131 what is going to be done to move projects through at a greater level of efficiency.  
132 Sheldon said their Committee task was to look forward and backward, at what they can  
133 do to protect the Vermont landscape and what is missing in the current law in regard to  
134 energy efficiency. She said they will be looking at enhanced designations for towns that  
135 already have downtown designations and robust local planning. She said 90% of Act  
136 250 applications are approved, and the average permit is processed in 60 days. She  
137 said they have found the delays are often at the local levels or with other ANR permits,  
138 but they get lumped into "Act 250". She thinks strengthening the Act 250 Board and

139 returning it to more as it was originally to provide more guidance and oversight, and  
140 make the process more efficient. Artim said personally he'd like to see Middlebury be  
141 one of the pilot designations and we already have a tremendous base of expertise,  
142 which we're constantly trying to improve.

143  
144 Asermily said Middlebury would be developing an ordinance banning plastic bags, and  
145 asked if there were any details of the State plastic bag ban that would help us. Bray  
146 said they're being careful with the bill so they get off on the right foot, so the State is  
147 going to develop theirs slowly. He said he can't say what the details will end up being,  
148 and suggested looking at the Brattleboro Ordinance. Khan would like to see there to  
149 be a statewide ban, because then everyone would have to follow it. Bray said it is  
150 possible a town could have a stricter ban than the State.

151  
152 Fuentes-George asked for an update on the 350VT Initiative and how is the State  
153 incorporating that feedback into their planning, and looking at the State's Energy Plan,  
154 how are they doing at hitting their target and what can Middlebury be doing. Bray said  
155 that his Energy Committee is doing weatherization programs, but it has been  
156 underfunded previously and they're looking to bring more money to middle-income  
157 families. He said net metering has been stretched as far as it can go and was never  
158 designed for large-scale projects, so they are looking at other ways to get renewable  
159 energy to municipalities, schools and hospitals at a lower cost than traditional net-  
160 metering projects. Hardy said a lot of the bills passed have certain pieces in them that  
161 are working towards the 350 Initiative and there will be a bill coming out this week about  
162 codifying those goals into State law to force the hand of the legislature and  
163 municipalities to act. Sheldon said Act 250 has 10 criteria and the first 4 are devoted to  
164 air and water, and they are proposing changing the 1<sup>st</sup> one to just air and include  
165 greenhouse gas emissions in that, and they have learned a lot about building codes for  
166 energy use and took compelling testimony from the building contractors about the need  
167 for certifying that. She said builders who are meeting the energy code now, even  
168 though it's voluntary, are finding they're not as competitive in selling their products, so  
169 they're exploring ways so State Land Use can meet our energy goals and keep better  
170 track of them. Bray said they are also working on ways for homeowners who make a  
171 significant investment in energy improvements to their home to have some way of this  
172 improving the marketability of their home.

173  
174 Carpenter ended discussion and said they appreciated the legislators coming in and  
175 hoped to have them come back again towards the end of the next session.

176  
177 **4. Approval of Minutes of March 12, 2019 Selectboard Meeting**

178  
179 Khan made the motion to approve the minutes, and Nuovo seconded the motion.  
180 The minutes were approved as presented with 7 in favor. **MOTION PASSED**

181  
182 **4. Citizen Comments**

183  
184 There were no citizen comments.

185  
186 **6. Memorandum of Agreement with the Better Middlebury Partnership for**  
187 **Implementation of the Proposed Plan for Redirecting Balance of 2018 VTrans**  
188 **Downtown Bridge Project Marketing Grant as Developed by Neighbors Together**  
189

190 Carpenter said that Community Liaison Jim Gish had presented the plan for redirecting  
191 the balance of the 2018 VTrans Downtown Bridge Marketing Grant, approved by the  
192 Board at their March 12, 2019 meeting, to VTrans and they are in support of the plan.

193  
194 Asermily moved to authorize Town Manager Kathleen Ramsay to sign the  
195 Memorandum of Agreement with the Better Middlebury Partnership that documents the  
196 approved plan for investing the balance of the Downtown Business Support Grant  
197 provided by the Vermont Agency of Transportation and defines the commitments and  
198 obligations of both parties. Khan seconded the motion. The motion carried with 7 in  
199 favor. **MOTION PASSED.**

200  
201 **7. Infrastructure Committee Chair Heather Seeley with Updates &**  
202 **Recommendations from the Infrastructure Committee Meeting of March 14, 2019.**  
203

204 **7.a. Shard Villa Bank Stabilization**  
205

206 Seeley said the consulting engineer DuBois & King recommended awarding the bid to  
207 G&N Engineering for \$89,100. The engineers said they had worked with this company  
208 in the past on similar projects without issues and they had received good  
209 recommendations.

210  
211 Artim made the motion to award a contract to G&N Excavation for the Shard Villa Bank  
212 Stabilization Project, for a total cost of \$89,100. Khan seconded the motion. The  
213 motion carried with 7 in favor. **MOTION PASSED.**

214  
215 Asermily asked if this construction firm would now go on our list of Qualification Based  
216 Services. Seeley said that list is for engineering and design services, not construction  
217 businesses, and those would continue to be bid out.

218  
219 **7.b. Shard Villa Road Improvements**  
220

221 Seeley said this is the second phase of this project, since once the bank is stabilized  
222 2,700 feet of the road will need to be resurfaced. She said the Town has already  
223 completed the culvert work on the road. DuBois and King is recommending Pike  
224 Industries with the low bid of \$177,874.50.

225  
226 Carpenter asked about the uncertainty in the bid opening involving addendums. Seeley  
227 said it was unsure at the opening if Pike's bid had included the two addenda items, but it  
228 was verified afterwards the items were included in their bid.  
229

230 Khan moved to waive the informalities and award a contract to Pike Industries for the  
231 Shard Villa Road Improvements Projects, for a total cost of \$177,874.50. Nuovo  
232 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

233  
234 **7.c. Update on Police Department Building Energy Conservation Initiative**

235  
236 Seeley said this project had gone out to bid and no bids were received. Consultant  
237 Judith Harris contacted contractors directly and was told their schedules were already  
238 full. Seeley said Harris is recommending separating the foam insulation portion of the  
239 work and bidding it out as a separate project. Seeley said Harris has also  
240 recommended incorporating the window replacement and masonry work at the Police  
241 Station into the old Wastewater Treatment Plant Control Building Re-Use Project, since  
242 both projects contain a masonry component.

243  
244 **7.d. Negotiation of Architectural Services for WWTF Control Building Re-Use  
245 Project and Window Infill and Replacement at the Police Station**

246  
247 Seeley said using the list of Statement of Qualifications (SOQ), Dan Werner is  
248 recommending beginning negotiations with Vermont Integrated Architects (VIA) toward  
249 a contract for architectural services for the old Wastewater Treatment Facility Control  
250 Building Re-Use Project and the window infill and replacement portion of the Police  
251 Department Building Energy Conservation Initiative.

252  
253 Khan made the motion to authorize staff to begin contract negotiations with Vermont  
254 Integrated Architecture toward a contract for architectural services for the old  
255 Wastewater Treatment Facility Control Building Re-Use Project and the window infill  
256 and replacement portion of the Police Department Building Energy Conservation  
257 Initiative. Asermily seconded the motion. The motion carried with 7 in favor. **MOTION  
258 PASSED.**

259  
260 There was some discussion about the SOQ and the other architectural firms on the list.  
261 Seeley pointed out that Ashar Nelson of VIA was the lead architect when the Police  
262 Department was constructed, so has experience with this site.

263  
264 **7.e. Authorize Expenditure of Funds and Signature of  
265 Documents for Sanitary Sewer Improvements along Railroad Bed**

266  
267 Seeley said this request was to Authorize a capital expense for the replacement of 515-  
268 ft. of sanitary sewer adjacent to the rail bed from the Cross Street Bridge south to the  
269 rail trestle as part of the Bridge and Rail Project.

270  
271 Seeley said Dan Werner reported that this project dovetails with work that will be done  
272 to replace the sanitary sewer along the rail line north of Cross Street Bridge as part of  
273 the Bridge and Rail Project, and since this 515-ft. section of old bituminous clay pipe  
274 south of the bridge is in bad shape and needs upgrading, it makes sense to save some  
275 money and include it in the replacement work to the north. She said this will require an

276 additional agreement with VTrans to include this section of pipe to the project. She said  
277 it has also been identified that there is a need to remove three manholes that were not  
278 included in the original estimate. Ramsay said it could bring the total to around  
279 \$100,000.

280  
281 Carpenter said there will probably be more projects like this in the future, where we can  
282 do some infrastructure upgrades in conjunction with the rail project and take advantage  
283 of their engineers, contractors and construction maintenance. Seeley said it is probably  
284 a benefit to do this work while things are already torn up. Ramsay said Werner is also  
285 getting a bid together for the sidewalks in the downtown area as an addition to the  
286 Kubricky contract. Seeley said there will also be some water line work that will be  
287 included as well. Artim said this was really a “no brainer” to do this work now.

288  
289 Asermily asked if there were other projects that would have to wait to get this work  
290 done, and Ramsay said there is money in the budget to do this work and it was planned  
291 in advance.

292  
293 Artim moved to authorize an estimated \$92,965.52 in capital expense (plus additional  
294 cost to remove three decommissioned manhole structures) for the replacement of 515-  
295 ft. of sanitary sewer adjacent to the rail bed from the Cross Street Bridge south to the  
296 rail trestle. Seeley seconded the motion. The motion carried with 7 in favor. **MOTION**  
297 **PASSED.**

298  
299 Artim made the motion to authorize Town Manager Kathleen Ramsay to sign a Utility  
300 Agreement with the VTrans for the sanitary sewer replacement, once it becomes  
301 available. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION**  
302 **PASSED.**

303  
304 **8. Repair of Public Works Loader for Summer Maintenance Activities**

305  
306 Ramsay said DPW Operations Director Bill Kernan has requested a large Purchase  
307 Order for \$12,223.23 to replace the Caterpillar’s ac/heater unit and repair a large engine  
308 oil leak. She said the timing of this work is important, since the unit will need to be fitted  
309 with mowing equipment and placed back into service in time for the season and the  
310 Board can authorize the expense under the Emergency Purchases exception to the  
311 Town’s Purchasing Policy.

312  
313 Asermily asked about the piece of equipment, and Carpenter said this was a real  
314 workhorse unit that is used for our roadside mowing, among other things. Fuentes-  
315 George asked how much a new one cost, and Carpenter guessed around \$200,000.  
316 Fuentes-George asked if we knew what caused the leak and might it have been from  
317 the way it was used, but Carpenter said it was not abnormal for a large piece of  
318 equipment to have an issue like this, so it’s a pretty critical repair for this type of  
319 machine.

320

321 Seeley made the motion to Authorize Town Manager Kathleen Ramsay to sign a  
322 Purchase Order for \$12,223.23, under the Emergency Purchases exception to the Town  
323 of Middlebury Purchasing Policy, for needed repairs to DPW's 2006 Caterpillar Front  
324 End Loader. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION**  
325 **PASSED.**

### 326 **9. Approval of Annual Financial Plan for Town Highways**

329 Ramsay said in order to qualify for State Highway Aid, the Town must certify annually  
330 that it spends at least \$300 per mille maintaining our roads. She said Werner had done  
331 the calculations, and with our capital and operational expenses, the Board is safe in  
332 certifying we're spending at least \$300 per mile, per year.

333  
334 Seeley made the motion to sign the Annual Financial Plan for Town of Middlebury  
335 Highways, certifying total estimated maintenance expense for FY20 of \$2,778,866.  
336 Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

### 337 **10. Selectboard Subcommittee Appointments & Board Representatives**

339 Carpenter directed the Board to a list of current subcommittee assignments.

341  
342 Expenditure Review – Fuentes-George said it takes a lot of time, so she is suggesting  
343 everyone share this responsibility throughout the year. Seeley said she'd be willing to  
344 do that. Ramsay suggested a checklist to know what to be looking for when reviewing  
345 accounts payable. Khan said he'd rather have one primary and maybe 2 alternates,  
346 and couldn't really commit to a schedule. Nuovo thought the Chair should be left off the  
347 rotations, and then just rotate between the remaining six members. Carpenter said he'd  
348 ask Ramsay to give him the payables schedule for the coming year and he'll assign a  
349 primary and alternate person to do each of the reviews.

350  
351 Personnel Committee – No change.

352  
353 Town/School – Carpenter is downsizing this committee to just Nuovo and Ramsay.  
354 Seeley said when the school unified this committee kind of went away because the  
355 unified district is not meeting with each town, so she thinks this committee would only  
356 meet if there was an issue.

357  
358 Economic Health Committee - Khan would continue to serve on this committee.

359  
360 Infrastructure Committee – Carpenter said this committee is at a critical stage in several  
361 projects, so Fuentes-George and Seeley will remain on this Committee, and Seeley will  
362 continue to act as Chair.

363  
364 Health and Safety Committee – Carpenter said Asermily would like to continue on this  
365 committee, but not as Chair. Artim said he's willing to serve on the committee, but  
366 would like to have the committee members choose the chair.



367  
368 Middlebury Area Land Trust – Nuovo said he'd be happy to pass this on to someone  
369 else. He felt the one who should be on for the Town is the Town Planner, because they  
370 do a lot of conservation planning. Ramsay said she would ask Town Planner Murray if  
371 she has time to be on this Board, and she'd also discussed with the MALT Board about  
372 recruiting another liaison from the town. Seeley wondered about someone from the  
373 Conservation Committee as well. Ramsay will report back on this.

374  
375 Parks and Recreation Committee – Khan will remain on this committee.

376  
377 Better Middlebury Partnership – Khan will also remain on this committee.

378  
379 Downtown Improvement District Commission – Fuentes-George said she doesn't mind  
380 staying on this Commission, but if someone else wanted to take over she was okay with  
381 that. Brian Carpenter said he'd be happy to take over on the Commission.

382  
383 College Relations – Carpenter said this would remain himself and Seeley, as Vice-Chair  
384 and one other rotating member.

385  
386 Policy Review Committee – Carpenter said he was wondering about Nuovo sitting on  
387 this committee, since he's a good writer and is interested in the Plastic Bag Ban that this  
388 committee will be working on. He said the committee is currently working on the  
389 Personnel Policy, but there are a lot more policies to be reviewed and feels it is a lot of  
390 work for a small group. He thinks the first thing for the committee to do would be to  
391 draft the ordinance and there should be a Board member on the committee to do this.  
392 Asermily said she thought the Public Health and Safety Committee should review the  
393 draft ordinance when the Policy Review Committee was done with it, since it involved  
394 police enforcement. Carpenter said this ordinance will be driven by the Selectboard, but  
395 his preference is to start it with Policy Review before moving to other committees.

396  
397 MCTV - Khan will remain on the MCTV Board

398  
399 Addison County Transit Resources – Nuovo said he would be willing to replace  
400 Asermily on this Board, but Asermily said it is tricky now as they are still working on the  
401 merger. Nuovo and Asermily will work on transitioning Nuovo to take over for Asermily  
402 on this Board.

403  
404 Town Energy Committee – Fuentes-George will remain on this committee.

405  
406 Carpenter asked each member to report back to Ramsay any changes in membership  
407 of their committees.

408  
409 Ramsay said Asermily has found someone interested in the Addison County Solid  
410 Waste Management District Alternate position. Asermily said she'd like to nominate  
411 Amy McAninch as Alternate. The Board approved with this nomination.

412

413 Fuentes-George asked about people who were interested in joining a committee.  
414 Ramsay said the vacancies are advertised and then interested people are appointed by  
415 the Board.

416  
417  
418  
419

**11. Appointment of Representative to  
Addison County Grammar School Corporation**

420 Carpenter said the Addison County Grammar School Corporation has control over the  
421 Storrs Park located behind Twilight Hall, between College Street and Franklin Street  
422 and is managed in partnership with Middlebury College. He said it has some  
423 restrictions over the use of it and the Farmer’s Market is looking to relocate to Storrs  
424 Park in 2020, so it would be nice to have a Town representative on the Corporation.  
425 Carpenter said Gish was recommended to be this representative by Caroline Carpenter  
426 and Chair of the Grammar School Corporation Dick Foote.

427

428 Khan moved to appoint Community Liaison Jim Gish as the Town of Middlebury’s  
429 representative to the Addison County Grammar School Corporation. Seeley seconded  
430 the motion. The motion carried with 7 in favor. **MOTION PASSED.**

431

**12. Approval of Check Warrants**

432  
433

434 Fuentes-George moved to approve total expenditures in the amount of \$4,978,455.74,  
435 consisting of \$4,869,070.71 for accounts payable, and \$109,385.03 for payroll, for the  
436 period March 13, 2019 through March 25, 2019. Nuovo seconded the motion. The  
437 motion carried with 7 in favor. **MOTION PASSED.**

438

**13. Town Manager’s Report**

439  
440

**13.a. Update on Better Connections Grant Application  
for the Downtown Master Plan.**

441  
442  
443

444 Ramsay reported that on March 15th, VTrans notified Planning and Zoning Director  
445 Jennifer Murray that the Town’s Better Connections Grant Application for the Downtown  
446 Master Plan has been awarded partial funding of \$62,500 out of \$67,500 requested,  
447 which increases the Town’s match of the \$75,000 project from \$7,500 to \$12,500 unless  
448 consultant fees are lower than anticipated or the scope of work is changed. She said as  
449 a next step, Murray reports she will begin working with the Planning Commission on the  
450 development of an RFP for consulting services. The identified consultant will assist the  
451 Planning Office in creating a framework for developing the master plan, including the  
452 identification of key stakeholders, data to be collected, and a plan and timeline for public  
453 engagement.

454

**13.b. Upcoming VLCT Workshop: Effective Property Tax Appeals.**

455  
456

457 Ramsay said there is a VLCT workshop on Effective Property Tax Appeals on April 30<sup>th</sup>  
458 in Fairlee. She said this is a year where there may be potentially many appeals, so she

459 wanted to bring the workshop to the Selectboard's attention since they will be serving as  
460 members of the Board of Abatement by virtue of their office. She said VLCT is also  
461 hosting an Economic Development Workshop in Burke this week and there is still room  
462 in that workshop if anyone wanted to attend.

463

464

#### 14. Board Member Concerns

465

466 Artim said it was wonderful news on the Master Planning funding and thanked everyone  
467 who wrote letters of support for this grant. He said he's extremely confident it will be a  
468 success.

469

470 Khan said it was good to see the legislators this evening and it would be nice to see  
471 them more often.

472

473 Seeley said Town Clerk Webster had sent out a notice of an Effective Property Tax  
474 Appeals Workshop, but it was in Rutland on May 7th, not in Fairlee. She said she'd be  
475 interested in the Rutland workshop, but not the one in Fairlee and the deadline to  
476 register is April 23<sup>rd</sup>.

477

478 Asermily said she noticed there are more bikers and walkers out and wondered what  
479 the plan for street sweeping is this year as there is quite a lot of debris in the shoulders  
480 of the road. Ramsay will check with Director of Public Works Operations Kernan.

481

482 There was discussion on the use of salt/sand this year and the excess on East  
483 Middlebury sidewalks this year. Seeley thought it had to do with trying to overfill the  
484 equipment so they don't have to return to Public Works to refill, and sometimes extra is  
485 deposited on sidewalks if the vehicle has to stop for some reason.

486

487

#### 15. Executive Session – Anticipated – Contracts & Personnel

488

489 Seeley said in accordance with Vermont's Open Meeting Law requirements, she moved  
490 that the Board find that premature general knowledge of the consideration of contracts  
491 and personnel issues would clearly place the Selectboard at a substantial disadvantage,  
492 because the Select Board risks disclosing its litigation strategy if it discusses the  
493 contracts and personnel issues in public. Khan seconded the motion. The motion  
494 carried with 7 in favor. **MOTION PASSED.**

495

496 Seeley further moved that the Board enter into Executive Session to discuss contracts  
497 and personnel issues and, under the provisions of Title 1, Section 313(a)(1) of the  
498 Vermont Statutes. Khan seconded the motion. The motion carried with 7 in favor.  
499 **MOTION PASSED.**

500

501 The Board entered into Executive Session at 8:39 p.m.

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503

#### 16. Action on Matters Discussed in Executive Session

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505 The Board exited Executive Session at 9:27 p.m. upon motion by Asermily, seconded  
506 by Khan, with no further action.

507

508

### **17. Adjourn**

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510 The meeting adjourned at 9:28 p.m. upon motion by Artim, seconded by Khan.

511

512 The next meeting of the Middlebury Selectboard will be Tuesday, April 9, 2019 at 7:00  
513 p.m. in the Town Offices at 77 Main Street.

514

515 Respectfully submitted,

516 Beth Dow