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**Regular Selectboard Meeting**  
**Large Conference Room – Town offices**  
**Tuesday, April 23, 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, Assistant Town Manager Chris English, Director of Public Works Planning Dan Werner and Police Chief Tom Hanley.

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 7:00 p.m.

**2. Approval of Agenda**

Khan made the motion to approve the agenda and Seeley seconded the motion. The agenda was modified to defer the Creek Road discussion until the May 28, 2019 meeting. The motion carried with 7 in favor. **MOTION PASSED.**

**3. Approval of Minutes of April 9, 2019 Selectboard Meeting**

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

**4. Citizen Comments**

Ross Conrad said that two climate control Articles had been approved at the March Town Meeting, and he wondered what the Selectboard had done to address those Articles.

Carpenter said at this point they have not addressed them, but would be meeting soon to be setting goals and prioritizations for the upcoming year. He said the only Article that was really guiding the Selectboard was the plastic bag ban, and the other one was for the Legislators and the Board had met with them. Ramsay said the Board had also sent a letter to them.

Ross said he was specifically talking about Article 8 that called for the Town to make commitments to increasing energy efficiency in the town. He said voters had also voted in 2002 to support the Earth Charter which was about improving our carbon footprint. He said the Energy Committee feels that we should be doing more, so are offering their services for any projects the Selectboard would like to explore.

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Carpenter said he appreciated his opinion, but feels Middlebury is somewhat of a leader in energy efficiency in Vermont and doesn't feel the Board has ignored the voters. He said we have the first net-zero town facility in the State, we've participated in solar projects, and the Board has worked with the Energy Committee and may be working with someone from the College that will help them set reasonable goals. He said the Board will take it under advisement, but he doesn't think the Board has been ignoring it. Conrad said he hadn't meant to imply the Board hadn't done anything, but thinks we can do more and it should happen sooner rather than later.

Nuovo said efforts were being made and felt Conrad's tone wasn't appropriate. He said Town committees were to suggest policies and practices to the Board, and they are not action committees. Nuovo suggested the Energy Committee should develop a proposal to bring to the Board, and if approved they would give it to the Town Manager to put into action.

Local high school student Kyle Mitchell introduced himself to the Board and gave them some background on his interest in local committees and boards, and how he would be honored to serve on the Parks and Recreation Committee.

**5. Appointments to Boards, Committees, Commissions & Official Positions**

Carpenter said he had received an e-mail from Fuentes-George regarding establishing term limits on every committee and trying to reduce the number of people who serve on multiple committees so to open opportunities for new people. Fuentes-George said she didn't think this was something they'd be able to do at this moment, but wanted to establish it as best-practice going forward. She wanted the greatest number of qualified people to be able to serve, since there seems to be a lot of interest and they should have an opportunity to be involved. Khan agreed that there needed to be more diversity on the boards, and Nuovo thought it was a good idea and it would result in a variety of opinions. Asermily said she felt rotation was very healthy, and was the reason she rotated off the Energy Committee and onto the Public Health and Safety. She said if people aren't appointed, it doesn't mean they can't attend meetings and participate in the work. Artim agreed, and when there are alternate positions, it doesn't mean they will automatically become a principle member if someone with more qualifications comes along. Carpenter said this wasn't going to be decided tonight, but to keep it in mind while making these appointments.

Planning Commission - Asermily moved to appoint Barbara Saunders and Angela Corbrin Landis to the Planning Commission. Artim seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

Development Review Board - Khan moved to appoint Rick Emilo and Jason Larocque as members and Don Keeler as Alternate to the Development Review Board. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

Energy Committee – Fuentes-George said she had checked the bylaws for the Energy Committee and they can have up to 11 members, and she felt there was enough work for them to have 11 members. Artim asked what the advantage to having 11 was, and Fuentes-George said the Committee is going to be working on more projects that require

97 subcommittees, and having more people would make this easier without taxing everyone.  
98 Conrad said that if the full slate of candidates was appointed, it would actually make a  
99 committee of 10.

100

101 Nuovo made the motion to appoint Steve Maier, Lisa Bernardin, Diane Munroe, Richard  
102 Hopkins and Liv Herdman to the Energy Committee. Fuentes-George seconded the motion.  
103 The motion carried with 7 in favor. **MOTION PASSED.**

104

105 Infrastructure Committee – Asermily said that Keeler and Fiske had been on this Committee  
106 a long time and it would be good to rotate some new members on.

107

108 Asermily made the motion to appoint Luther Tenny, Candy McLaughlin and Adam Franco as  
109 members, and Judy Wiger-Grohs as Alternate. Khan seconded the motion.

110

111 Seeley said while she agrees with the need for rotation, she felt either Keeler or Fiske should  
112 remain on the Committee since they bring a more conservative view to discussions, which  
113 she finds beneficial. She said there is so much in progress at the moment, so having people  
114 who know the history is important, so she is trying to balance wanting new people with the  
115 need for continuity. She said she hoped everyone who was interested in being appointed  
116 would show up at meetings and participate regardless of being appointed, because there  
117 aren't many citizens that attend.

118

119 Following further discussion, Carpenter called the question and the motion failed.

120

121 Fuentes-George made the motion to appoint Don Keeler, Luther Tenny and Judy Wiger-  
122 Grohs as members, and Candy McLaughlin as Alternate to the Infrastructure Committee.  
123 Seeley seconded the motion. The motion carried with 6 in favor, 1 opposed (Artim).

124

**MOTION PASSED.**

125

126 Parks and Recreation Committee – Asermily made the motion to appoint Megan Curran and  
127 Carl Robinson as members, and Kyle Mitchell as Alternate. The motion carried with 7 in  
128 favor. **MOTION PASSED.**

129

130 Asermily made the motion to appoint all nominees to the remaining Committees, Boards,  
131 Commission and Official Positions, as presented. Seeley seconded the motion. The motion  
132 carried with 7 in favor. **MOTION PASSED.**

133

### 134 **Middlebury Conservation Commission**

135

136 Carpenter said the Board has been requested to accept the terms of appointment for  
137 Conversation Commission members, as recommended by Staff. He said in accordance with  
138 24 VSA 118 §4502, Conservation Commission members are limited to four-year terms,  
139 except for those first appointed, so that vacancies may be staggered in the future. He said  
140 the current Conservation Commission members were appointed on August 22, 2017, at the  
141 time the Board chartered the Commission without specified terms of office, so this would be  
142 an appropriate time to establish term limits as recommended by staff for current Commission  
143 members in order to stagger future vacancies.

144

145 Jeff Howarth – 2 year term (2020)  
146 Molly Anderson – 2 year term (2020)  
147 Monica Przyperhart – 2 year term (2020)

148  
149 Amy Sheldon – 3 year term (2021)  
150 Andrew L’Roe – 3 year term (2021)

151  
152 Kemi Fuentes-George – 4 year term (2022)  
153 Judy Wiger-Grohs – 4 year term (2022)

154  
155 Asermily moved to establish term limits for current Conservation Commission Members, as  
156 recommended by Staff. Seeley seconded the motion. The motion carried with 7 in favor.

157 **MOTION PASSED.**

158  
159 **6. Police Chief Tom Hanley Regarding Adoption of the**  
160 **Middlebury Emergency Management Plan**

161  
162 Chief Hanley said before the Board is the 2019 version of our Emergency Management  
163 (EMP). He said the State has recently changed the name of these plans to Emergency  
164 Management Plans (EMP).

165  
166 Hanley said most of the Plan is contact and resource information, but there were five things  
167 on which the Selectboard should focus: 1) Adoption of the Plan certifies that the signing  
168 official (Town Manager Ramsay) has taken the required FEMA courses, which Ramsay has  
169 2) Certification that all emergency operations follows the National Incident Management  
170 System 3) The level of command is clear and followed. The Town Manager is listed first and  
171 has primary authority to declare an emergency that activates State Aid and then Federal Aid.  
172 4) Redeployment of town staff and resources to the Incident Commander during a declared  
173 emergency, and 5) Purchasing Policy is clear and allows for emergency purchases in the  
174 case of a declared emergency.

175  
176 Hanley said following the Board adopting the 2019 Plan, it would be submitted to Addison  
177 County Regional Planning and then to Vermont Emergency Management.

178  
179 Asermily said she appreciated Hanley’s expertise and that the Middlebury Plan is a model for  
180 Addison County. She said that Front Porch Forum had been left off the communication list.  
181 Hanley said in the case of an emergency they try to limit the number of communication  
182 channels and the primary modes are Vermont Alert and the Police Department Facebook  
183 page. Asermily asked about a possible cyber threat, and Hanley said he doesn’t have a  
184 management plan, since that is a very different type of threat. Asermily ~~wanted to~~ also  
185 wanted to note that extreme heat can be just as dangerous as extreme winter weather.  
186 Hanley said that they don’t cover all possibilities, but would use their basic operational plan.  
187 Artim said he has the confidence things are covered well. Ramsay said in smaller events she  
188 and Hanley always confer on what resources will be available, and last summer in the  
189 extreme heat it was sheltering.

190

191 Artim moved to adopt the Town of Middlebury Emergency Operations Plan for 2019 with  
192 noted changes. Khan seconded the motion. The motion carried with 7 in favor. **MOTION**  
193 **PASSED.**

194  
195 **7. Creek Road Project Manager Peter DeGraff, PE, Presentation of**  
196 **Findings Regarding Options for Creek Road**

197  
198 Deferred until the May 28, 2019 Board meeting.

200 **8. Policy Review Committee Recommendation Regarding Appointment of Ad Hoc**  
201 **Committee to Develop Draft Ordinance Regulating Single-Use Plastic Bags**

202  
203 Carpenter said this is a follow-up discussion from the last Board meeting when the Board  
204 discussed waiting to see what the State would do with bill S-113 banning plastic bags at the  
205 State level, but it was felt by some there was an urgency to the matter so the Policy Review  
206 Committee was asked to take it under advisement and return to the Board.

207  
208 Nuovo said the Policy Review Committee had come to the conclusion that they were not the  
209 proper Committee to draft the ordinance, since their work is to review existing policies and it  
210 is not part of their agenda of planned work. He said they have suggested the appointment of  
211 an ad hoc committee to do the work.

212  
213 English said there were a number of factors that led to this recommendation, one of which is  
214 simply the scope of this project. He said there is a high level of community support around  
215 this ordinance and scrutiny in regards to how this work gets done, as well as public  
216 engagement that is important and needed if it's to be done right. He said as the Policy  
217 Review Committee looked at the work already on their table, it made more sense to harness  
218 the energy and knowledge on this topic already in the community to get this work done, so  
219 suggested appointing an ad hoc committee to work on the first draft of this ordinance, and  
220 then it could come back to the Policy Review Committee to review. Nuovo said if there is an  
221 ad hoc committee they should report to the Selectboard and didn't see the need for it to go  
222 back to the Policy Review Committee.

223  
224 Asermily said there is a lot of enthusiasm for this and we want to reflect that and having  
225 active community engagement is an important part for success.

226  
227 Carpenter said he had reached out to Senator Bray and he shared that the S-113 bill passed  
228 unanimously by the Senate, is planned to be effective July 1, 2020 and outlaws single-use  
229 plastic bags, single-use plastic straws (available on request) and an extended polystyrene  
230 ban (Styrofoam). He said the bill also creates a working group to look at single-use plastic  
231 management focusing on reducing plastic packaging, which accounts for approximately 50%  
232 of all plastics.

233  
234 Carpenter said he also touched base with Rep. Sheldon, Chair of the House Natural  
235 Resource Committee who is reviewing S-113, and she has asked if there is anyone  
236 interested in testifying before her committee to let her know. She said there is also strong  
237 support in the House.

238

239 Carpenter said he would like to get the ad hoc committee appointed so they can begin work.  
240 He said we would need to go through a Charter change, so the earliest we could approve an  
241 ordinance would be next year and by then we'd know what will be coming out of this  
242 Legislative session. He said we will have to advertise for interested people and then  
243 nominate and appoint at the next meeting.

244  
245 Asermily suggested 5-7 people on the committee, and Nuovo said 3-5, and they agreed that  
246 5 was a good number. Carpenter asked Nuovo to Chair the committee, so an additional 4  
247 people would be needed.

248  
249 Marita Schine asked about the timeline for the committee, and Carpenter said the committee  
250 would end after the creation of the ordinance, and would not an open-ended commitment.

251  
252 There was discussion on whether or not the Town Charter would need to be changed prior to  
253 adopting the ordinance. Ramsay said there are certain ordinances that require a Charter  
254 change and solid waste may be one of them, but it will take some more research. She said if  
255 a Charter change is required, it will have to be approved at a Town Meeting prior to going to  
256 the Legislature, and we are anticipating a Special Town Meeting in November for a bond  
257 vote, so it could be voted on then. Carpenter said the ad hoc committee could do the  
258 research on this.

259  
260 Seeley made the motion to appoint an ad hoc committee of four community members, with  
261 Victor Nuovo chairing the Committee, to develop a first draft of the proposed ordinance  
262 regulating single-use plastic bags and to authorize Staff to advertise for interested  
263 candidates. Khan seconded the motion. The motion carried 6 in favor, 1 abstention (Nuovo).  
264 **MOTION PASSED.**

265  
266 Artim said since there were likely to be many people interested in being on this committee, is  
267 there a certain skill set the Board wants members of this committee to have. He said he  
268 would think we want a cross-spectrum of people, so the Board should think about the type of  
269 people they would want on the committee.

270  
271 **9. Director of Public Works Planning Dan Werner with Updates and Bid Award**  
272 **Recommendations from the Infrastructure Committee Meeting of April 18th**

273  
274 **9.a. Recommendation for Purchase of Global Navigation Satellite System (GNSS)**  
275 **Handheld Device and Software for Infrastructure Inventorying and Mapping**

276  
277 Werner joined the Board and said the first item was to ask the Board to endorse the  
278 Infrastructure Committee's recommendation to purchase what used to be called a GPS unit,  
279 but is now called a GNSS hand held device, made by Trimble and sold through Waypoint  
280 Technology. He said these hand held devices inventory infrastructure on the ground, such  
281 as water valves, curb stops, man holes, storm basins, guardrails, trees and street signs, then  
282 using the longitude and latitude put these items on a map. Werner said Trimble is the world  
283 standard for these devices and are accurate to 1 centimeter, so he is asking to Board to  
284 approve the quote of Waypoint's quote of \$9,121.

285

286 Nuovo made the motion to approve the purchase of the Trimble Geo 7X Mapping System  
287 from Waypoint Technology Group for a total cost of \$9,121. Seeley seconded the motion.  
288 The motion carried with 7 in favor. **MOTION PASSED.**

#### 289 **9.b. Contract Award Recommendation for Colonial Drive Improvements**

290  
291  
292 Werner said this project is for improvements to the east and west leg of Colonial Drive that  
293 loops around the Co-operative Insurance building, and includes replacing the water main,  
294 replacing some leaking section of sanitary sewer, and some stormwater work in an area that  
295 is a continuing icing problem in the winter. He said the road will be recycled and repaved,  
296 and if the budget allows, the Peterson Terrace/Gambrel Court roads will also be recycled and  
297 repaved. He said he is asking the Board to support the recommendation of the Infrastructure  
298 Committee to approve this contract with Green Mountain Engineering for a not-to-exceed  
299 cost of \$9,750.

300  
301 Seeley noted this contract is only the first step in this project to develop cost estimates, and  
302 does not produce biddable plans.

303  
304 Seeley made the motion to award a contract to Green Mountain Engineering (GME) for  
305 design engineering services for the Colonial Drive Improvements project, at a not-to-exceed  
306 cost of \$9,750. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION**  
307 **PASSED.**

#### 308 **9.c. Contract Award Recommendation for Summer Mowing Services**

309  
310  
311 Werner said Director of Public Works Operations Bill Kernan sent out bid packets for this two-  
312 year contract for summer mowing and three bids were received. Kernan is recommending  
313 awarding the contract to low bidder, Brian's Lawn Care, for a total cost of \$22,865.

314  
315 Asermily asked about Lawn Cuts for Less, who have done the mowing the last couple of  
316 years. While they weren't low bidder, she said we sometimes consider awarding the bid to  
317 someone we have experience with. Seeley said Kernan had increased the number of  
318 mowing in areas that had some problems in the past, and Brian's Lawn Care was low bidder  
319 and Kernan had checked the references.

320  
321 Seeley moved to award the 2019 – 2020 lawn mowing contract to Brian's Lawn Care, for a  
322 total cost of \$22,865. Nuovo seconded the motion. The motion carried with 7 in favor.  
323 **MOTION PASSED.**

#### 324 **9.d. Contract Award Recommendation for Highway Line Striping**

325  
326  
327 Werner said Kernan had received 3 bids back to the Town's RFP for highway line striping,  
328 and the low bidder was Hi-Way Safety Systems at a cost of 6.9-cents per linear foot. He  
329 said while they are out of Massachusetts, they do have crews in Vermont.

330  
331 Asermily wanted to be sure the lines were laid out so to allow for maximum shoulder width,  
332 and would like another foot. Werner said that was something she should discuss with Kernan.  
333

334 Seeley moved to award the contract for highway line striping to Hi-Way Safety Systems at a  
335 unit cost of 6.9-cents per linear foot. Nuovo seconded the motion. The motion carried with 7  
336 in favor. **MOTION PASSED.**

337

### 338 **9.e. Contract Award Recommendation for Highway Crack Sealing**

339

340 Werner said Kernan received bids from three firms and the low bidder was Fresh Coat  
341 Asphalt Services out of Barre, at a unit cost of \$3,400 per day. Werner said there was  
342 \$20,000 in the budget, and Fuentes-George said this bid would give us an extra days' work  
343 over the previous contractor.

344

345 Carpenter asked if there were references, Werner said the Infrastructure Committee minutes  
346 indicated Kernan had not checked references, but they had been around for five years.

347

348 Seeley moved to award the contract for highway crack sealing to Fresh Coat Asphalt  
349 Services of Barre, VT, at a unit cost of \$3,400 per day. Nuovo seconded the motion. The  
350 motion carried with 7 in favor. **MOTION PASSED.**

351

### 352 **9.f. Contract Award Recommendations for Tandem Axle Dump Truck and Body Build**

353

354 Werner said there were three bids received, and Kernan is recommending awarding the bid  
355 for the tandem axle truck to R.R. Charlebois at a cost of \$110,360. He said one of the  
356 advantages of going with Charlebois is they can get the truck sooner, so we can schedule the  
357 body build and have the truck for this next winter season. Seeley said while Charlebois was  
358 not the low bidder, it was felt that the timing of the build was important and the cost to  
359 maintain our existing truck another winter season would exceed the difference in the bids.

360

361 Asermily moved to award a contract for the purchase of a Western Star 4700SF tandem axle  
362 truck, for a total cost of \$110,360. Khan seconded the motion. The motion carried with 7 in  
363 favor. **MOTION PASSED.**

364

365 Seeley moved to award the contract for the body build of the tandem axle truck to Viking  
366 Cives, at a total cost of \$79,000. Khan seconded the motion. The motion carried with 7 in  
367 favor. **MOTION PASSED.**

368

## 369 **10. Approve Loan Documents for Vehicle & Equipment Purchases**

### 370 **Authorized at Town Meeting**

371

372 Ramsay said the Board needed to authorize notes for all the equipment approved for  
373 purchase at Town Meeting. She said #2 on the list was purchased in cash, so has been  
374 removed, and on the cost in #7 has been adjusted because there was money in the water  
375 and wastewater funds for their share of the note.

376

377 1) Khan made the motion that the Board authorize the Town of Middlebury to borrow  
378 \$32,394.00 from National Bank of Middlebury to fund the purchase of a 2018 Dodge Charger,  
379 as approved by the voters at Town Meeting on February 29, 2016. Artim seconded the  
380 motion. The motion carried with 7 in favor. **MOTION PASSED.**

381



382 2) The 2017 Bwise Trailer THD22-15 for \$10,422.00 was approved at Town Meeting and  
383 purchased with cash from the Water Department budget.  
384

385 3) Artim moved that the Board authorize the Town of Middlebury to borrow  
386 \$40,719.00 from National Bank of Middlebury to fund the purchase of a 2018 Ford Explorer,  
387 as approved by the voters at Town Meeting on March 6, 2017. Khan seconded the motion.  
388 The motion carried with 7 in favor. **MOTION PASSED.**  
389

390 4) Nuovo moved that the Board authorize the Town of Middlebury to borrow  
391 \$38,139.00 from National Bank of Middlebury to fund the purchase of a 2018 Dodge Charger,  
392 as approved by the voters at Town Meeting on March 6, 2017. Seeley seconded the motion.  
393 The motion carried with 7 in favor. **MOTION PASSED.**  
394

395 5) Seeley moved that the Board authorize the Town of Middlebury to borrow  
396 \$14,688.00 from National Bank of Middlebury to fund the purchase of a 2018 Falcon Hot Box,  
397 as approved by the voters at Town Meeting on March 5, 2018. Fuentes-George seconded  
398 the motion. The motion carried with 7 in favor. **MOTION PASSED.**  
399

400 6) Fuentes-George moved that the Board authorize the Town of Middlebury to borrow  
401 \$31,435.00 from National Bank of Middlebury to fund the purchase of a 2019 Dodge Charger,  
402 as approved by the voters at Town Meeting on March 5, 2018. Asermily seconded the  
403 motion. The motion carried with 7 in favor. **MOTION PASSED.**  
404

405 7) Asermily moved that the Board authorize the Town of Middlebury to borrow  
406 \$22,384.50 from National Bank of Middlebury to fund the purchase of a 2019 Track Loader,  
407 as approved by the voters at Town Meeting on March 5, 2018. (The total cost of this vehicle  
408 was \$46,634.40, but a portion of the funds were paid for from the Water and Wastewater  
409 budgets.) Seeley seconded the motion. The motion carried with 7 in favor. **MOTION**  
410 **PASSED.**  
411

#### 412 **11. Recommendation to Amend the Capitalization Policy by Increasing Fixed Asset** 413 **Capitalization Thresholds, as Recommended by Town Auditors** 414

415 Carpenter said this was a recommendation to raise the fixed asset capitalization thresholds in  
416 the Capitalization Policy as recommended by the Town Auditors. He said Accounting  
417 Services Manager Jackie Sullivan is requesting the Selectboard's support and explains in her  
418 memo that raising the thresholds will not affect the Town's Purchasing Policy, but it will  
419 reduce the amount of staff time required to record assets and maintain the Fixed Asset  
420 Schedule and to simplify to some degree the audit process itself.  
421

422 He said she is recommending raising the threshold on the furniture and fixtures and office  
423 equipment from \$2500 to \$3000 before capitalizing them.  
424

425 Seeley moved to amend the Town Capitalization Policy, with revised fixed asset capitalization  
426 thresholds as presented by Accounting Services Manager Jackie Sullivan. Nuovo seconded  
427 the motion. The motion carried with 7 in favor. **MOTION PASSED.**  
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**12. Award Contract for Printing of Change of Appraisal Booklet**

Carpenter said five firms responded to the Town’s recent Invitation to Bid on the printing of the Change of Appraisal Booklets that will be mailed out to Middlebury property owners in June. He said the Listers recommended awarding the bid to Repro, of Winooski, at a quoted cost of \$5,395, plus \$170.85 for each 4-page increment, if required.

Khan moved to award a contract to Repro for printing 3,000 Notice of Change of Appraisal booklets at a cost of \$5,395, plus an incremental cost of \$170.85 for pages in excess of the estimated total of 84 pages. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

**13. Sign VT Tax Dept. Certification of No Appeal or Suit Pending to Close Out 2018 Grand List**

Carpenter said the next request is to sign the Vermont Department of Taxes Certification of No Appeal or Suit Pending to close out the 2018 Grand List. He said the VT Department of Taxes requires an annual certification from the Listers and Selectboard that there are no outstanding appeals from any actions of the Listers, nor are there any pending legal actions to recover taxes paid under protest related to the previous year’s Grand List.

Asermily made the motion to sign the Vermont Department of Taxes Certification of No Appeal of Suit Pending to close out the 2018 Grand List. Fuentes-George seconded the motion. The motion carries with 7 in favor. **MOTION PASSED.**

**14. FY19 Year-to-Date Budget Reports**

Town Manager Kathleen Ramsay reported that the winter highway budget excess is due to the nature and frequency of storms this winter and the use of salt. She said she will be preparing a detailed year-end projection for the Board’s next meeting.

Seeley noted that the Recreation Department revenue funds were down from last year at this time and wondered if it was due to a decrease in registrations. Ramsay said the expenditures were also down, so it may be from timing, but will have it in the detailed report.

**15. Approval of Check Warrants**

Khan moved to approve total expenditures in the amount of \$495,188.77, consisting of \$398,546.94 for accounts payable, and \$96,641.83 for payroll, for the period April 10, 2019 through April 23, 2019. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

## 16. Town Manager's Report

### 16a - Letter to VT Congressional Representatives Regarding PEG Channels

Ramsay said Chris English had a drafted a letter for the Board to sign for Vermont's congressional representatives requesting their support for stopping the FCC from defunding local PEG access channels.

### 16.b. Update on Rt. 7 / Exchange Street Roundabout

Ramsay said there is an update from VTrans Division Director Michele Boomhower on the status of the Rt. 7 / Exchange Street Roundabout. Carpenter said basically this project is working its way up through the prioritization process and priority projects are already being designed or are designed and funded, and some are funded, but not complete. He said as other projects fall off the list, then this project will be elevated in priority. Khan asked if nothing falls of this list, how long could it take, and Carpenter said once our bridge project is done, we need to double-down and get this moved to an active project.

Seeley said the VTrans Class 1 paving projects coming up, so as that is completed, maybe this will move up. Artim said that several years ago Act 250 said that we could pursue the development of the Industrial Park since the Route 7/Exchange St roundabout was on VTrans radar. Ramsay said there is a new program where developers of projects under Act 250 can pay \$1,000 per parking space into a fund towards this project cost.

### 16.c. Kids to Parks Day Proclamation

Ramsay said the National Park Trust has asked the Board to sign a proclamation declaring May 18, 2019 "Kids to Parks Day," with the goal of encouraging families to get outdoors to visit America's parks, public lands, and waters, and encouraging children to lead a more active lifestyle.

Ramsay said the Town received word that we have been awarded a Downtown Transportation Grant for \$100,000 for the railway platform. The total project cost is \$220,000.

Ramsay said there will be a 2-hour training session on Board of Civil Authority appeals on Monday, May 15<sup>th</sup> at 6:00 p.m. here in the Town Offices.

## 17. Board Member Concerns

Khan was happy to see Kyle Mitchell at the meeting.

Artim said soon his work schedule would be out of his control, so he'd like to set the budget priority meeting date soon. Ramsay said the Infrastructure Committee capital planning priority meeting is scheduled for their next meeting, and the Board had talked about having two capital projects meetings, to first discuss the overall picture, and the next to discuss financing. After some discussion the meeting was set for Monday, June 17, 2019.

525 Fuentes-George mentioned that the College has offered to partner with the Town in working  
526 towards more sustainability and has offered up their expertise and resources, and the Energy  
527 Committee has been in touch with their expert to meet with him.

528  
529 Asermily reported the Public Health and Safety Committee has determined their Committee  
530 composition, and while they have a recommendation of who should be on the Committee,  
531 she isn't sure where to go next. She also said Tom Hanley agreed to Chair the Committee.  
532 Ramsay said she will put formal approval of the Committee on the next agenda.

533  
534 Asermily said there will be the annual bike swap event on May 3<sup>rd</sup>, from 3:00 to 6:00, and  
535 they will also have electric car demonstrations. She said both bikes and electric cars are a  
536 move towards sustainable transportation, and the event is another good way to support our  
537 downtown.

538  
539 Asermily recognized and appreciated all the volunteers highlighted in the recent Addison  
540 Independent and mentioned supporting the Fire Department at their upcoming annual Ham  
541 Supper.

542  
543 Carpenter liked the direction we were moving with committee appointments, and he wants to  
544 reach out to some of the ones not appointed so they know what is happening.

545  
546 Carpenter said he'd done some looking online about the need for a Charter change for the  
547 plastic bag ban. He said Montpelier had changed their Charter before adopting their  
548 ordinance, and while we'll have to explore it further, from what he's seen it will require a  
549 change.

550

551

### **Adjournment**

552

553 The Board voted unanimously to adjourn the meeting at 9:05 p.m. upon motion by Khan,  
554 seconded by Fuentes-George.

555

556 The next meeting of the Middlebury Selectboard will be Tuesday, May 14, 2019 at 7:00 p.m.  
557 in the Town Offices at 77 Main Street.

558

559 Respectfully submitted,  
560 Beth Dow