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

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

Staff Present: Town Manager Kathleen Ramsay

Others Present: John Flowers of the Addison Independent

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 Artim seconded the motion.

Carpenter said he would like to add a brief Executive Session regarding a personnel issue.

The motion carried with 7 in favor and the agenda was approved as amended. **MOTION PASSED.**

**3. Approval of Minutes of August 27, 2019 Selectboard Meeting**

Nuovo moved to approve the minutes of August 27, 2019, seconded by Khan. The minutes were approved as presented with 5 in favor and 2 abstentions (Seeley & Asermily). **MOTION PASSED**

**4. Citizen Comments**

There were no citizen comments.

**5. Mad Taco, a new restaurant in the Stone Mill on Mill Street, Request for Approval of a First & Third Class Liquor License**

Artim moved to approve the applications submitted by Out Bev Inc., dba The Mad Taco, for a First Class and Third Class Liquor License and an Outside Consumption Permit for its new location at 3 Mill Street, pending the successful completion of the required public

46 safety inspections when construction is finished in October. Nuovo seconded the  
47 motion. The motion carried with 7 in favor. **MOTION PASSED.**

48  
49 **6. Preliminary discussion on strategy for public outreach**  
50 **this fall regarding potential uses of forecasted**  
51 **Local Option Tax surplus revenue for capital improvements**  
52

53 Town Manager Ramsay said at the Selectboard retreat in June the Board had  
54 discussed the potential use of Local Option Tax surplus to help defray Capital  
55 Improvement expenses. She said at that time the Board suggested the need for public  
56 input and this is the opportunity to see how and what that public input should look like.  
57 She asked if the Board was thinking of a separate public meeting or one combined with  
58 their regular meeting schedule.

59  
60 Artim asked about the timing of the budget. Ramsay said work begins on the budget at  
61 the end of November, and while the October 8<sup>th</sup> Selectboard meeting will feature a  
62 presentation on the Main Street and Merchants Row project, the second meeting in  
63 October did not have anything on the agenda at the moment, and that might be a good  
64 time to have this discussion, and this would allow time to prepare a presentation.

65  
66 Seeley wondered about combining the public input on the Local Option Tax surplus with  
67 the input around the major water system improvement discussion. Ramsay said that is  
68 what she was intending, since the Local Option Tax surplus would be the major funding  
69 for these projects. Ramsay said it is around this time that we're hoping to have  
70 preliminary budget figures on the cost of the Court St/Washington St water project from  
71 Otter Creek Engineering.

72  
73 Asermily asked about a survey, and Ramsay suggested a follow-up survey based on  
74 what was discussed at the meeting. Asermily said she had received two comments  
75 following her Front Porch Forum posting that the use of this surplus was going to be  
76 discussed, and one was about using the money for tax stabilization and the other was  
77 about using it for special projects.

78  
79 Following further discussion on what should be included in the presentation and the  
80 timing of the Capital Improvements Budgeting, the Board agreed to have the public  
81 meeting on the Local Option Tax surplus at their meeting on October 29, 2019.

82  
83 **7. FY19 Year-end budget report**  
84

85 Ramsay reported that at the end of the last fiscal year the Town finished well in the  
86 black. She said as projected, the Public Works department was over budget, but other  
87 departments were at or slightly below their budgeted amounts. She said revenues were  
88 strong, but Receipts for Services were down, so this would need to be taken into  
89 consideration going into the next budget preparation.

92 **8. Accept Resignation from Addison County Regional Planning Commission and**  
93 **Authorize Publication of Vacancy**  
94

95 Carpenter said the Board had received a letter from Candy McLaughlin resigning as one  
96 of the Middlebury delegates to the Addison County Regional Planning Commission.  
97

98 Khan moved to accept Candy McLaughlin's resignation as Middlebury Delegate to the  
99 Addison County Planning Commission and authorize Town Manager to begin  
100 advertising for individuals interested in seeking appointment to fill the vacancy for the  
101 remainder of the one-year term. Seeley seconded the motion. The motion carried with  
102 7 in favor. **MOTION PASSED.**

103  
104 Carpenter thanked McLaughlin for the time she served on the Commission. Asermily  
105 asked if there was an alternate delegate to step in, and Ramsay said there was not at  
106 this time.  
107

108 **12. Approval of Check Warrants**  
109

110 Fuentes-George moved to approve total expenditures in the amount of \$611,854.50,  
111 consisting of \$495,764.46 for accounts payable, and \$116,090.04 for payroll, for the  
112 period August 28, 2019 through September 10, 2019. Nuovo seconded to motion. The  
113 motion carried with 7 in favor. **MOTION PASSED.**  
114

115 **10. Town Manager's Report**  
116

117 Ramsay announced there would be an open house and dedication of the new pavilion  
118 at the Recreation Park on Thursday, September 19<sup>th</sup>, with the dedication ceremony from  
119 5:30 to 6:00 PM and a barbeque from 6:00 to 7:00 PM.  
120

121 Ramsay said she had been working with Eric Fitch of Purpose Energy on his request for  
122 a reduction in the wastewater connection fee for his facility. She said she had gone  
123 through the archives and found the connection fee policy, and she and staff would  
124 continue to work on this and bring it to the Board at their September 24<sup>th</sup> meeting.  
125

126 Ramsay also informed the Board that the Town had not been successful in their VTrans  
127 grant application for the final phase of extension of the Exchange Street sidewalk.  
128

129 **11. Board Member Concerns**  
130

131 Asermily said the Public Health and Safety Committee would be meeting on Monday,  
132 September 23<sup>rd</sup>, and one of the things they'll be looking at is how to address the  
133 transient population that continues to increase and takes a lot of police department time.  
134 She said that they had learned from Doug Sinclair of the Charter House that some of  
135 the increase is due to the Burlington shelter closing, but they are also coming from out-  
136 of-state. She said currently the meeting is set for 4:00 p.m. in the Police Department  
137 community room.

138  
139 Artim congratulated Director of Planning and Zoning Jennifer Murray, Town Manger  
140 Ramsay and the consultants on the kick-off event of the Downtown Master Plan. He  
141 said he's been very impressed and thinks we're on a good trajectory to develop this  
142 plan. Artim said the consultants were impressed by the enthusiasm of the townspeople  
143 to make things better.

144  
145 The Board discussed the event and how well attended it was and they felt it was a good  
146 start to the project.

147  
148 Seeley wanted to give kudos to Neighbors Together and Better Middlebury Partnership  
149 on the Block Party. She said it was a great event and very well attended and she's  
150 interested to hear how the merchants did. She also said she was very impressed with  
151 the Downtown Master Plan kick-off event. She also encouraged everyone to go to the  
152 Recreation Park and see the pavilion and thinks it's a great addition, so kudos to the  
153 Lions Club and Recreation Department.

154  
155 Khan said that he's heard from a segment of the community that are homeless and still  
156 can't find a job. He said once they find a job they find it hard to stay at the Charter  
157 House because of the strict rules on when they can and can't be at the house. He says  
158 these people are trying to get back on their feet and they are struggling to do so.  
159 Asermily said Charter Housing is an emergency shelter and not transitional housing.

160  
161 Carpenter said we need to encourage people to get involved in the Downtown Master  
162 Plan process. He said there is the Planapalooza planned for November 7<sup>th</sup> through the  
163 11<sup>th</sup>, and this is the time for everyone to provide input on what will be a long-range plan  
164 for our downtown.

165  
166 Carpenter said he knows there are a lot of people concerned about the appearance of  
167 the remains of the Blue Spruce Motel, and he wants everyone to know the Selectboard  
168 is very concerned about the appearance of the entrances to the downtown and will do  
169 what they can to keep them maintained. He said the Board has been cautious about  
170 not strapping the Town with this liability without an easy way to exit. In the meantime,  
171 there have been private investors interested in that property, so the Town has tried to  
172 encourage that avenue and at some point there will be a solution, so he asked the  
173 public to be patient. Carpenter said he felt it was the government's role to be there to  
174 support private investment and not be the one investing, and he felt we had a wonderful  
175 Town staff that are ready to offer whatever support is needed.

176  
177 Seeley said an Infrastructure Committee meeting is scheduled for September 12<sup>th</sup> and  
178 the information packet was on the Town website.

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184 **12. Executive Session**

185  
186 Fuentes-George said that in accordance with Vermont’s Open Meeting Law  
187 requirements, she moved that the Board find that premature general knowledge of  
188 the consideration of a pending personnel matter would clearly place the Selectboard  
189 at a substantial disadvantage, because the Select Board risks disclosing its litigation  
190 strategy if it discusses the pending personnel matter in public. Khan seconded the  
191 motion. The motion carried with 7 in favor. **MOTION PASSED.**

192  
193 Fuentes-George further moved that the Board enter into Executive Session to  
194 discuss a pending personnel matter, under the provisions of Title 1, Section  
195 313(a)(1) of the Vermont Statutes. Seeley seconded the motion. The motion  
196 carried with 7 in favor. **MOTION PASSED.**

197 The Board entered Executive Session at 7:42 p.m.

198 **13. Adjournment**

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200  
201 The Board exited Executive Session and adjourned at 7:58 p.m. with no further  
202 action upon motion by Seeley, seconded by Nuovo.

203  
204 The next meeting of the Middlebury Selectboard will be on Thursday, September 24,  
205 2019 at 7:00 p.m. in the Town Offices at 77 Main Street.

206 Respectfully submitted,  
207 Beth Dow  
208