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**Regular Selectboard Meeting**  
**Large Conference Room – Town Offices**  
**Tuesday, January 14, 2020**  
**Meeting Minutes**

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

Staff Present: Town Manager Kathleen Ramsay, Fire Chief David Shaw, Directors of Public Works Operations and Planning Bill Kernan and Dan Werner, Community Liaison Jim Gish and Accounting Services Manager/Treasurer Jackie Sullivan.

Others Present: Interested citizens

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 December 17, 2019 and  
December 30, 2019 Selectboard Meetings**

Khan moved to approve the minutes of December 17, 2019, seconded by Asermily. Fuentes-George said the word “problem” should be “project” on Line 140. The minutes were approved as amended with 7 in favor. **MOTION PASSED.**

Khan moved and Fuentes-George seconded to approve the minutes of December 30, 2019. The motion carried with 7 in favor, and the minutes were approved as presented. **MOTION PASSED.**

**4. Citizen Comments**

There were no citizen comments.

**5. Appointment of Town Representative to the  
Addison County Economic Development Corporation Board**

47  
48 Carpenter said that Jeff Olsen, the current representative to the ACEDC Board, has  
49 expressed interest in remaining our representative, and the Town had done the required  
50 advertising of the position and no one expressed any interest. Carpenter invited Olsen  
51 to join the Board. Olsen said he'd had a very productive year on the Board and he'd like  
52 to continue on for the next year as well.

53  
54 Asermily moved to appoint Jeff Olson as Middlebury's 2020 representative to the  
55 Addison County Economic Development Corporation Board of Directors. Seeley  
56 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

#### 57 58 **6. Approval of Annual Proclamation of the first Friday in May as Arbor Day**

59  
60 Carpenter said the Tree Committee has requested the Board sign the proclamation  
61 proclaiming the first Friday in May as Arbor Day.

62  
63 Seeley moved to sign the proclamation recognizing May 1st as Arbor Day. Nuovo  
64 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

#### 65 66 **7. Public Hearing & Informational Meeting on the FY21 Budget Proposal**

67  
68 Carpenter said this hearing was an opportunity for the Selectboard to take public  
69 testimony on the proposed FY21 General Fund budget and prepare any final questions  
70 or requests for revisions prior to the Board's January 28th meeting, when the budget will  
71 be finalized for presentation to the voters in March. He said in accordance with 24 VSA  
72 § 127-1302, the Board is conducting a public hearing to take questions and comments  
73 from the Middlebury community regarding the proposed FY21 General Fund Budget,  
74 and opened the public hearing and turn the floor over to Town Manager Ramsay who  
75 would review changes made to the budget since the Board's 12/17/19 meeting.

76  
77 Ramsay said at the last meeting the Board saw a budget proposal that would require  
78 \$7.5 million in tax revenue to support a budget of \$11.5 million. She said the increase  
79 was due to wages and benefits, a boost to the Equipment Fund as part of a 5-year plan  
80 to increase the fund so the Town would not need to borrow as much, and the increase  
81 in Capital Improvements funding as part of an ongoing commitment to increase these  
82 funds. She said these increases were offset by an increase in revenue from interest,  
83 State and Federal funding increases and a plan to increase funding from the Cross  
84 Street Bridge reserve. She said overall, with the budget as proposed currently, the tax  
85 rate would increase \$1.38 cents, or 1.7%. She said since the December 17th meeting  
86 there has been some proposed reductions made to the budget that would bring the  
87 increase to the tax rate down to somewhere around \$1 cent.

88  
89 Victoria DeWind asked about the bond for the adaptive reuse project at the Police  
90 Station. Seeley said as part of the decommissioning of the old Wastewater Plant, the  
91 plan is to refurbish and reuse the existing buildings for Police Department use. She  
92 said the old sand filter building would be used for police cruiser parking and the old

93 control building would be used for storage and the Mobile Command Center vehicle.  
94 DeWind said she'd spoken with Ramsay earlier and she'd indicated there might be use  
95 of the Cross Street Bridge funds for this, and she's very much in favor of using these  
96 funds and avoiding a bond, because a 20 year, \$1 million bond costs the Town  
97 \$286,000 in interest.  
98

99 DeWind also asked what was included in the Downtown Improvements line item, and  
100 Seeley said it was sidewalk work and other minor repair work beyond the scope of the  
101 Bridge Project. DeWind also asked about the Worker's Compensation increase and  
102 could anything be done to reduce the claims, and Ramsay said the increase was partly  
103 due to expenses around an employee in a town vehicle who was struck by another car.  
104

105 Carpenter asked if there was anyone else present who had questions or comments on  
106 the budget, and there were no further comments so he declared the public hearing  
107 closed and said the Selectboard would finalize the FY21 budget at its January 28th  
108 meeting.  
109

#### 110 **8. Continuation of Review of FY21 Budget Proposal –** 111 **Equipment Fund Purchases and Request for Purchase of Air-powered Saw** 112

113 Director of Public Works Operations Bill Kernan said that part of the budget increase for  
114 FY21 was the increase in the Equipment Fund. He said previously he had shared his  
115 20-year replacement schedule with the Board, and he has now taken a closer look and  
116 had done some evaluation of the condition of existing equipment, and has made  
117 changes to the schedule. He said in FY21 he is proposing to move the street sweeper  
118 purchase up one year; to exchange one of the International dump trucks for a smaller  
119 series truck that would save money and be better utilized in parking lots and tighter  
120 spaces; and due to some rusting issues on our current loader/mower, he's accelerated  
121 the replacement of it with a tractor model with a side arm mower and he wants to equip  
122 it so it can also be used the same as a loader. He said these changes to the schedule  
123 will push up the Equipment Fund costs this year, but will be a 3-year savings of  
124 \$77,000, and he estimates a \$1 million savings over the course of his 20-year  
125 replacement schedule.  
126

127 There were a few questions from the Board pertaining to the sweeper. Kernan said this  
128 sweeper will also be a sweeper/vacuum, so it will save some money when it comes time  
129 to contract with a company to come and vacuum out the storm drains. Asermily asked  
130 about grants, and Ramsay said the last opportunity for a Federal grant through the  
131 State required a "buy American" provision, and we were unable to meet that  
132 requirement with the sweeper.  
133

134 Kernan said every year our insurance company, PACIF, has a Safety Equipment Grant  
135 Program with a 50/50 match that we take advantage of for certain items, and the Town's  
136 current equipment grant will cover 50% of the cost of the air-powered saw. He said  
137 currently we have gas-powered cutoff saws that are mainly used for water and sewer  
138 breaks, so they're used in a relatively confined space, and staff is unable to use the

139 gas-powered saws without the carbon monoxide alarm going off. He said the vendor for  
140 the air-powered saw is a local vendor that the Town uses currently. Kernan said he had  
141 also checked prices on-line, but they were somewhat higher in cost and he'd prefer to  
142 purchase this through this local vendor under the Sole Source provision of the  
143 Purchasing Policy.  
144

145 Seeley made the motion to approve the purchase of an air-powered chainsaw under the  
146 Sole Source Purchases provision of the Town's Purchasing Policy, for a total cost of  
147 \$3,957.53. Nuovo seconded the motion. The motion carried with 7 in favor. **MOTION**  
148 **PASSED.**  
149

## 150 **8. Continuation of Review of FY21 Budget Proposal –** 151 **Better Middlebury Partnership Budget Presentation** 152

153 Amey Ryan and Karen Duguay, President and Executive Director, respectively, of the  
154 Better Middlebury Partnership (BMP) were present for this discussion. Ryan said that  
155 the funds BMP receives from the Town, the College and the Downtown Improvement  
156 District Commission (DIDC) are used for Duguay's salary, and has not been increased  
157 since 2013. Ryan said the BMP Board feels that since there hasn't been a request to  
158 increase the Director's salary previously, they feel pretty strongly that one is due  
159 because of all that BMP has accomplished because of the Director, so she told the  
160 Board to be looking for a request for additional funds in the next budget year. Ryan  
161 gave a summary of their funding and fund raising efforts, and said they'd be back at  
162 some time to discuss how the Neighbor Together funds work with the other funding, but  
163 overall she said the BMP is in pretty good shape.  
164

165 Khan asked if there had been any cost-of-living increase for Duguay, and Duguay said  
166 no, the BMP request to the Town had been level funded each year. Ryan said the  
167 Board feels that it's going to take more and more time and energy to do this job. Khan  
168 and Asermily agreed they'd seen all the effort that went into the work, and felt the salary  
169 should be increased.  
170

171 Asermily asked about their membership fees and how someone would become a  
172 member. Duguay said most of their members had been downtown merchants who  
173 were already under a lot of pressure, and BMP felt strongly they didn't want to add  
174 pressure to them, so there are no membership fees. She said in removing the  
175 membership fees, it has put pressure on the BMP to be a viable and sustainable  
176 organization. Duguay said the BMP Board has done a lot of work on looking into ways  
177 to raise funds and they're looking into becoming a 501c3, making them more eligible for  
178 grants. She said they will be sending a letter to all Middlebury businesses, but didn't  
179 want to rely totally on the downtown businesses. Asermily wondered if there was an  
180 individual membership. Duguay said there is no membership fee, since when they do  
181 an event it's for the entire community, and there are no "benefits" for members. Ryan  
182 said they've had good luck with their fundraising letter to residents of surrounding  
183 towns, and one suggestion that came up was they could request the surrounding towns  
184 to have a line item in their annual budget for funds for BMP.

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There was some more discussion on the fundraising possibilities, and Carpenter said they'd be looking at the funding and how great it has been to see all the energy and events happening downtown.

**8. Continuation of Review of FY21 Budget Proposal –  
Downtown Improvement District Commission (DIDC) FY21 Budget Proposal**

DIDC Chair Amey Ryan went over the DIDC proposed budget for FY21. She said it was fairly simple and fell in line with past years budgets. She said their proposal includes: the purchase of sidewalk sign frames to take the place of the Main Street banner program that will not happen in 2020 due to the construction project; purchasing 5 portable cigarette disposal containers and \$6,000 to support Kelly Hickey and Bundle. Seeley wanted to be sure the additional staff time to take care of the portable ashtrays was figured into the budget.

Carpenter said it appeared the DIDC would have a fairly healthy fund balance after this year, so they may be able to help with some of the amenities needed following the completion of the rail bridge project. Ryan said they'd talked about that specifically, and how while they weren't there to come up with what was needed, they will help fund items that weren't in the budget. Asermily said the DIDC had been a great help in improving the safety and beauty of the downtown.

**8. Continuation of Review of FY21 Budget Proposal –  
Funding request from Middlebury Area Land Trust (MALT)**

Executive Director of MALT Jamie Montague and Board member Patrick Ganey joined the Board. Montague said they were requesting to increase the \$5,400 they currently received from the Town to \$7,000. She said originally this amount was established 10 years ago to administer and maintain Wright Park, which is owned by the Town. Montague said over the past 10 years, the time and resources needed to maintain the Park have increased, plus MALT also interacts in many other ways with the Town, such as the maintenance of the Trail Around Middlebury. She said in looking at the numbers, it was becoming apparent that the increased resources needed to maintain the Park exceeded the \$5,400 received from the Town, so they are requesting an additional \$1,600. She said the additional funds would also go towards helping to pay the annual licensing fee to VTrans associated with the Boathouse railroad crossing that up until now MALT has been paying.

Ganey said since Montague became the first full-time director of MALT two and a half years ago, she has instilled more structure and planning going forward, and the increase in the grant from the Town will help her continue her work to allow MALT to work more with the community. Nuovo acknowledged Montague's hard work and thanked her for all she does, and Asermily spoke in support of MALT and said it was a reasonable request, but it would be up to the voters to approve the request. Asermily

230 said she was also looking forward to how MALT might be involved with what happens  
231 with Creek Road.

232

233 **8. Continuation of Review of FY21 Budget Proposal – Funding request from**  
234 **End of Life Services (formerly Hospice Volunteer Services)**

235

236 Program Director of End of Life Services Laurie Borden and Board President David  
237 Andrews joined the Board. Andrews said End of Life Services is a new organization in  
238 the past year that combines the Hospice Volunteer Services, which has been around for  
239 35 years, with the Addison County Respite House, known as the ARCH rooms at Helen  
240 Porter Nursing Home and Porter Hospital. He said for around 10 years, Hospice  
241 Volunteer Services has received \$2,000 annually from the Town of Middlebury, and End  
242 of Life Services is requesting an increase to \$3,000 annually. He said they are  
243 providing more services to more and more people, as the population of Middlebury  
244 ages. He said around ½ of the volunteers and ½ of the people they provide services to  
245 are from Middlebury, and while this is a relatively small part of their operating expenses,  
246 it is important to have local support, especially when applying to foundations for support.

247

248 Following a few questions from the Board, Andrews said their office is located in the  
249 Marble Works across from the Addison Independent building, so urged people to stop in  
250 if they were interested in volunteering or seeking information.

251

252 Cross Street Bridge Funds

253

254 Prior to the Creek Road discussion, Ramsay called the Board's attention to a  
255 spreadsheet showing an analysis of Cross Street Bridge Fund Balance and uses we've  
256 dedicated those funds to and some proposals to tap into those funds. She said the  
257 Cross Street Bridge Bond was refinanced when the interest rate dropped, so we will see  
258 a \$1 million savings over the next 20 years, and we should see the debt decline steadily  
259 over the life of the bond.

260

261 She said there was a total surplus of \$575,000 available in FY20, and \$400,000 of that  
262 is proposed to be used to fund Capital Improvements expenditures, leaving us with a  
263 \$176,000 surplus going forward. She said this leaves us at the beginning of FY21 with  
264 a Cross Street Bridge Fund balance of \$2.8 million, with a \$593,000 surplus anticipated.  
265 She said in addition to using \$400,000 towards Capital Improvements, a \$157,000  
266 allocation has been discussed for the Rail Platform and Downtown Improvements, and  
267 last week Carpenter had suggested using these surplus funds for the debt service on  
268 bonds for the Flood Resiliency Project and the Police Department Reuse Project. She  
269 said we do have the capacity to do this, and we had originally proposed a 20-year bond,  
270 but this proposal is for a 7-year bond. She said for larger bonds the Town typically goes  
271 for 20-year bonds for larger projects, such as the Town Offices, to mitigate the property  
272 tax impact, but she said for smaller projects such as the Police Department Reuse at an  
273 estimated cost of \$850,000, the savings in interest for a 7-year bond instead of a 20-  
274 year bond is \$178,809, and for the \$500,000 for the Town share of the \$2 million Flood  
275 Resiliency Project, the savings on interest is \$105,000.

276  
277 Carpenter asked the Board to take some time to digest the information, and they will  
278 need to finalize this in the future. He said his thinking is the Cross Street Bridge Fund is  
279 an infrastructure-focused funding mechanism and rather than bond long-term and roll  
280 the payment into the tax rolls, our bond proposal can show how we're going to pay for it  
281 with funds we're already collecting and that it won't impact the tax rate, and that we'll be  
282 paying for it quickly. He said this way we can get this approved with one motion and  
283 one vote by the taxpayers, and not have to come back each year. He said Ramsay had  
284 done a great job of laying this out and it doesn't impact the Cross Street Bridge Fund  
285 balance itself, just the surplus, and it still allows for \$400,000 to be used annually for  
286 other infrastructure projects.

287  
288 Ramsay said we were looking at an increase in tax revenue needed of \$131,000 in the  
289 second draft of the budget, but using the Cross Street Bridge Funds for that debt  
290 service reduces that number to \$95,000, or a cent on the tax rate. She said she's  
291 working with Town Treasurer/Accounting Services Manager Jackie Sullivan to take a  
292 close look at the General Fund balance to see if there is an opportunity to apply more  
293 from our balance in order to further reduce the tax rate projection. She reminded the  
294 Board that they had already applied \$150,000 from the General Fund balance, and  
295 she'll be presenting another recommendation at the next meeting, but with the favorable  
296 result we had in FY19, she thinks they'll be able to recommend a higher number.

297  
298 Seeley said she appreciates this and thinks it's a good idea, but also wants to be  
299 somewhat conservative to keep some money in that fund balance in case something  
300 unexpected comes up. Ramsay said we like to keep 3-10% of our Operating Budget in  
301 reserve.

### 302 303 **9. Receive Report & Recommendation from Creek Road Task Force –** 304 **Schedule Discussion for a Future Meeting**

305  
306 Heather Seeley reported that her estimation on coming up with a solution to Creek  
307 Road in 4 to 6 meetings turned out to be too optimistic, and more work needs to be  
308 done. She said the Creek Road Task Force did approve a recommendation that was  
309 brought to the Infrastructure Committee last Thursday, but based on the conversation  
310 and questions from the Committee, it became apparent that more work was needed to  
311 refine and flesh out the next steps. She said the Task Force would be meeting again  
312 soon, but she wasn't sure of the date at this time, so she was asking the Board to allow  
313 them more time to work on the recommendation before opening it up for questions and  
314 discussion. She said the Infrastructure Committee did vote 4 to 1 to support the  
315 recommendation as presented.

316  
317 Carpenter said he didn't remember imposing a time limit on the Creek Road Task Force  
318 work, so didn't think they needed to do anything formally to extend their deadline, and  
319 wanted them to keep working on it until it was something they were comfortable with.

### 320 321 **10. Colonial Drive Engineering Amendment for Green Mountain Engineering**

322  
323 Director of Public Works Planning Dan Werner joined the Board and said he was  
324 requesting they approve amendment #1 to Green Mountain Engineering's engineering  
325 services contract for Colonial Drive. Werner reminded the Board they'd approved the  
326 preliminary engineering agreement in April of 2019, to do the survey work involved to  
327 determine what was there and to determine what was needed for engineering services,  
328 and that's what this agreement is. Werner said this project includes stormwater,  
329 sanitary sewer and water line improvements, along with road surface improvements.  
330 He said this amendment would be for the final design work to get us ready to take it to  
331 bid, but he said this would not go to bid until we have a good idea of where we are with  
332 the Court Street and Washington Street water lines and Maple Street storm sewer,  
333 which are large projects and have priority over the Colonial Drive project, but he needs  
334 this work done to get costs so he knows where to program it in future years, so he's  
335 asking the Board to approve this amendment for \$19,200.

336  
337 Seeley moved to approve Contract Amendment No. 1 with Green Mountain Engineering  
338 for the Colonial Drive Improvements Project, for a contract amendment cost of \$19,200,  
339 and total contract cost of \$28,950. Nuovo seconded the motion. The motion carried  
340 with 7 in favor. **MOTION PASSED.**

341  
342 Carpenter said proceeding this way gives a better foundation for budgeting, and also  
343 gives us a heads up if a grant becomes available and we have a project engineered and  
344 ready to go.

345  
346 Asermily said everyone knows there is a terrible water runoff problem off Chipman Hill  
347 in that area, and asked if this would solve the flooding problem by the Middlebury  
348 Animal Hospital. Werner said it wouldn't solve that, since that's a separate problem.  
349 He said years ago the Town put in a French drain system behind the Animal Hospital to  
350 help with the groundwater, but with that kind of slope you're going to get that problem.

351  
352 **11. Review & Discuss Draft Warning for Town Meeting**

353  
354 Ramsay said one addition to the draft Warning, was an introduction and overview of  
355 how the meeting will be run by our new Town Moderator, Susan Shashok. She said  
356 Article #3 is a change from the previous years when we put the Local Option Taxes and  
357 the Middlebury College funds into the General Fund, paid out our Cross Street Bridge  
358 debt service and then transferred the remainder to the Cross Street Bridge Funds, but  
359 now it will stay in the General Fund and won't have to be transferred. She said this  
360 change is under review by Town Counsel Benj Putnam.

361  
362 She said Article 4 proposes two installments of Property Taxes again to keep people  
363 from having to drive downtown during the construction this summer to pay taxes, and  
364 the two payments worked well this past tax year. She said a payment plan can be set  
365 up if people are concerned about having only two payments.

366



367 Ramsay said Article 6 is proposing to take \$1 million from the Cross Street Bridge Fund  
368 reserve to fund the water project in the Court Street/Court Square area. She said this  
369 project is estimated to cost \$2.5 million, with the remaining \$1.5 million funded by water  
370 rate increases over the next 5 years. She said they had just learned that if we bond for  
371 this project, there may be loan forgiveness from the State Safe Drinking Water Fund  
372 and she and Werner would be meeting with the engineers on Thursday to learn more  
373 about this and she'd report back at the next Board meeting before the Warning is  
374 finalized.

375  
376 There was discussion around the funding of this water project, and how it had been  
377 proposed to the Infrastructure Committee that it could be self-funded over the next 3  
378 years using water funds combined with Cross Street Bridge funds. Werner said they'd  
379 talked about raising an additional \$110,000 per year in water rates to put towards water  
380 system improvements. Seeley thought it was important to let taxpayers and others  
381 know that using some of the Cross Street Bridge funds allows others that don't pay  
382 water rates, but enjoy the advantages of using the water, to share in the costs of  
383 improving our water system. Carpenter said it's important to have it scripted so it's clear  
384 why we're making this recommendation.

385  
386 Ramsay went over the remaining changes and additions to the Warning and Asermily  
387 went over her draft Town Meeting Poll.

## 388 **12. Declaration of Official Intent of Town to Finance the Flood Resiliency Project**

389  
390  
391 Ramsay said if you intend to bond for a project, it's required that the Selectboard has an  
392 authorizing Resolution, and with their approving this, it authorizes Town Clerk Ann  
393 Webster to sign it and post it.

394  
395 Asermily moved to authorize Town Clerk Ann Webster to sign the Declaration of Official  
396 Intent of the Town of Middlebury in relation to potential bonding for the construction of  
397 flood resiliency improvements in East Middlebury. Khan seconded the motion. The  
398 motion carried with 7 in favor. **MOTION PASSED.**

## 399 400 **13. Declaration of Official Intent of Town to Finance the Rehabilitation of the** 401 **Former Wastewater Treatment Facility for Use for Storage by the Police** 402 **Department**

403  
404 Seeley moved to authorize Town Clerk Ann Webster to sign the Declaration of Official  
405 Intent of the Town of Middlebury in relation to potential bonding for the construction of  
406 improvements to rehabilitate the former wastewater treatment facility on Lucius Shaw  
407 Lane for use as storage by the Police Department. Khan seconded the motion. The  
408 motion carried with 7 in favor. **MOTION PASSED.**

409

410 **14. Amendment to Grant Agreement with the Vermont Community Development**  
411 **Program to extend the performance deadline for and increase the amount of the**  
412 **grant for the Lindale Mobile Home Park Community Septic Planning Project**  
413

414 Ramsay said Addison County Community Trust has secured an additional \$30,000 in  
415 Vermont Community Development Funds to further develop a feasibility study for a  
416 community septic system at Lindale Mobile Home Park. She said the additional funds  
417 will be used for preparing a topographic survey, gathering groundwater monitoring data  
418 and conducting environmental review of the project. She said ACCT will provide the  
419 required match of \$5,200 for this portion of the grant, and the timeline for the grant has  
420 been extended until June 30, 2020.

421  
422 Asermily moved that the Selectboard sign the Grant Agreement Resolution for  
423 Amendment 1 to the Lindale Mobile Home Park Community Septic Planning Grant.  
424 Seeley seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**  
425

426 **15. Approval of Agreement for Municipal Planning Grant**  
427

428 Ramsay said the Town had been awarded funding of \$20,000 under the Department of  
429 Housing and Community Development Municipal Planning Grant program, for drafting  
430 an amendment to the Downtown area zoning regulations. She said this update will  
431 build upon the findings of the Downtown Master Plan to encourage appropriate mixed  
432 use development and increase residential density in the Downtown area. The award  
433 includes a 10% local match of \$2,000 and is included in the budget.

434 Khan moved to authorize Town Manager Kathleen Ramsay to sign the grant agreement  
435 for the 2020 Municipal Planning Grant Program award for drafting an amendment to the  
436 Downtown area zoning regulations. Seeley seconded the motion. The motion carried  
437 with 7 in favor. **MOTION PASSED.**

438 **16. Approval of Check Warrants**  
439

440 Seeley said she reviewed the Warrant and found them to be in good order, so moved to  
441 approve total expenditures in the amount of \$603,647.64, consisting of \$500,220.66 for  
442 accounts payable, and \$103,426.98 for payroll, for the period December 18, 2019  
443 through January 14, 2020. Nuovo seconded the motion. The motion carried with 7 in  
444 favor. **MOTION PASSED.**  
445

446 **17. Town Manager's Report**  
447

448 Ramsay said the Board had in their packet a draft of their 2020-2021 Selectboard  
449 meeting schedule, and pointed out that the 3rd Tuesday in March is their Selectboard  
450 retreat and they would be finalizing the schedule following their organizational meeting  
451 the 2nd meeting in March.  
452

453 She said they would also find in their packet a copy of her letter to the Public Utility  
454 Commission outlining the Board vote on the South Street Extension solar project; the  
455 agenda for the East Middlebury Fire District Annual meeting; and she notified them that

456 there would be a public meeting on Wednesday, January 29, 2020 at 6:30 p.m.  
457 regarding the passenger rail platform designs.  
458

## 459 **18. Board Member Concerns**

460  
461  
462 Asermily said she hoped new Middlebury residents would come to Town Meeting and  
463 see the many ways they can participate in civic work in the community.  
464

465 Assermily also said she'd heard continuing concerns about the condition of Court Street  
466 and also the problems with the traffic light synchronization. Seeley said Bill Kernan had  
467 updated the Infrastructure Committee that the timing loops at the Charles Ave/Monroe  
468 Street light weren't working, so he's contracted with a company to come and replace  
469 those loops. Carpenter asked about the radar system they'd talked about, and Seeley  
470 said the loops will cost about \$2,200 compared to \$25,000 for the radar, so for now  
471 we're going with the loops. They also talked about the ongoing problems with the  
472 Hannaford and Middle Road lights.  
473

474 Seeley shared an idea she saw on social media showing a cartoon character used in  
475 another community to show the height restriction of vehicle and she thought it might be  
476 an amusing solution to restricting vehicle height at the Pulp Mill Bridge.  
477

478 Seeley said she'd been at the Fire District meeting the evening before, and wondered  
479 about having a collaborative meeting with their Board at some time in the future.  
480

481 She said she also wanted them to be aware there would be a Master Facilities Planning  
482 Meeting at MUHS on January 22, 2020 from 6 to 8pm, and there would be more  
483 information on this meeting as it got closer.  
484

485 Artim noted the untimely passing of resident and architect John Dale. Artim said all the  
486 welcoming attributes of the new Town Offices are thanks to Dale who was the chief  
487 architect, and this building is now a memorial to Dale's talent and he extended the  
488 Board's sympathy to his family. Nuovo said Dale was a fine architect and he gave a  
489 great gift to the Town, and he was taken far too soon. Carpenter said while Dale had  
490 been relatively new to the community, he quickly became part of the fabric of the  
491 community.  
492

493 Seeley also noted the passing of another legend in the community, former longtime high  
494 school physical education teacher and coach Gail Jette.  
495

## 496 **19. Executive Session**

497  
498 Seeley said in accordance with Vermont's Open Meeting Law requirements, she moved  
499 that the Board find that premature general knowledge of the consideration of  
500 consideration of a personnel matter, contracts and/or legal matters would clearly place  
501 the Selectboard at a substantial disadvantage, because the Select Board risks

502 disclosing its litigation strategy if it discusses the personnel matter, contracts and/or  
503 legal matters in public. Khan seconded the motion. The motion carried with 7 in favor.  
504 **MOTION PASSED.**

505  
506 Seeley further moved that the Board enter into Executive Session to discuss personnel  
507 matter, contracts and/or legal matters, under the provisions of Title 1, Section 313(a)(1)  
508 of the Vermont Statutes. Khan seconded the motion. The motion carried with 7 in  
509 favor. **MOTION PASSED.**

510  
511 The Board entered into Executive Session at 9:05 p.m.

512  
513 The Board exited Executive Session at 9:23 p.m. upon motion by Khan, seconded by  
514 Seeley.

#### 515 **20. Action on Matters Discussed in Executive Decision**

516 Khan moved to approve the Town Manager's employment agreement and authorized  
517 Chair, Brian Carpenter to sign the agreement. Seeley seconded the motion. The  
518 motion carried with 7 in favor. **MOTION PASSED.**

#### 519 520 **21. Adjournment**

521 The meeting adjourned at 9:24 p.m. upon motion by Asermily, seconded by Fuentes-  
522 George.

523  
524 The next meeting of the Middlebury Selectboard will be Tuesday, January 28, 2020 in  
525 the Town Offices at 77 Main Street.

526  
527 Respectfully submitted,

528 Beth Dow

529