

1 **Regular Selectboard Meeting**  
2 **Monday, March 23, 2021**

3 **Meeting Minutes**

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5 **NOTE: Due to the need for separation to prevent the spread of COVID-19 virus,**  
6 **the meeting was held remotely via video conferencing with participants.**  
7

8 Members Present: Brian Carpenter, Dan Brown, Farhad Khan, Lindsey Fuentes-George  
9 and Esther Thomas. Heather Seeley and Nick Artim were absent..

10  
11 Staff Present: Town Manager Kathleen Ramsay, Assistant Town Manager Chris  
12 English, Director of Public Works Planning Dan Werner and Chief of Police Tom  
13 Hanley.

14  
15 Also Present: Interested citizens.

16  
17 The meeting was streamed live on the MCTVVT YouTube channel.

18  
19 **1. Call to Order**

20  
21 The meeting was called to order at 7:00 p.m. by Chair Brian Bauer.

22  
23 **2. Approval of Agenda**

24  
25 Khan moved to approve the agenda, and Brown seconded the motion. Carpenter noted  
26 the addition of Item 13.c: Request from EcoGlobal CEO Caleb Rick for a Letter of  
27 Support. The agenda was approved as presented with 5 in favor, 2 absent. **MOTION**  
28 **PASSED.**

29  
30 **3. Approval of Minutes of March 9, 2021**

31  
32 Khan moved to approve the minutes of March 9, 2021, and Brown seconded the  
33 motion. Brown noted he believed the section on the Warrant was incorrect. Town  
34 Manager said she would check and revise the Warrant motion. The motion carried with  
35 5 in favor, 2 absent and the minutes were approved. and the Warrant motion would be  
36 revised. **MOTION PASSED.**

37  
38 **4. Citizen Comments**

39  
40 There were no citizen comments.  
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44 **5. Approval of First- and Third-Class Liquor Licenses, Outside Consumption**  
45 **Permits & Entertainment Permits**

46  
47 Carpenter said they had the renewal application for First and Third Class Liquor  
48 Licenses, as well as Outside Consumption permit for American Legion Post 27, and  
49 public safety inspection has been completed.

50  
51 Khan moved to approve First and Third Class Liquor Licenses and an Outside  
52 Consumption Permit for American Legion Post 27. Fuentes-George seconded the  
53 motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

54  
55 **7. Local Emergency Management Director/Chief of Police,**  
56 **Update on Pandemic Response**  
57 **(Item taken out of order)**

58  
59 Hanley said we are in pretty good shape, and the State will be getting an added boost of  
60 vaccine doses next week. He said the direction from the Vermont Department of Health  
61 is that the median age of virus cases has dropped to below age 30, so it is the younger  
62 age groups that are being infected at the moment. He said he's encouraged that we  
63 should be in good shape as we go into summer.

64  
65 **6. Public Hearing on a proposed Vermont Community Development Program**  
66 **grant application for funding to construct a new septic collection and treatment**  
67 **system at the Lindale Mobile Home Park on Case Street in Middlebury**

68  
69 Elise Shanbacker, Executive Director of Addison County Community Trust (ACCT)  
70 joined the Board for the Public Hearing on this proposed grant application.

71  
72 Carpenter said the purpose of this public hearing was to take testimony on a proposed  
73 application for a Vermont Community Development Program, or VCDP, "Implementation  
74 Grant" that would be used to fund construction of a new septic collection and treatment  
75 system at the Lindale Mobile Home Park on Case Street in Middlebury. He said ACCT  
76 has asked the Town of Middlebury to submit this grant application on its behalf and to  
77 act as the "pass-through agent" for the funds, should they be awarded by VCDP. He  
78 explained that this same process was used a few years back when the Town applied for  
79 another VCDP grant to fund the initial feasibility study for the Lindale Mobile Home Park  
80 Septic System Replacement Project.

81 Carpenter said this hearing is a required element of the VCDP grant application process  
82 and its purpose is to obtain the views of citizens on community development; to provide  
83 information on the potential impact to any historical and archaeological resources that  
84 the construction project may have; and to give affected citizens the opportunity to  
85 examine how the grant funds, if awarded, would be used.

86 Shanbacker said that ACCT owns Lindale Mobile Home Park and they have contracted  
87 with Isaac Wagner of Wagner Development Partners as project developer and project  
88 manager. She said Otter Creek Engineering conducted the engineering study that was  
89 paid for through the planning grant that Middlebury supported last year and the year

90 before. She said the result of that grant was a feasibility study into the development of  
91 a common septic system that would support all of the 67 homes in the mobile home  
92 park, and they are ready to begin their funding application for this project. She said it is  
93 estimated to cost around \$3 million, but they'll know more about the cost when they  
94 complete design development and final design.

95 Shanbacker said ACCT is requesting this grant through VCDP for \$700,000 to go  
96 towards the project cost, and will be seeking other grants to lower the amount that will  
97 need to be borrowed for the construction of this septic system. She said they are  
98 hoping to have all their funding in place by this fall so the project can go to bid and  
99 construction can begin next spring. She said this new system will address years of  
100 septic issues at Lindale due to poor and depleted soils, and provide a sanitary, safe  
101 wastewater disposal system.

102 Brown asked the number of homes in the park. Shanbacker said there are 67 mobile  
103 homes, and ACCT owns the lots and the residents own their mobile home.

104 Resident David Silberman said he appreciated all the hard work by ACCT to create  
105 affordable housing in the community and urged the Board to support the grant.

106 With no further public comments, Carpenter deemed the public hearing portion of the  
107 discussion closed at 8:14 pm.

108  
109 Khan moved to sign the Resolution for VCDP Grant Application Authority. Fuentes-  
110 George seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION**  
111 **PASSED.**

112  
113 Carpenter said he also appreciated the work ACCT did for the lower-income residents  
114 and the Board supports doing whatever it can to improve the situation at Lindale.  
115 Shanbacker thanked the Board for their support.

116  
117  
118 **8. Police Chief Tom Hanley with updates and recommendations from the March**  
119 **22, 2021 Public Health & Safety Committee**

120  
121 **8a. Seymour Street/Seymour St Ext Stop Sign Recommendation**

122  
123 Chief Hanley said a stop sign was installed on Seymour Street by the Pulp Mill Bridge  
124 during the downtown construction to help mitigate the increased traffic load going into  
125 the bridge. He said that sign had an expiration date and was removed last October, but  
126 in an effort to slow traffic down, residents have requested the sign be put back. He said  
127 they conducted a traffic study with the help of Mike Winslow from Addison County  
128 Regional Planning. He said you would need 300 cars per hour in any 8-hour period on  
129 Seymour Street, plus 200 cars per hour in any 8-hour period coming off Seymour Street  
130 Extension to meet MUTCD requirements for a stop sign, and there was nowhere near  
131 that many, so the recommendation is to leave it as is without installing a stop sign.

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**8b. Franklin Street – Recommendation on one-way vs. two-way traffic**

Hanley said making Franklin Street one-way was another change that was done in connection with the railroad bridge construction last summer, and the request is to now keep it one-way. He said the Public Health and Safety Committee voted to keep Franklin Street one-way with parking on one side of the street. He said the intersection at Franklin and Academy Street had been somewhat of a problem anyway, so keeping it one-way takes care of that and provides additional parking.

Khan asked if a motion was needed to keep Franklin Street one-way. Hanley said it will continue to be one-way for the duration for the project, so no action is needed now, but eventually an ordinance amendment will need to be drafted.

**8c. Initial Discussion on potential policy or ordinance on Cannabis retailers**

Hanley said the draft ordinance incorporates cannabis regulations into the existing Nuisance Policy since it allows them to deal specifically with the retailers if there was a nuisance. He said the Statute limits what the towns can do and they are on-hold as to what they can do until the State Cannabis Control Commission completes its rule-making process, but this is a start and they'll be asking for assistance from Attorney resident David Silberman when the Committee starts working on the ordinance.

**8d. Other Discussions, including current speed concerns and traffic calming**

He said the Committee discussed the speeding issues around town and they want to keep this a broad discussion rather than point to specific streets. He said they'll begin looking at ways such as policies and practices, road markings and other possible ways to control traffic.

In regards to cannabis, resident/attorney David Silberman said while he appreciates the Board beginning to work early on the cannabis regulations, he's concerned about the "body" taking the lead on this. He said having the ordinance come from the Public Safety Committee is the wrong starting point, and while they have a role in this process, he thinks it's too much of a role to have the ordinance originate with them. He said he thinks it's important the ordinance set up rules to help local cannabis retailers to succeed in our town and to welcome to them, as 2/3rds of the voters at Town Meeting just told us to do, rather than to legislate them from a place of fear and some preconceived notions of what problems could occur. He said he isn't saying there isn't a law enforcement role in this process, but he doesn't think it's appropriate to have law enforcement be the lead in this process and would urge the local control board to consider an ad hoc committee to look at this through a broader lens. He said we're blessed with plenty of time to put together a committee and can be sure that the members are representative of those voters who approved this earlier this month and it shouldn't be a body writing these rules that is stacked against retailers. He said he has all the respect in the world for Chief Hanley, he just feels this is the wrong job for him.

181  
182 Hanley said he is the only law enforcement representative on the Public Health and  
183 Safety Committee. Silberman said he was aware of who was on this Committee, and  
184 the draft they've produced confirms his concern that the process perspective of where  
185 this is going isn't where it should go. He said he comes to the Board as a private  
186 citizen, and while he is an attorney for cannabis businesses, he wanted to be clear that  
187 he is not lobbying on behalf of any client and has not spoken to any client about this,  
188 and is keeping a firewall between his clients and the process to help the town come up  
189 with a good product.

190  
191 Carpenter said the Board hasn't even discussed this yet and it can be discussed at their  
192 upcoming Board retreat. He said they'll take this all as input but were just starting to  
193 prepare at this point.

194  
195 Brown said he has some concern about whether Silberman can separate himself from  
196 his work representing cannabis retailers and speak on the issue as a citizen. He said  
197 that puts him in an uncomfortable position. Silberman said he understands that and  
198 said that attorney conduct is highly regulated and that he is following all the regulations  
199 and is acting in an ethical and transparent manner. He said he helped write the State's  
200 regulations and is very familiar with them and has never taken a dime from anyone for  
201 that work, and he keeps a very strict separation between political and professional  
202 activity.

203  
204 Resident Joanna Colwell said separating law enforcement from this now that the town  
205 has voted for cannabis retail is a good idea, so spoke in support of what Silberman said.

206  
207 **9. Director of Public Works Planning Dan Werner and recommendations from the**  
208 **March 11, 2021 Infrastructure Committee Meeting**

209  
210 **9a. PD Building Reuse Project: VMS Construction Change Orders 8 & 9**

211  
212 Werner said VMS has two change orders that he is requesting Board approval for. He  
213 said Change Order #8 in the amount of \$2,947 includes several items needed to dry out  
214 the south storage area so it could be insulated, and they also painted the railings and  
215 added some lights and had carbon monoxide detectors installed.

216  
217 He said Change Order #9 for \$4,468 was to relocate a unit heater in the garage and  
218 some antenna extensions had to be ordered for the overhead doors in the storage area.

219  
220 Fuentes-George moved to approve Change Order No. 8 for the PD Building Reuse  
221 Project, as submitted by VMS Construction, for a total cost of \$2,947. Khan seconded  
222 the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

223  
224 Fuentes-George moved to approve Change Order No. 9 for the PD Building Reuse  
225 Project, as submitted by VMS Construction, for a total cost of \$4,468. Khan seconded  
226 the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

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**9b. PD Building Reuse Project: VIA Architectural Service Change Order 2**

Werner said this change order from VIA Architectural has been postponed because he's still waiting for some additional information.

**9c. Main Street Sidewalk & Curbing Bid**

Werner said three bids were received ranging from \$172,690 to \$182,365.85, with Champlain Construction being the low bidder for the project, which is in the range of what was expected. He said Jamie Simpson from Green Mountain Engineering has submitted a recommendation to award the bid to Champlain Construction.

Khan moved to award a contract for construction of the Main Street Curb & Sidewalks Improvements Project to Champlain Construction Company, Inc., at a total cost of \$172,690. Fuentes-George seconded the motion.

Resident and member of the Infrastructure Committee Judy Wiger-Grohs said she mentioned at the committee meeting about changing over surfaces to permeable surfaces. She said the Tree Committee recently had a presentation from the Burlington Director of Public Works on how they're changing over their paving to permeable paving, and it's something the Town needs to consider

Carpenter called for the vote, and the motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

Werner said they hope to begin work in mid-May and be done by July 1<sup>st</sup>, so it will be a short construction period and will be ahead of the State paving project. He said Champlain will be doing the excavation and finishing work, Granite State Company will be doing the granite curbs and a local contractor will also be doing the concrete work, and Community Liaison Jim Gish will be helping with communications. He said Main Street will be reduced to one-lane at certain times during the project.

Carpenter asked Werner to provide any information he had on permeable products that the Board could look at. Werner said he would, and said it is more expensive, and it works well in areas where there is gravel, but Middlebury is dealing with Addison County clay that doesn't drain well, so it would take some extensive underground drainage under roads for this to work. Wiger-Grohs said she'd be happy to send information to the Board as well.

**9d. Cady Road Culvert Project – Purchase of Pipe Material**

272 Werner said last year we replaced one culvert on Cady Road, and this year we're doing  
273 the second one. He said we need to purchase the culvert and get it ordered so the  
274 company doing the arch construction will have the culvert when building the pipe arch.  
275 He said we had two bidders Lane Enterprises from Ballston Spa, NY area, and Contech  
276 out of Massachusetts, who did the work last year. He said the assembly price is  
277 included in this bid, and Lane's bid is \$60,400 and Contech's bid is \$78,260, so he is  
278 asking the Board to award the bid to Lane. He said following the bid approval, Town  
279 Manager Ramsay will sign a purchase order for the culvert so it can be delivered to  
280 Lane and they can begin manufacturing the arch. He said the construction portion of  
281 the project will be going to bid soon so we can begin the project on July 1<sup>st</sup>, which is the  
282 earliest we can be in the stream.

283  
284 Fuentes-George moved to award a contract to Lane Enterprises for the fabrication of  
285 the pipe arch for the Cady Road Culvert Project, at a total cost for material and  
286 assembly of \$60,382.80. Khan seconded the motion. The motion carried with 5 in  
287 favor, 2 absent. **MOTION PASSED.**

### 288 289 **9e. Flood Resiliency Project – Engineering Services Change Order**

290  
291 Werner said this change order is from SLR International Corp. (formerly Milone and  
292 McBroom, Inc.) for \$15,000 for additional bid-phase services. He said \$12,000 is for  
293 administration for the additional front-end bid documents using the format required by  
294 the State of Vermont for the Clean Water State Revolving Fund we applied to for  
295 \$200,000 in funding. He said \$2,000 of the change order was to help with the tree  
296 clearing process when it was decided to split it from the main project so it could be  
297 completed this spring, so SLR helped with the bid documents and helped mark the  
298 trees. He said the last \$1,000 requested is for additional meetings and access  
299 discussions with property owners, which was extra from the original contract.

300  
301 Brown asked if the tree clearing was on schedule, and Werner said some issues had  
302 come up, but he thought it would be.

303  
304 Khan said he thought \$12,000 was a lot for paperwork. Werner said the format needed  
305 for the Clean Water State Revolving Fund is a 98-page document and some work that  
306 had been done previously had to be redone to match this format. He said the State  
307 understands their process requires extra time and money at first, so they do fund  
308 projects with that understanding, so when done to their requirements the paperwork  
309 from then on goes smoothly. Ramsay said we didn't know we were eligible for this  
310 \$200,000 until fairly recently, so this \$12,000 expense for paperwork was required in  
311 order to get that extra funding.

312  
313 Wiger-Grohs said our Tree Policy states that for every tree that's removed, two trees  
314 should be planted, so she thinks the Town has an obligation to fulfill this. She said she  
315 knows some trees to be removed are saplings, but the Town should find a location to  
316 plant two trees for every tree over 2" in diameter that's removed. She said we're losing  
317 our urban canopy faster than its being replaced.

318  
319 Khan moved to approve the change order submitted by SLR International Corporation  
320 for additional engineering services performed for the East Middlebury Flood Resiliency  
321 Project, at a total cost of \$15,000. Fuentes-George seconded the motion.  
322

323 Fuentes-George asked how many of these trees being removed would re-grow  
324 naturally. Werner said he didn't have the number of trees that will be removed, but  
325 they're being removed in order to do the repairs to the berm and bank stabilization. He  
326 said some will be replanted and some will be excavated and replanted, probably the  
327 same day, so some will be saved and restored, and some will re-grow.  
328

329 Carpenter called for the vote. The motion carried with 5 in favor, 2 absent. **MOTION**  
330 **PASSED.**

331  
332 **9f. Purchase of Class III Truck**  
333

334 Werner said Director of Public Works Operations Bill Kernan had sent out bid  
335 specifications for replacement of a Class III truck for the Highway Department. He said  
336 6 bid packets were sent out and 2 bids were received back from local vendors: Stone  
337 CDJR for a Dodge Ram 5500 for \$45,106.63; and G. Stone Motors for a Ford 550 for  
338 \$47,955.63. He said each bidder is offering \$15,000 trade-in value for our existing  
339 truck which is included in these prices, along with the extended warranty. He said  
340 Kernan is requesting the bid be awarded to Stone CDJR for Dodge Ram 550 for  
341 \$45,106.63.  
342

343 Fuentes-George, also a member of the Energy Committee, said the Energy Committee  
344 has been working at looking for energy-alternative vehicles, but for this class of truck  
345 they're wildly expensive; however, the work with Kernan and Werner has been very  
346 helpful. She said they're thinking of forming a sub-committee to look specifically at  
347 Public Works equipment.  
348

349 Khan said it seems to have become routine that only Stone CDJR and G. Stone are  
350 responding to our bids, so wondered if something more should be done to get more  
351 bids. Werner said he feels that a lot of dealers who could supply the same vehicle are  
352 respectfully not bidding against local bidders, but this has been the same way for quite  
353 awhile. Carpenter said a lot of manufacturers have municipal discounts, so they are all  
354 on the same cost basis. He said you don't make much selling to municipalities, so it  
355 doesn't surprise him that they might not bid on them. He said he had spoken to Todd  
356 Stone and they score each bid separately and Dodge has a better municipal policy, so  
357 Stone is trying to respect that, but it is an unusual situation where the two truck bids are  
358 from companies owned by the same family. Werner said Dodge has had municipal  
359 discounts for many years, so if they can meet specifications, they'll probably get the bid.  
360

361 Fuentes-George moved to award a contract to Stone CDJR for the purchase of a Dodge  
362 Ram 5500 1-ton flatbed truck for DPW, at a total cost of \$45,106.63. Khan seconded  
363 the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**



364  
365 Werner gave a brief update on the Court Street Water Main Project that would begin  
366 soon. He said the contractor was moving in this week, signs were going up and  
367 materials were being delivered, so he expects that things will be begin next week. He  
368 said the final completion is scheduled for July 15<sup>th</sup>, with the end of the actual  
369 construction ending at the end of May or early June. He said work will begin at Cross  
370 Street and move north to Court Square with work in the southbound lane.

371  
372 Fuentes-George and Brown asked about communications with Mary Hogan School  
373 regarding students in this area with construction going on and there not being a  
374 crossing guard. Werner said he'd spoken with the principal today and he's going to look  
375 at timing of the Mary Hogan South signal to give more time to get out. He said the  
376 school is well aware of it, and a lot of communications have gone on with businesses in  
377 the area to let them know what was happening. There was some discussion on the  
378 need for a crossing guard and that perhaps the school should be providing one.

379  
380 Wiger-Grohs said considering what teachers have had to deal with in this pandemic,  
381 and she finds the idea that they would have to deal with kids crossing the street to be  
382 insulting. Carpenter said he was sorry she felt that way, but he felt when a child is  
383 turned over to the school it is on them, and it isn't meant to be insulting to the teachers.  
384 Wiger-Grohs said it was not just the responsibility of the school, but also the parents  
385 and the community.

386  
387 **10. Vermont Agency of Transportation's Inquiry about the Town's Interest in**  
388 **acquiring the former Bourdon property on Merchants Row**  
389

390 Carpenter said the Vermont Agency of Transportation has asked if the Town had  
391 interest in acquiring the former Bourdon building on Merchants Row and the Board has  
392 had earlier discussions on this, so wanted to read the following into the public record:  
393

394 *"The Vermont Agency of Transportation (VTrans) purchased the former Bourdon*  
395 *Property on Merchants Row to facilitate the construction of the railroad tunnel project,*  
396 *and it currently serves as the project team's field office. VTrans recently notified the*  
397 *Town of its intention to sell the property once construction is complete in the fall 2021*  
398 *and has inquired about the Town's interest in acquiring it for the current assessed value*  
399 *of \$458,400 (with room for negotiation).*

400 *Given VTrans' interest in getting the property off its books as soon as practicable after*  
401 *the project is over, time is relatively short for the Selectboard to consider its options. If*  
402 *the Board is interested in pursuing this opportunity further, next steps could include: 1)*  
403 *asking for Director of Planning & Zoning Jennifer Murray's input on potential*  
404 *redevelopment scenarios, considered within the larger context of the new Downtown*  
405 *Master Plan, and 2) asking an appraiser to inspect the building in order to provide*  
406 *potential negotiating points for lowering the price of the building."*

407  
408 Brown said it would be interesting to hear what Murray has to say in regards to the  
409 Master Plan, and also what the appraised value is.

410  
411 Ramsay said she's going to have our Acting Town Assessor review the property to see  
412 if there were any weaknesses that might help with negotiations, and with inspections  
413 happening in April, she should be able to do this relatively soon. She said Murray is  
414 going to respond soon with potential scenarios with the building in relation to the  
415 Downtown Master Plan.

416  
417 **11. Letter from Dutton Estate Regarding Potential Sale of a**  
418 **45-acre Woodlot on Seminary Street Extension**  
419

420 Carpenter said a representative for the Dutton Family Trust recently contacted the Town  
421 about its potential interest in acquiring a 45-acre woodlot owned by the Trust on  
422 Seminary Street Extension, a portion of which abuts Means Woods. He said Town  
423 Manager Ramsay is working with counsel for the Trust to obtain a formal written  
424 proposal for the sale and to arrange a site visit of the property, and that funding for the  
425 acquisition, should the Board be interested in pursuing the opportunity, would come  
426 from the Town's Land Conservation Fund.

427 Carpenter said both the Means Woods Trustees and the Middlebury Conservation  
428 Commission have met to discuss the potential acquisition – based on information  
429 available at this stage – and have expressed their support, and if the Selectboard is  
430 interested in moving forward, we might want to authorize Ramsay to engage counsel for  
431 the Town and begin negotiations with the Dutton Family Trust toward a sales agreement  
432 for the property.

433 Ramsay said Board member Heather Seeley mentioned that she would be interested in  
434 taking a site visit to the property and suggested incorporating the discussion into the  
435 Board retreat this spring. Ramsay said she will look at the week of April 5<sup>th</sup> for a site  
436 visit.

437  
438 Fuentes-George asked what the balance in the Conservation Fund was, and Ramsay  
439 said around \$475,000.

440  
441 Fuentes-George moved to authorize Town Manager Kathleen Ramsay to work with  
442 counsel to begin negotiations with the Dutton Family Trust toward the purchase of its  
443 45-acre woodlot on Seminary Street Extension. Khan seconded the motion. The motion  
444 carried with 5 in favor, 2 absent. **MOTION PASSED.**  
445

446 Jamie Brookside from the Middlebury Area Land Trust (MALT) asked if there had been  
447 any discussions about some of the thoughts she'd prepared on this property. Ramsay  
448 said these concepts were included in the Selectboard packet, about MALT holding  
449 some easements or monitoring the conservation easements on the property. Brookside  
450 said she'd done some more research on this and how it would be advantageous for  
451 both MALT and the Town. She said we're seeing more and more partnerships between  
452 land trusts and municipalities across the country, where the land trust ensures the  
453 property is being monitored annually for the proper permits and users, and that MALT  
454 has the technology, training and expertise to manage the land and would love to serve  
455 that purpose on this property. She said there are already other properties in town

456 where MALT works with the Town, and she thinks it's worth exploring how their  
457 expertise in writing and developing conservation permissions and restrictions can help  
458 in the process, and MALT is interested in working with Middlebury on this project.

459  
460 Carpenter said he thought it might be too early in this process for this discussion, but  
461 this is good fuel for thought. Brookside said she felt MALT could be a good partner in  
462 this project, and offered to walk the property with the Board to discuss the possibilities.

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## 12. Grant Applications

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### 466 12.a. Leslie Kameny of the Middlebury Tree Committee with a request for Town 467 sponsorship of a grant application

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469 Leslie Kameny was present to request the Board's support to submit an application to  
470 the Vermont Urban & Community Forestry Program (VT UCF) for a \$1,000 2021 Arbor  
471 Day Tree Planting Grant. She said they are awarding 21 \$1,000 grants in honor of  
472 Arbor Day, and these grants require no matching funds. She said the trees leading up  
473 to the Teen Center need replacing and the teens are excited about taking care of the  
474 new trees, so they are looking for support for this grant so they can purchase 4 new  
475 trees for the Teen Center.

476

477 Khan moved to approve the submission of an application with the Vermont Urban &  
478 Community Forestry Program for a \$1,000 2021 Arbor Day Tree Planting Grant. Brown  
479 seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

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### 481 12.b. Northern Border Regional Commission Grant Program

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483 Carpenter said the Board has before them for consideration a request to submit a Letter  
484 of Interest to apply for a grant under the Northern Border Regional Commission's  
485 (NBRC) 2021 State Economic & Infrastructure Development (SEID) Investment  
486 Program, seeking partial funding for construction of the Washington Street/Court  
487 Square Waterline Improvements Project. He said this Letter of Interest is simply a  
488 means to get the Town on NBRC's radar for the 2021 SEID program application cycle  
489 and does not commit the Selectboard to any specific future action.

490 Carpenter said this project would be "Phase II" of the Court Street Waterline  
491 Improvements Project, currently slated for 2022, and includes contiguous sections of  
492 Washington St., Courts Square South, North Pleasant St., South Pleasant St., Seymour  
493 St., and Main St.

494 Khan moved to sign the Letter of Interest to the Northern Border Regional  
495 Commission's 2021 State Economic & Infrastructure Development Investment Program.  
496 Fuentes-George seconded the motion. The motion carried with 5 in favor, 2 absent.  
497 **MOTION PASSED.**

498

499

500

## 13. Requests for Letters of Support

501

502 **13.a. Vermont Rail Action Network request for Letter of Support for their efforts to**  
503 **advocate for the resumption of Amtrak passenger train service to Vermont this**  
504 **summer**

505  
506 Carpenter said the Vermont Rail Action Network (VRAN) is asking the Board to sign a  
507 Letter of Support for their advocacy efforts with Governor Scott to ensure that Amtrak  
508 service in Vermont that has been suspended since early 2020 due to the pandemic, is  
509 restored before tourist season begins this summer.

510 Khan moved to sign the Letter of Support to Governor Scott on behalf of the Vermont  
511 Rail Action Network's advocacy campaign to restore Vermont Amtrak service in time for  
512 the summer travel season. Fuentes-George seconded the motion. The motion carried  
513 with 5 in favor, 2 absent. **MOTION PASSED.**

514 **13.b Tri-Valley Transit (TVT) request for Letter of Support for funding for four**  
515 **battery-electric buses and related infrastructure**

516 Carpenter said Mary-Claire Crogan, of Tri-Valley Transit (TVT), is asking the Board to  
517 sign a Letter of Support addressed to Tara Clark, of the Federal Transit Administration  
518 Office of Program Management, for a State of Vermont grant application being  
519 submitted on TVT's behalf that seeks funding for the purchase of four battery-electric  
520 shuttle buses and related infrastructure. He said these buses, two of which would serve  
521 Middlebury directly, would replace older vehicles in TVT's fleet.

522  
523 Fuentes-George moved to sign the Letter of Support for the State of Vermont grant  
524 application seeking funding for the purchase of four battery-electric shuttle buses and  
525 related infrastructure on behalf of Tri-Valley Transit. Brown seconded the motion. The  
526 motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

527  
528 **13.c Request from EcoGlobal CEO Caleb Rick for a Letter of Support for the**  
529 **Addison County Economic Development Corporation's USDA Rural Business**  
530 **Development Program grant application seeking funds for a business feasibility**  
531 **study**

532  
533 Carpenter said EcoGlobal, LLC, CEO Caleb Rick is asking the Board to sign a Letter of  
534 Support to Fred Kenney, Executive Director of the Addison County Economic  
535 Development Corporation (ACEDC), on behalf of ACEDC's pending application to the  
536 United States Dept. of Agriculture's (USDA) Rural Business Development Program for a  
537 Rural Business Enterprise Grant to fund a business feasibility study by EcoGlobal to  
538 assess locating its headquarters and production facility to the Industrial Park in  
539 Middlebury.

540  
541 Carpenter said the newer Board members may not have met Caleb Rick yet, but the  
542 product he is proposing to develop here in Middlebury is a plastic recycling business  
543 that recycles plastic bags and finer plastics and turns into mats and other usable forms.  
544 He said Rick has tested various products that are being used in other countries, and  
545 he'd like to bring this to the U.S.

546

547 Khan moved to sign the Letter of Support to the Addison County Economic  
548 Development Corporation for its application for a Rural Business Enterprise Grant on  
549 behalf of EcoGlobal, LLC, to fund its business feasibility study. Fuentes-George  
550 seconded the motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

551  
552 **14. Board Subcommittee and Representative Appointments & Appointment of**  
553 **Addison County Solid Waste District Alternate, if any applications are received**  
554

555 Fuentes-George wondered if the discussion on Board committee appointments should  
556 wait, since Artim and Seeley were present. Carpenter said he thought they were both  
557 committed to the appointments they already had, so he didn't think this was a problem.  
558 Khan wanted to be sure new Board member Thomas had her choice of assignments.

559  
560 There was discussion over the various assignments and the vacancies due to Victor  
561 Nuovo's resignation. Thomas will take over on the Addison County Transit Resources  
562 Board and the Town-School Committee, and Khan will join the Personnel Committee.  
563 Carpenter said they could discuss it more and members could contact him about  
564 assignments since they can be shuffled around easily.

565  
566 Ramsay noted there is someone interested in the Addison County Solid Waste  
567 Management District Alternate Delegate position and they will be submitting an  
568 application for the next meeting, and Laura Asermily has expressed her interest in being  
569 on the Public Health and Safety Committee as a citizen-at-large member. She said  
570 Asermily has been active with the Committee for many years, serving as Chair at one  
571 point, and has served on the homeless committee, the Safe Routes to School  
572 Committee and the Walk/Bike Council. Brown said he supports that, and said we all  
573 know how passionate she is about that work. Ramsay suggested discussing this at the  
574 retreat.

575  
576 **15. Planning for the Board's Annual Orientation and Strategic Planning Retreat(s)**  
577

578 The Board discussed their retreat scheduled for 45 minutes before their regular meeting  
579 on April 27<sup>th</sup>. Brown didn't think 45 minutes was enough time, so Fuentes-George  
580 suggested two 45 minute sessions. Khan said he liked having one full meeting for the  
581 retreat rather than meeting before a regular meeting. Ramsay and Carpenter will look  
582 at the calendar to see what works for another day for the retreat and then get back to  
583 the Board.

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592

**16. FY21 February 28, 2021 Year-to-Date Budget Reports for the  
General Fund and Water, Wastewater and Equipment Funds**

593 Ramsay reported there has been no real changes since the last report, and while  
594 expenditures are slightly down and under budget, revenues are also down as well, and  
595 we'll be tracking it through the end of the year.

596  
597 Fuentes-George asked if any of the last federal stimulus funding would help us, and  
598 Ramsay said there have been no guidelines distributed yet, but it's possible we could  
599 get some help for our revenue losses, and she's tracking this through the Vermont  
600 League of Cities and Towns (VLCT). Carpenter asked what was the last dollar figure  
601 she'd heard, and she said VLCT is saying it's about \$99 per capita, so with a population  
602 of 8,500, we'd be looking at around \$850,000. She said there's also a piece that goes  
603 to the county and it's unsure how this will be allocated, but it's possible it will be divided  
604 amongst the towns, since we don't have a county government. Carpenter said there  
605 was also talk the State would absorb that, so we shouldn't count on it.

### 606 607 **17. Approval of Check Warrants**

608  
609 Khan said under the authority granted by the Selectboard on April 28, 2020, he has  
610 reviewed and approved, on behalf of the Board, total expenditures in the amount of  
611 \$335,254.45, consisting of \$220,312.50 for accounts payable, and \$114,941.95 for  
612 payroll, for the period March 10, 2021 through March 23, 2021, and he moved the  
613 Board's approval of payment of these expenditures. Fuentes-George seconded the  
614 motion. The motion carried with 5 in favor, 2 absent. **MOTION PASSED.**

### 615 616 **18. Town Manager's Report**

617  
618 Ramsay said we are currently advertising for candidates seeking appointment to open  
619 seats on town committees, board and commissions, as well as local and regional  
620 boards and volunteer positions established by Statute, and the deadline for application  
621 is April 2<sup>nd</sup>. She said the Selectboard will make nominations at their April 13<sup>th</sup> meeting,  
622 and appointments will be made at their meeting on April 27<sup>th</sup>.

623  
624 Ramsay reminded the Board there will be a public hearing at the April 13<sup>th</sup> meeting to  
625 take public testimony on several minor town ordinance amendments as approved at the  
626 March 9<sup>th</sup> meeting.

627  
628 She also said that registration is now open for the UVM 2021 Town Officers Education  
629 Conference on April 12, 13 and 15<sup>th</sup>.

### 630 631 **19. Board Member Concerns**

632  
633 Khan wanted to bring to the Board's attention there was a lot of discussion on Front  
634 Porch Forum about dogs not being leashed.

635  
636  
637  
638

## 20. Adjournment

639

640

641 The meeting adjourned at 9:08 p.m. upon motion by Khan, seconded by Fuentes-  
642 George.

643

644 The next meeting of the Middlebury Selectboard will be Tuesday, April 13, 2021 at 7:00  
645 p.m.

646

647 Respectfully submitted,

648 Beth Dow

649

650

651