

**Town of Middlebury**  
**Annual Town Meeting**  
**Mary Hogan School**  
**Monday, March 5, 2018**  
**Meeting Minutes**

Citing the warning to the legal voters of Middlebury, Moderator Gov. James Douglas called the meeting to order at 7:05 p.m. The Moderator introduced the members of the selectboard, Chair Brian Carpenter, Vice Chair Susan Shashok, Nick Artim, Laura Asermily, Heather Seeley and Farhad Khan. He noted that Victor Nuovo was unable to attend.

The Moderator requested admittance to the meeting for the following non-resident members of the Town administration: Town Manager Kathleen Ramsay, Assistant Town Manager Chris English, Director of Public Works Planning Dan Werner, Director of Public Works Operations Bill Kernan, Library Director Dana Hart and Fire Chief David Shaw.

**There was NO OBJECTION**

**ARTICLE 1: To act upon the reports of the Town Officers.**

**Laura Asermily moved to accept the reports of town officers; Heather Seeley seconded.**

Brian Carpenter outlined the selectboard's priorities in 2017. Completed projects include:

- Temporary replacement of the Main Street and Merchants Row railroad bridges
- \$75,000 state grant to help mitigate the impact of the bridge/rail project
- Revitalization of the Frog Hollow Parking Lot
- Replacement of a culvert on Halpin Road
- Sidewalk and stormwater improvements on North and South Pleasant Streets

Ongoing projects include:

- Pulp Mill Bridge Road/Seymour Street Sidewalk
- Exchange Street Sidewalk/Shared Use Path
- East Middlebury Flood Resiliency Project
- Erosion of the gravel portion of Creek Road
- Charles Avenue infrastructure improvements
- Evaluation of the Town's water system and planning for water main replacements
- Evaluation of the Town's wastewater treatment plant
- Planning for passenger rail
- Town-wide re-appraisal

Nick Artim presented the dedication of the 2018 Town Report to Karl Neuse for his countless years of service to the community. A more complete description of his accomplishments and service are noted in the Town Report. The voters acknowledged and thanked Karl with a standing ovation and a plaque.

Recreation Program Coordinator Dustin Hunt and Assistant Program Coordinator Brian Hald presented the 2018 Bob Collins Award to Susan Veguez, who has worked diligently to ensure that all children and families can participate in recreation programs by obtaining scholarships and having access to transportation. She is an advocate for the underserved members of our community and has actively been involved with the Open Door clinic as a volunteer Spanish translator and member of their Board of Directors.

Farhad Khan recognized former Recreation Director Terri Arnold for her 5 years of service to the Town of Middlebury and wished her the best in her new endeavors in Washington State.

Asermily recognized and thanked Kevin Unrath, the former Library Director, for his service and introduced incoming Library Director Dana Hart. She acknowledged the retirement of Officer Don Sweet and thanked him for his 28 years of service with the Middlebury police dept. She also recognized Susan Shashok, retiring selectboard member, with a plaque of appreciation.

**MOTION PASSED BY UNANIMOUS VOICE VOTE**  
**ARTICLE 1 ADOPTED**

**ARTICLE 2:** Shall the Town vote to adopt the proposed budget for the Fiscal Year 2019 (July 1, 2018 – June 30, 2019) in the amount of \$10,574,426 with a portion thereof in the amount of \$7,331,905 to be raised by taxes?

**Ann Webster moved the adoption of Article 2; Susan Shashok seconded.**

Town Manager Kathleen Ramsay gave an overview of the FY2019 General Fund Operating Budget. The major budget drivers are wages and benefits with an increase of \$189,790, and capital improvements, with an increase of \$57,484. These impacts on the budget are offset by an increase in the Grand List of approximately 1.4%, or \$99,000, reductions of more than \$36,000 in Property and Casualty Insurance Premiums and a savings in the Police K9 program of \$24,560.

Ramsay outlined the work and services provided by five Health and Human Service Agencies funded each year by Middlebury taxpayers. Reviewed were Hospice Volunteer Services, Age Well, formerly CVAA, the Parent Child Center, WomenSafe and Addison County Teens.

Infrastructure Committee Chair Shashok gave an overview of the Capital Improvement Budget for FY2019, which would increase by \$57,484. Infrastructure projects included in the proposed budget are stormwater and curbing improvements on Charles Ave; river bank stabilization and road paving of Shard Villa Road; a sidewalk project on Seymour Street and Pulp Mill Bridge Road, in cooperation with the VT AOT, the ACRPC and the Town of Weybridge; reconstruction of the basketball courts in Harold Curtiss Park, in partnership with the East Middlebury Fire District; and miscellaneous road paving and street lighting projects. Water & sewer main replacement funded by the water and sewer reserve funds is also scheduled. Shashok reported that the selectboard is working on two major projects, water system improvements and the East Middlebury Flood Resiliency Project, which they anticipate bringing to the voters for bond votes in November 2018.



Ramsay indicated this is the fourth year the selectboard is proposing a level or minimally increased municipal tax rate and wanted voters to keep in mind that expected future increases in the cost of health insurance, vehicle and heating fuel, Lake Champlain cleanup mandates and the uncertainty of future state and federal funding will put significant upward pressure on the budgets in FY20 and beyond.

Steve Maier asked about lighting on Charles Ave and exactly where new lighting would start and end. Dan Werner answered that the lighting will start at the break in the fence in the high school parking lot and continue down the curve of the hill to across from the Unitarian Universalist Church.

Ross Conrad questioned if the Charles Ave lighting will be solar or connected to Green Mountain Power. Werner answered that it will be connected to Green Mountain Power. Conrad requested that in the future the town look into alternative energies to lower the town's carbon footprint.

Regarding Article 5 Maier asked the selectboard to clarify how much they were asking to be used towards the current budget proposal. Carpenter responded that the Board was only asking to use \$57,484, which is the amount over last year's budget for capital improvements.

Ruth Hardy questioned, what is the balance of the fund generated by the local option tax and what is the purpose of the fund? Ramsay replied that the local option tax funds the Cross Street Bridge reserve fund and has an estimated balance of \$1.3 million. The purpose of the reserve fund, as approved by the voters, is to pay the bond debt service and future maintenance costs of the Cross Street Bridge.

Victoria Dewind asked, if we have \$3 million in debt and \$800,000 in interest alone, why isn't the selectboard asking the voters to use more of the Cross Street Bridge reserve fund surplus to stabilize property taxes rather than raising property taxes and borrowing more for vehicles and equipment? Carpenter said that it was a good question that would be better addressed under discussion of Article 5.

Dewind also asked about the capital improvement line item in the library category. Ramsay answered that this is for a boiler at the library. Dewind asked that other possible heat options be looked at that coincide with the renovations. Werner and Hart confirmed that the library boiler needs immediate attention before the library renovation can be planned and completed.

**MOTION PASSED BY UNANIMOUS VOICE VOTE**  
**ARTICLE 2 ADOPTED**

**Article 3: Shall the voters authorize the selectboard, pursuant to 24 V.S.A. §1786a(b), to replace Town Vehicles and Equipment in accordance with the schedule hereinafter set forth and to finance the purchase of same by borrowing funds in a total amount not to exceed \$122,400 over a term not to exceed five (5) years?**

**Heather Seeley moved the adoption of Article 3; Farhad Khan seconded.**

Seeley provided more details and descriptions of the proposed vehicle and equipment purchases:

- One police cruiser at an estimated \$28,000.
- One street sweeper for which the town will apply for a grant in August. The town's matching portion would be \$56,000.
- A skid steer to replace a 2000 John Deere tractor/ loader. This piece of equipment will be shared by the highway, parks and recreation, water and wastewater departments; thus the general fund share is \$24,000, or 40% of the estimated \$60,000 purchase price.
- One asphalt hot box to provide the ability to permanently repair both potholes and cuts made to paving for water main repairs with hot patch asphalt in the winter, eliminating the need to return in the spring. The cost is to be split among the highway, water and wastewater departments. The general fund share is \$14,000, or 60% of the estimated \$24,000 purchase price.

George Marcus asked what happens if the grant does not come thru for the street sweeper. Werner indicated that he believes the odds of securing a grant are very good. Seeley added that, if the grant were denied, the selectboard would need to come back to the voters because the current request is only to authorize matching funds for the grant.

Frank Winkler asked what does "permanent" mean in regards to asphalt. Seeley answered that the process for filling potholes and other road surface cuts in winter would be with a much hotter asphalt that would last longer. The public works department wouldn't expect to refill the same holes in the spring.

Dewind asked if the wording of Article 5 indicating the purchase of equipment by financing precludes using another option to pay for the purchases, and whether the selectboard could choose to use the Cross Street Bridge reserve fund instead? Carpenter indicated that the selectboard was asking for authorization to make the purchases and, if necessary, to fund by borrowing. He indicated that to use any funds from the Cross Street Bridge reserve fund would need voter approval, as it is a restricted fund.

Dorothy Mammen asked for clarification on whether we are borrowing the money for the equipment or not. Moderator Douglas clarified that Article 3 is requesting authorization for the selectboard to borrow up to \$122,400 for the equipment they have described, but does not mandate they must borrow and purchase. Ramsay clarified that Article 5 could be amended by the voters to use more of the surplus to purchase the equipment.

Hardy asked for confirmation on what fiscal year we would start paying for the equipment. Ramsay answered that we would approve the purchase in FY19, but the principal and interest on the equipment would not come due until FY20.

John Tenny gave a short history on the creation of the equipment purchase schedule and how it was proactive in replacing equipment before it became more costly due to maintenance needs. Carpenter indicated that financing equipment at a low interest rate was not as costly as financing large infrastructure projects.



185 Roy Vestrich moved to add the words “borrow if necessary” after the word “funds” to  
186 Article 3; RJ Adler seconded.

187  
188 Amendment to Article 3 failed by voice vote.

189  
190 MOTION PASSED BY UNANIMOUS VOICE VOTE  
191 ARTICLE 3 ADOPTED

192  
193 Article 4: Shall the Town vote to collect taxes on real property for fiscal year 2018/2019 in  
194 three equal installments due in the Treasurer’s Office on the 15<sup>th</sup> day of August 2018, the  
195 15<sup>th</sup> day of November 2018 and the 15<sup>th</sup> day of March 2019?

196  
197 Karl Neuse moved for the adoption of Article 4; Sas Carey seconded.

198  
199 Ellen Kurrelmeyer questioned if taxes are considered received by the date of the postmark or must  
200 be in hand. Ramsay answered “in hand”.

201  
202 MOTION PASSED BY UNANIMOUS VOICE VOTE  
203 ARTICLE 4 ADOPTED

204  
205 Article 5: Shall the Town vote, pursuant to 24 VSA § 2804(a), to authorize the selectboard to  
206 apply \$57,484 in surplus funds from the Cross Street Bridge reserve fund to offset increased  
207 spending for Capital Improvements in the FY19 General Fund Budget?

208  
209 Ted Davis moved the adoption of Article 5; Laura Asermily Seconded

210  
211 Carpenter explained that the purpose of creating the Cross Street Bridge reserve fund was to fund  
212 the bond payments for the construction of the Cross Street Bridge over a 30-year period. Any  
213 additional funds generated were to be held in a reserve account for the purpose of future  
214 maintenance on the bridge. In order to use the funds from the reserve account for any purpose  
215 other than for the Cross Street Bridge, the selectboard must come to the voters for approval.  
216 Based on an engineer’s audit of the bridge and its future maintenance needs the selectboard  
217 determined that a surplus of funds was available in the reserve account. Not knowing what funds  
218 the tax will generate over the years in potentially volatile economic circumstances, the  
219 selectboard is recommending to the voters to use excess funds for infrastructure needs rather than  
220 operational expenses. The selectboard is asking the voters to approve using \$57,484 from the  
221 reserve fund to cover the increase in the capital improvements budget. This request is a test case  
222 to gauge the voters’ willingness to use these surplus funds for infrastructure projects.

223  
224 Asher Nelson asked if we have any other reserve funds or rainy day funds. Ramsay replied that  
225 our general fund balance is approximately \$500,000, of which \$150,000 was allocated towards  
226 the FY2018 budget and \$150,000 towards the FY2019 budget, leaving \$200,000 remaining.

227  
228 Ted Davis asked if we have spent money out of the Cross Street Bridge Fund. Ramsay replied  
229 that each year the bridge bond is paid from the fund, as well as minor maintenance and repairs to  
230 the bridge.

Maier asked if the bridge fund is earning interest and if there are any legal restrictions on the voters' use of the funds. Ramsay answered the fund accrues minimal interest and it can only be used for municipal expenses, not educational expenses.

Chris Robbins asked if the local option tax, which funds the Cross Street Bridge reserve fund, has a sunset and how many years of bridge maintenance the fund will cover. Ramsay answered there is no sunset but there is a 30-year debt on the bridge. Bond payments should go down over time, but maintenance costs, which should be relatively low now, will go up over time.

Conrad asked about the bridge maintenance plan timeline. Carpenter confirmed that engineers projected out 20 years.

Fred Dunnington commented on the local option tax and how the town is lucky to have this source of revenue and he encourages the board to do more long-range planning and use it sparingly.

Kurrelmeyer asked if we could reduce our debt service. Ramsay answered that we cannot prepay our long term loans.

Seeley explained that, due to an increase in the capital budget needs this year, the selectboard wanted to use surplus funds from the Cross Street Bridge reserve fund instead of increasing property taxes. Seeley expects the Infrastructure Committee to work on a more detailed plan of infrastructure needs within the town and to come up with a more detailed plan for the use of surplus funds from the reserve account. She noted all are welcome to attend their meetings and participate in the conversations or to comment by contacting the Town Manager.

**MOTION PASSED BY UNANIMOUS VOICE VOTE**  
**ARTICLE 5 ADOPTED**

**Article 6: To transact other business proper to be done.**

Asermily reminded residents to fill out the selectboard's Town Survey/Poll. Additional surveys available include ACTR bus, ACSWMD and the Doyle Poll.

Moderator Douglas offered candidates for elected offices the opportunity to come forward and introduce themselves. Those present included:

Gary Baker – Selectboard  
Lindsey Fuentes-George – Selectboard  
Farhad Khan – Selectboard  
Barbara Doyle-Wilch - Library  
John Freidin - Library  
Joe McVeigh - Library  
Amy Mincher - Library  
Davina Desmarais – ACSD



277 Greta Hardy-Mittell, a senior at Middlebury Union High School, was admitted to the meeting to  
278 speak on behalf of a planned student walk-out on March 14th at 10:00 am, in protest of gun  
279 violence and in support of common sense gun laws.

280  
281 Hardy, an Addison Central School District Director, gave an overview of the budget which will be  
282 voted on tomorrow by Australian ballot. Hardy also stated that she is not running for re-election,  
283 but has appreciated the opportunity to serve the community.

284  
285 Mark Mooney inquired if Middlebury College has been re-approached to make a donation towards  
286 the purchase of the new ladder truck for the fire department. Carpenter answered that the college  
287 had asked for a pass. President Patton had just arrived and the college was facing a deficit.  
288 Carpenter also felt that the town had the funds available, due to the 1% fire equipment fund  
289 collected through property taxes.

290  
291 Maier gave a short overview of the Greater Middlebury Climate Economy Initiative and asked  
292 residents to consider joining their efforts.

293  
294 Webster thanked the school district and especially Mary Hogan School for hosting us and MESA  
295 for providing refreshments. She asked that able-bodied attendees help pick up chairs and tables  
296 before leaving.

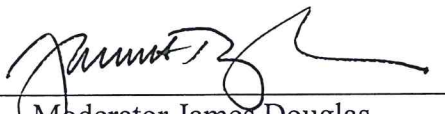
297  
298 Peg Martin reminded residents that May 5th, 2018 will be the 50th anniversary of Green-up Day.  
299 She hopes for lots of volunteers to participate and announced that there would be many  
300 festivities to mark the day.

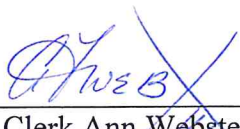
301  
302 **John Tenny moved to adjourn; Al Perry seconded.**

303  
304 **MOTION PASSED UNANIMOUSLY BY VOICE VOTE**

305  
306 Meeting adjourned at 9:40 p.m.

307  
308 Respectfully submitted,  
309 Monica Sanchez Webb, Clerk

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312 \_\_\_\_\_  
313 Moderator James Douglas  
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312 \_\_\_\_\_  
313 Town Clerk Ann Webster  
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