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**Town of Middlebury
Creek Road Task Force
Rotary Conference Room
February 14, 2020**

Members Present: Heather Seeley, Peter DeGraff, Dean Rheume and Luther Tenny. Dean George arrived later in the meeting.

Also present: Dan Brown

Call to Order

Heather Seeley called the meeting to order at 8:02 am.

Approval of the Agenda

Tenny moved to approve the agenda and Rheume seconded the motion. The agenda was approved as presented with 3 in favor and 1 absent (George).

Approval of the Minutes

The approval of the January 3, 2020 minutes were approved as presented upon motion by Rheume, seconded by Tenny. Vote was 3 in favor, 1 absent (George).

Citizen Comments – None

Final Work on Approved Alternative

Seeley said following the last meeting when the Task Force approved the alternative to recommend to the Infrastructure and Selectboard, DeGraff cleaned it up some and added additional steps based on the discussion at the last meeting. She said Rheume had objected to the cleaned up version, because it wasn't what the Task Force had voted on. She said the Infrastructure Committee reviewed the original version adopted by the Task Force, and not the one edited by DeGraff. She said the Infrastructure Committee questions were mostly around the "next steps" portion of the recommendation.

Rheume wanted to change the description of the alternative to include "realignment" of the road as an option. Tenny suggested the description say "...plan in place to avoid significant repair costs" and to remove "...too reclassify segments of the roadway".

DeGraff said he has a problem with what is the monetary value of "modest improvements" and who decides. They discussed if an initial cost estimate should be done for the Selectboard and if so, what would be included. Tenny suggested perhaps it would be best to wait in case the Board doesn't approve their recommendation. They also felt they should get the number of the money set aside already for Creek Road before the Board meeting.

39 Dean George entered the meeting at this time.

40

41 Seeley said most of the confusion with the Infrastructure Committee was the “next steps”, so she has
42 attempted to take the same information and present it differently; state a time frame; and define who
43 would be responsible for each step. She wonders now if something should go into item A. or B. about
44 developing a scope of work, although Tenny felt it was already implied.

45

46 Rheaume wasn’t happy with the word “safe” in the description, since he feels the definition of “safe” at
47 Public Works is different from what is really “safe” for the residents and traveling public. Tenny said that
48 really needs to be defined by working with stakeholders and by Middlebury Police and Fire, Public
49 Works, this Task Force, and DeGraff. After further discussion, they added the final recommendation
50 would go to the Infrastructure Committee for their recommendation for approval by Selectboard.

51

52 They discussed whether to set a timeline for opening the road, but ultimately decided to leave it out of
53 this document and it will be decided after discussions with the Infrastructure Committee and
54 Selectboard.

55

56 There was discussion on how the Task Force would be kept updated on the negotiations with the private
57 landowners, and how do they give direction to those doing the negotiations. Rheaume wanted to be
58 sure that a broad range of options were discussed and not just private accesses. They finally agreed to
59 say “Collaborate with landowners to explore options for easements/acquisitions to provide alternative
60 access.” Seeley said she hopes this will be a collaborative process with the landowners and we can
61 come to some agreement that works for both parties. Seeley said she’d defer to Town Manager Ramsay
62 on how this process will be handled.

63

64 Tenny said he had to leave early, so Seeley asked him if he had any other suggestions before he left. He
65 said in Phase 2 (1) he would like the wording “...for the future stream bank and roadway deterioration”
66 changed to read “...in the event of future stream bank and roadway deterioration.” He also wanted
67 them to keep it simple, succinct and not to get too far into the weeds.

68

69 Seeley said one comment that was made in the Infrastructure Committee meeting was that there should
70 be someone from the Conservation Commission and Parks and Recreation Committee having input, so
71 they discussed where in the process these conversations would happen. George said if we’re going to
72 try and keep this road open, then let’s work towards that, and if at some time this road is going to be
73 closed, then they should be included. DeGraff suggested they be part of Phase 2 (1) in creation of the
74 final action plan so they added “community stakeholders”.

75

76 Seeley finalized all the changes and printed it for a final review before approval.

77

78 While waiting for DeGraff to retrieve copies, Rheaume asked Seeley about the Infrastructure
79 Committee’s discussion on the Municipal Roads Permit. She went over the discussion on the inventory
80 of hydrologically connected roads and the State’s mandate for these to be brought up to State

81 standards, while not providing towns funding for these upgrades. Rheume said he was upset to see
82 that Creek Road wasn't included and that it was even footnoted it was to become a trail. Seeley said the
83 report the Committee initially received was not the most recent draft, and since then the most recent
84 draft was loaded to the website, so urged Rheume to go back and read it new draft.

85

86 They reviewed the revised Alternative and found it was mostly formatting changes, so Seeley said she'd
87 make the changes and clean it up later.

88

89 George moved to adopt Alternative 8 as written, Rheume seconded the motion and it was approved
90 with 3 in favor, 1 absent (Tenny).

91

92 Seeley will check on scheduling for the Selectboard meeting on March 10th, but it may need to wait until
93 March 24th.

94

95 George moved to adjourn the meeting at 9:25 a.m. and Rheume seconded the motion.

96

97 Respectfully submitted,

98 Beth Dow

99

100

101