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**Town of Middlebury
Infrastructure Committee
Thursday, February 9, 2023
Meeting Minutes**

Members Present: Heather Seeley, Candy McLaughlin, Judy Wiger-Grohs, Erik Remsen, Luther Tenny, Gary Baker and Alternate Jef Bratspis.

Staff Present: Town Manager Kathleen Ramsay, Assistant Town Manager David Sophrin, Directors of Public Works Planning Emmalee Cherington, Director of Public Works Operations Bill Kernan and Wastewater Superintendent Bob Wells.

1. Call to Order

The meeting was called to order at 9:00 a.m. by Chair Heather Seeley.

2. Approval of Agenda

Remsen moved to approve the agenda and Bratspis seconded the motion. Added to the agenda was an updated estimate from DeBisschop Excavating for work at the Chipman Hill reservoir. The agenda was approved as amended with 7 in favor.

MOTION PASSED

3. Approval of Minutes

Baker moved to approve the minutes of January 12, 2023, and Wiger-Grohs seconded the motion.

Bratspis had to changes to the minutes:

Line 254 – refers to Vermont Gas report, change to “report was done by Forcier Engineering, and was commissioned by Vermont Gas”.

Line 362 & 363 – should read “greenhouse gas”.

The minutes were approved as amended with 7 in favor. **MOTION PASSED.**

4. Citizen Comments

Wiger-Grohs said she had attended a discussion at Middlebury Science Café about de-icing of the roadways and the impact on water ways. She said a few days after the last storm she walked a short distance (approximately .10 of a mile) on her street and collected over 3 lbs. of road salt (sodium chloride) that had been put down during the storm. She said she understands from previous discussion of the problems of cutting back on salt, but our waterways and trees are at risk, so we need to figure something

46 out. She said she is part of the Riverwatch Committee and they are already seeing an
47 increase of salt in the waterways.

48
49 Kernan said he is aware of the elevated chloride levels from the Riverwatch Committee,
50 and every year the trucks are calibrated for the amount of salt distributed. He said this
51 product we use is the same used by the State, and there are not a lot of options right
52 now, but new products are coming out all the time. Cherington said they could
53 experiment to see if they could calculate the usage per truck and map it to see if there
54 were areas getting more salt than others.

55
56 Seeley said it seems everyone is aware and something to discuss later.

57
58
59

5. Project Updates

60 Chipman Hill Water Storage – Cherington said DeBisschop has revised the tree clearing
61 limits and the area has been flagged. She has been working with neighbors on their
62 concerns, such as screening and construction traffic, and the overall road condition
63 going forward. He said the engineers came up with a sketch of what the screening will
64 look like and it appears to be good, provided these evergreens can be saved. She said
65 the plans are 60% complete and have been shared with the neighbors, and one
66 concern is for the number of amphibians and other “critters” that live there now or will be
67 moving into that area in the spring. She’s working with the State on this issue and it’s
68 possible we can delay borings for a while, but we couldn’t wait until October which is the
69 ideal time for some species.

70
71 Bakery Lane – She has the detailed easement layout from Otter Creek Engineering,
72 and we will need to obtain one parking space for access to the pump station on property
73 owned by the owner of the building Haymaker Buns is located. She believes they can
74 rework the parking area and with paving and striping they can gain back that lost space.
75 She said they will also need temporary easements on Tony Neri’s property, but she has
76 discussed it with him and he’s fine with that.

77
78 Cherington said this project is at the 90% design stage, but for now it will be put on the
79 backburner while we figure out the funding piece of it. She said she has discussed with
80 the engineer about adding more stormwater components to the project, and even
81 though there isn’t a large area of work needed, it would increase funding availability.
82 Ramsay said the Addison County Regional Planning Commission reached out last week
83 on infrastructure projects in need of funding, and Cherington suggested South Street
84 and Bakery Lane to them.

85
86 South Street – Cherington said originally this had been intended to have bids go out
87 January 27th, but the engineer found some discrepancies in the elevations of the
88 waterline from the original 2012 plans, so this has delayed the bid. She said the bid will
89 now go out on February 20th with bids due March 20th. She said allowing for 7 days for
90 the engineer to analyze the bids means it would be before the Infrastructure Committee

91 in April and not in March as previously discussed, so the date of the meeting may need
92 to be adjusted so it can be approved by the Selectboard at their first meeting in April.

93
94 Wastewater Facility – Cherington said Town staff, the design engineers, Hoyle Tanner
95 and Associates, had met with Aqua Aerobic Systems last week at the plant. She said
96 they design sequential back reactors (sbrs) among other things, to look at the possibility
97 of using sbrs at the plant and other design options. She said they also had some
98 suggestions in the design flow that could make some of our current issues with the
99 industrial effluent easier to deal with. She said at the next meeting we should have the
100 agreement with Hoyle Tanner so we can get the design underway.

101 102 Halladay Road

103
104 Cherington said the boundary work has been completed for the increase in area we
105 need, and in that process we found a small area is in the Middlebury Area Land Trust
106 (MALT) conservation area, so we are now negotiating with MALT to see what we can
107 do. She said construction is scheduled for July to October, so she hopes we can get
108 this resolved before the start of construction.

109
110 She said knowing the condition of Halladay Road, she'd talked to Kernan and the
111 highway crew will work on ditching and replacing culverts on Halladay Road this
112 summer, so once this project is complete we can go back and reclaim and shim and
113 overlay the road surface.

114 115 **6. Halladay Road Pump Station Engineering Agreement and Revised Generator** 116 **Quote**

117
118 Cherington said we have received an Engineering Agreement from Otter Creek
119 Engineering to provide engineering services through the construction phase of the
120 project. She said this agreement will include construction administration, construction
121 review and preparation of record drawings, and this assumes 75 days of coordination
122 on a part-time basis. She said this portion of the engineering services is for \$35,000.

123
124 Seeley asked if this amount for this service increased, and Cherington said she believes
125 this is an increase of \$5,000 from a similar service done on another project. Seeley
126 said in the past we've bid out engineering services for a design phase and then a
127 construction phase, and she's wondering if they should include the construction phase
128 with the design phase to somehow guarantee the rate. Cherington said the engineering
129 rates increased as of January 1st, so she thinks that is the reason for this increase and
130 is good for this fiscal year, and they provide a projection for the following year as well.
131 Tenny pointed out that the construction phase is typically bid on separately because you
132 don't know the work needed until the project is designed and we know the scope of the
133 project.

134
135 Bratspis moved to recommend the Selectboard approve the Otter Creek Engineering
136 Agreement for the construction phase of the Halladay Road Pump Station Project in the

137 amount of \$35,000. Wiger-Grohs seconded the motion. The motion carried with 7 in
138 favor. **MOTION PASSED.**

139
140 Cherington said at the last meeting the Committee had recommended a “not-to-exceed”
141 amount for the generator, but it turned out to be about \$1,000 shy. She said the
142 contractor has found a generator that meets all of the specifications, is local so it
143 reduced 16 weeks from the lead time, and with this revision the generator would be
144 \$33,000 and the contractor takes on all the liability for obtaining the generator and
145 installation. She said this would bring Champlain Constructions project cost to
146 \$743,291.75, which is still significantly lower than the other bid we received for the
147 project.

148
149 Tenny said the proposal says there is a lead time of 20-weeks to obtain the generator,
150 and Cherington responded the original lead time had been 36-weeks, so this reduces
151 the lead time by 16-weeks.

152
153 Wiger-Grohs moved to recommend the Selectboard approve the Champlain
154 Construction Change Order #2 from \$710,291.75 to \$743,291.75, a difference of
155 \$33,000 for the generator. McLaughlin seconded the motion. The motion carried with 7
156 in favor. **MOTION PASSED.**

157

158 **7. Gorham Lane Engineering Agreement**

159

160 Cherington said Otter Creek Engineering has submitted a quote to design a new water
161 line for the entire Gorham Lane neighborhood. She said there has been a number of
162 water breaks in that area and some of the line is 2”, some 6”, so we’ve asked them to
163 increase it all to 8” and create loops so it’s consistent and holds pressure, and to add at
164 least one additional fire hydrant. She said the road pavement has suffered over the
165 years from all these water breaks, so that has been included in the design.

166

167 Seeley asked if there were stormwater and wastewater components of this project we
168 should also be thinking about. Cherington said she believes stormwater is a nightmare
169 in general in that area, but she believes other improvements are relatively recent.

170 Cherington said this is for the design phase only, and does not include permitting fees,
171 easement acquisition or the bid and construction phase.

172

173 Tenny said this is an area that has been identified as a problem for water infiltration and
174 sewer collection that may be because of sump pumps into the system. Seeley said she
175 knows it would increase the cost of the project significantly, but we should look at the
176 condition of all that is under the pavement before we do any repaving. She said if we’re
177 only going to focus on the water line, then maybe we should just consider shimming that
178 area for now. Cherington said she’d rather include stormwater and wastewater in the
179 engineering phase, and she can circle back with former Director of Planning Dan
180 Werner too to get his thoughts on this.

181

182 It was decided to pause any decision on this until Cherington can have the engineers
183 include the wastewater and stormwater into the design. Kernan said there is no
184 existing stormwater permit for that area.

185
186 Tenny said that is one of two locations where the College connects to our water system,
187 so sequencing of that changeover would be important.

188 **8. Roger's Road Pump Station**

189
190
191 Cherington said the Roger's Road Pump Station is high on the Wastewater
192 Department's list for improvements, similar to what is being done on Halladay Road, so
193 she has asked Otter Creek for an engineering agreement for project design and
194 permitting. She said improvements to this pump station would relieve pressure at the
195 high school pump station, which would be beneficial, and it also takes a lot from the
196 Buttolph Drive area as well.

197
198 Seeley asked about the timeline on this. Cherington said according to Wastewater staff
199 this is a top project, and assuming it is similar to the Halladay Road Pump Station
200 Project we'd be looking at a cost of \$750,000, and she will apply for Clean Water State
201 Revolving Funds (CWSRF) next year for the Rogers Road project, so it's possible this
202 could be moved ahead of the Bakery Lane Project depending on funding for both
203 projects.

204
205 Remsen moved to recommend the Selectboard approve the proposal from Otter Creek
206 Engineering for \$30,000 for the design phase of the Rogers Road Pump Station
207 improvements. Wiger-Grohs seconded the motion. The motion carried with 7 in favor.
208 **MOTION PASSED.**

209 **9. Foote Street Engineering Agreement for Final Design**

210
211
212 Cherington said this is another multi-phase project, and this is the 3rd and final phase of
213 the water line replacement on the southern section of Foote Street. She said this
214 agreement for \$10,000 is for final design and would not include easement acquisition,
215 bonding assistance, or bid/construction phase.

216
217 McLaughlin moved to recommend the Selectboard approve the Otter Creek Engineering
218 agreement for final design of the final phase of the Foote Street water line for \$10,000.
219 Baker seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

220 **10. DeBisschop Excavating Revised Estimate for work on Chipman Hill Water 221 Storage Project**

222
223
224 DeBisschop's original estimate was for \$21,925, but they had a forester at the site who
225 has flagged several additional trees that might be a problem for utility lines during the
226 project that had not been included on the original bid. Cherington said DeBisschop

227 needs to hire a tree climber for this job to piece the trees out rather than just dropping
228 the entire tree, and this revised estimate for \$30,050 reflects these additional costs.

229
230 Bratspis moved to recommend the Selectboard approve the revised estimate from
231 DeBisschop Excavating for \$30,050 for site work and tree clearing on the Chipman Hill
232 Water Project site. Wiger-Grohs seconded the motion. The motion carried with 7 in
233 favor. **MOTION PASSED.**

234 235 **11. Railroad Platform to Downtown Sidewalk Discussion**

236
237 Cherington said the Town has a Downtown Transportation Grant to construct a sidewalk
238 from the rail platform on Middle Seymour Street to the downtown. She said the original
239 proposal had the sidewalk running from the platform parallel and west of the railroad
240 tracks to the downtown, but discussions with property owners have identified some
241 hurdles with that route. She said she'd met with Oakley Smith of Marble Works and an
242 online meeting with VHB engineers, and they are now proposing to move the sidewalk
243 to follow Maple Street and through the Marble Works parking lot west of the buildings.
244 She said this route will require a few extra steps for permitting requirements, but since
245 we're in the very preliminary design phase it shouldn't backtrack it too badly. She said
246 this will increase the length of the sidewalk and the number of easements needed, but
247 Marble Works owners are in favor of this route.

248
249 Bratspis asked what the objections were for the original route. Cherington said when
250 the new rail tracks were installed, Marble Works went to court to keep the green strip
251 along the tracks, which is where they store snow in the winter, and the sidewalk would
252 eliminate that green strip. Also, there are two transformers located within this proposed
253 route that couldn't be relocated, plus the route would be very close to homes on the
254 northern end.

255
256 Remsen said his concern with the route as proposed now is the number of parking lot
257 crossings the sidewalk would make. He said also there are some paths south of Marble
258 Works that are not paved, so he would want this sidewalk paved to make sure it is
259 easily accessible to people with mobility issues.

260
261 Cherington said another concern on the southern end are the steep slopes, but it would
262 need to meet ADA standards. She said even if the slope doesn't meet ADA
263 requirements, ADA provides ways to mitigate the problem. In response to the concern
264 about the number of parking lot crossings, she said Marble Works needs to make
265 changes to their parking lot to deal with their stormwater requirements, so she believes
266 they can realign their parking and eliminate some crossings without losing parking
267 spaces. Seeley felt a sidewalk would make it safer because it would funnel pedestrians
268 to use that rather than walk helter-skelter as they do now.

269
270 Tenny said he believed this route is logical but wondered because of the narrowness of
271 the road in that area if it would make sense to widen the road and simply paint a
272 pedestrian/bicycle lane. He said it would be a nightmare to try and maintain a separate

273 sidewalk, particularly for snow removal. Cherington said they'll need to look at options,
274 and they've even talked about softening the sharp corner on Maple Street.

275
276 There was discussion about having pedestrians directed towards the underpass to
277 Seymour Street where there is already a sidewalk, or a bridge over the rail tracks to
278 Seymour Street. Seeley said she seems to remember that mentioned at one time when
279 discussing the platform, and there were significant reasons why the bridge to Seymour
280 Street wouldn't work.

281
282 Seeley said this needed no action from the Committee at this time. Ramsay said they
283 should keep in mind that due to the delay and inflation; they would need to look at this in
284 the fall for additional funds. Cherington said the initial grant was for \$90,000 with a
285 \$100,000 match from the Town, but \$190,000 is not realistic to design and construct
286 this sidewalk.

287 288 **12. Stormwater – UVM Projects**

289
290 Cherington said she's working with a several different groups of UVM students on
291 stormwater projects. She said most of them are environmental engineers, but 1 or 2 are
292 civil engineers. She said one group is working on the Adams Acres stormwater permit
293 that the Town is co-applicant on with the property owners, and she said they are looking
294 at the project as if they were the designers to come up with a plan. She said another
295 group is working on a plan for the Springside Road area, since we will be working in that
296 area and the residents have issues with runoff and erosions in that area, and there is
297 more flexibility in this design as there is no stormwater permit for this project. She said
298 the third group is from Stephanie Hurley's class, and Hurley has done a lot of work with
299 Green Stormwater Infrastructure (GSI) at UVM, and her classes have designed and
300 implemented several projects on the UVM campus. She said they would be working on
301 the Mary Hogan site, and while they aren't engineering students, she feels they'll be
302 able to come up with some interesting designs.

303
304 Wiger-Grohs asked what portion of the Mary Hogan site was the Town's, and
305 Cherington said it was the impervious surfaces on the north end of the site, which would
306 be the basketball courts, sidewalks, swimming pool areas. Wiger-Grohs said the
307 Riverwatch Committee does water sampling in a couple of areas near the Memorial
308 Sport Center. Cherington said she is working with the Riverwatch Committee to secure
309 a grant to do buffer plantings near the sidewalk that runs behind Mary Hogan School to
310 Buttolph Drive.

311 312 **13. RFQ Awards**

313
314 Cherington said Dan Werner put this RFQ out in August and it covers several different
315 categories for various types of professional services

316
317 Seeley said this is our second round with this process. Prior to this each engineering
318 proposal went out to bid for each project, and that was time consuming, so this process

319 identifies companies who are qualified for each service to eliminate the need to go to
320 bid. Cherington said this also helps with funding if you have an at-ready consultant as
321 opposed to having it go out to bid. These firms are qualified for a 3-year cycle.

322
323 Remsen asked about the building maintenance category that did not receive any
324 qualified applicants. Cherington said if it becomes an issue, they can always go back
325 out to ask for qualifications specific to building maintenance/contracting, since this time
326 around it was geared more towards engineering services.

327
328 Baker asked the process for new engineers to get into the pool, and Cherington said
329 they just need to apply and they can be added. Ramsay said that is what happened
330 when Landmark Engineering went into business, they applied and were added to the
331 list.

332

333 **14. Paving Discussion – Reclaim vs. Overlay**

334

335 Cherington said many roads received low scores when they did the road survey this
336 past fall, and she is concerned that some are unraveling so much it will be hard to
337 restore them without major reconstruction. She said the last few years Werner has
338 been focused on reclaiming the surface, and while that's great, they need to move that
339 process to roads that are more heavily traveled. She said this year Leno Lane and
340 Kings Row are on the list for reclaiming, but instead she would like to look at these
341 roads as a shim and overlay, since they service small neighborhoods that don't see a lot
342 of traffic. She would like to focus reclaiming on roads that receive the most traffic, so
343 she would like to see the southern section of Lower Foote Street that connects Route 7
344 to Cady Road reclaimed this year, then so a shim and overlay on Leno Lane (north and
345 south), Kings Row and MaeCliff Court. She would also like to look at the intersection on
346 the north end of Lower Foote Street where the OMYA trucks cross the road and the
347 weight of the trucks has put a dip in the road and the plow trucks are having a problem
348 in that area. She said she'd like to look into building a concrete slab just in that area
349 where the trucks cross and then do a shim and overlay.

350

351 Seeley wanted to make sure before we put in a concrete slab, we know the condition of
352 whatever infrastructure is under the road in that area. She said the concept of doing
353 shim and overlay in these less travelled areas makes sense.

354

355 Tenny said the metric to determine what process to use should be the condition of the
356 road. He said if the road is in bad shape and is breaking up, then you're already
357 beyond what you can do with shim and overlay, because it will only last a few years.
358 Cherington said Kings Row scored between 4 & 5 (1-10 scale) and Leno Lane has
359 mixed score with the southern section being worse than the north. She agrees with
360 Tenny on the condition of the road but feels we will never catch up if we only address
361 our really poor roads with reclaim, so she feels on these less traveled roads we can
362 gain maybe 10 years with a shim and overlay.

363

364 Tenny agrees with that logic, and that we are getting behind in some areas. He said the
365 other thing is the cost of asphalt right now, so it will be a challenging time to up our
366 paving level when the cost is the highest he's ever seen. Cherington said one reason
367 why she's thinking of going to the shim and overlay to avoid those high costs.

368
369 Seeley thanked Cherington for all her work on the many projects discussed during this
370 meeting. Wiger-Grohs says she's seeing a more holistic approach to the projects, and
371 she's very appreciative.

372 **15. Meeting Schedule**

373
374 The next meetings will be March 9th and tentatively on April 6th.

375 **16. Committee Concerns**

376
377
378 Seeley said during the recent windstorm there was a tree that went down across the
379 river south of the Shard Villa Road bridge, and already there is quite a buildup of debris
380 there. She isn't sure what we are allowed to do in the river, but there might be danger
381 to the bridge if debris continues to build up.

382 **17. Adjourn**

383
384
385 The meeting adjourned at 10:50 a.m. upon motion by Wiger-Grohs, seconded by Baker.

386
387 Respectfully submitted,
388 Beth Dow

389
390
391
392