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SELECTBOARD MEETING
Municipal Building – Large Conference Rom
Tuesday, January 12, 2016
Meeting Minutes

***DRAFT**

**subject to Board approval*

Members Present: Dean George, Nick Artim, Susan Shashok, Gary Baker, Donna Donahue, Laura Asermily, and *Brian Carpenter (*participating by phone beginning at 7:35 p.m.).

Staff Present: Town Manager Kathleen Ramsay, Director of Operations Dan Werner, and Recreation Director Terri Arnold. Several members of the community attended the meeting, which was televised on MCTV by Dick Thodal, and reported by John Flowers of *The Addison Independent*.

1. Call to Order

Dean George called the meeting to order at 7:05 p.m.

2. Approval of Minutes for December 15, 2015

Susan Shashok moved to approve minutes for the Selectboard meeting held December 15, 2015 (copy attached); Laura Asermily seconded. Motion carried with 6 members in favor, none opposed, and 1 member absent. **MOTION PASSED.**

Approval of Minutes for January 5, 2016

Correction: Page 6, Line 304: substitute "Michigan" for "Alaska"

Susan Shashok moved to approve minutes for January 5, 2016 as amended; Nick Artim seconded. Motion carried with 6 members in favor, none opposed, and 1 member absent. **MOTION PASSED.**

3. Approval of Agenda

Gary Baker moved to approve the agenda as presented; Laura Asermily seconded. Motion carried with 6 members in favor, none opposed, and 1 member absent. **MOTION PASSED.**

4. Citizen Comments

None.

**5. Presentation of Alternatives Analysis for
Court Street/Monroe Street/Charles Avenue Intersection**

Engineers David Saladino and Adam Portz of Vanasse, Hangen, Brustlin, Inc. (VHB) reviewed the results of the Court Street/Charles Avenue/Monroe Street intersection Scoping Study (copy attached) for design options to improve pedestrian and bicycle safety, reduce traffic congestion, and accommodate school transportation demands. Following public feedback solicited in October, the engineers presented the following three alternatives:

#1- Charles Avenue Roundabout, estimated at \$350,000 (not including acquisition of adjacent property), would replace the existing traffic signal at the Charles Avenue/Court Street intersection with a single-lane roundabout, and a new southbound left turn on Court Street at the Monroe Street intersection.

57
58 #2 - Monroe Street Roundabout, estimated at \$980,000 (excluding property acquisition), would
59 replace both Court Street traffic signals with a single-lane roundabout, and realign Charles
60 Avenue to intersect with Court Street across from Monroe, resulting with additional parking or
61 green space at the high school.

62
63 #3 - Monroe Street Signal, estimated at \$870,000 (excluding property acquisition), would
64 remove the existing Charles Avenue traffic signal, and realign Charles Avenue to intersect with
65 Court Street across from Monroe, also creating additional school parking or green space.

66
67 David Saladino indicated that those in attendance at the public hearing, as well as school board
68 members, preferred the signalization option, #3. Regarding roundabout versus signalization in a
69 village center location, he noted that a signalized intersection tends to be more efficient for
70 traffic flow, as well as safer for pedestrians, allowing them to gather to cross before the light
71 changes, as opposed to waiting for traffic gaps at a roundabout and crossing at random
72 intervals.

73
74 David Portz also reviewed the sketches, or sub-alternatives, for creating an access road from
75 the high school campus to the new Recreation Facility on Creek Road, a long-term objective not
76 reflected in the current project estimates.

77
78 In terms of funding and a timeline, Mr. Saladino noted the project is not a priority for the
79 Vermont Agency of Transportation (VTrans), which serves as a conduit for federal funds;
80 however, he indicated that the property manager for Champlain Oil was amenable to property
81 acquisition discussions for the project.

82
83 Laura Asermily moved to endorse the four-way signalized intersection design, Alternative #3, in
84 the Court Street/Charles Avenue/Monroe Street Intersection Scoping Study as the preferred
85 alternative, as determined through public input at the October 13, 2015 public information
86 meeting; Nick Artim seconded. Motion carried with 7 members in favor, none opposed. **MOTION**
87 **PASSED.**

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90 **6. Proposed Dog Park**

91 Members of the Middlebury Off Leash Area Group (MOLAG) Jane Steele, and Kathy Nilsson,
92 together with Middlebury College representative David Donahue, provided an update since their
93 last presentation to the Board on November 24th, when concerns were raised regarding the
94 proposed dog park to be located on college land off South Street, just east of Middlebury
95 Regional EMS; specifically, the close proximity to the EMS helipad used for medical evacuation.
96 Mr. Donahue noted that all concerns have been satisfied (correspondence attached), adding
97 that the hospital has indicated there are approximately 12 flights per year, mostly at night, and
98 parking will be available in the northeast back corner of the existing hospital lot, which is
99 minimally used. Regarding the Act 250 permit process, he suggested an amendment, at
100 considerably less cost, to meet the requirement.

101
102 Having received calls on the proposed dog park, Susan Shashok asked when the organizers
103 plan to engage the community through public information meetings. Jane Steele advised that
104 once the lease is signed, plans are being made for advertising, fundraising, and informational
105 meetings. Gary Baker suggested holding a public hearing prior to signing the lease. Parks &
106 Recreation Director Terri Arnold supported the dog park, with the caveat that the Rec
107 Department should not take on its maintenance should the group fail to do so in the future. Nick
108 Artim moved for tentative approval of the land lease (copy attached), pending the successful
109 completion and State approval of the amended Act 250 permit; Donna Donahue seconded.

110
111 Motion carried with 7 members in favor, none opposed. **MOTION PASSED.**
112

113 **7. Main Street & Merchants Row Overpass Bridge Replacements**
114 **Local Project Management Team Update**
115

116 Dean George reported on two meetings held last week by the Local Project Management Team
117 (LPMT), at which members reviewed the response from VTTrans to the committee's letter of
118 November 10th (highlights attached). The LPMT is looking forward to the outcome of the
119 February 17th meeting of the Vermont Rail Council, which is planning to weigh in on the issue of
120 lowering the minimum clearance requirement, and associated costs, from 21 to 19 feet for the
121 two downtown rail bridges. Dean also noted the Local Project Team discussed the relocation of
122 the Addison County Transfer Resource (ACTR) transfer point, multi-modal station, and future of
123 Greg's Meat Market building. The LPMT is scheduled to meet again on Thursday, January 14th.
124

125 Acknowledging of former Town Manager Bill Finger's letter of resignation as Local Project
126 Manager (copy attached), in light of how the project has evolved since its inception, Board
127 members expressed their appreciation for Bill's service, and continued willingness to advise the
128 Selectboard in going forward.
129

130 **8. FY17 Budget Proposal Review & Update**
131

132 Town Manager Kathleen Ramsay advised that the Parks & Recreation Committee has voted to
133 endorse a \$10 program fee, already incorporated in the proposed budget (\$27,750). The
134 Personnel Committee is scheduled to meet on January 18th to review the proposed new position
135 for a Safety & Operations Director budgeted at \$100,000 (for wages and benefits). In regard to
136 the Fund Balance, Town Treasurer Jackie Sullivan has indicated an audit will be available by
137 January 22nd. To achieve the Board's target of no increase on the tax rate, an additional
138 \$61,420 must be trimmed from the proposed FY17 budget.
139

140 Regarding appropriation of funds to the various social service agencies, Susan Shashok
141 suggested that the Board rely on the Policy for the Appropriation of Aid to Health & Human
142 Services Programs for the Benefit of Middlebury Residents (copy attached), and allow voters to
143 decide. Gary Baker noted the Charter House is warned as a separate article, and agreed all
144 others will be proposed as level-funded. Susan requested that Article 3 reflect a change from
145 "Selectmen" to "Selectboard," and asked for clarification regarding a proposed article on the
146 penalty for late tax payments. Town Manager Kathleen Ramsay advised that a 1% penalty is
147 being proposed for payments received within 10 days of the last installment only, followed by a
148 8% penalty thereafter with interest applied.
149

150 Dean George noted the budget must be finalized by January 26th, and encouraged Board
151 members to forward any proposed amendments to the Town Manager prior to that date.
152 Kathleen advised that the last day to file petitions signed by at least 5% of voters with the Town
153 Clerk for articles to be included in the Town Meeting Warning is Thursday, January 14th by 5:00
154 p.m., and the deadline for nomination petitions for elected office is Monday, January 25th by
155 5:00 p.m.
156

157 **9. Award Water Monitoring & Creek Road Sidewalk Engineering Contracts**
158

159 Director of Operations Dan Werner advised three firms responded to the Town's Request for
160 Proposals (RFPs) for engineering design services for chlorine and fluoride monitoring facilities
161 at the two entry points to Middlebury's water distribution system: Well #2 (Palmer Springs) and
162 Wells 3 and 4, a project necessary in order for the Town to be in compliance with new

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requirements under the State’s Safe Water Drinking Act. Dan recommended the Board award the project to low bidder Aldrich & Elliott for a total cost of \$13,400, noting theirs most closely followed the requirements outlined in the RFP (copies of all three responses attached). Susan Shashok so moved; Laura Asermily seconded. Motion carried with 7 members in favor, none opposed. **MOTION PASSED.**

Dan also reported that the Town recently submitted an RFP for engineering services for the Creek Road Sidewalk and Road Reconstruction Project, and although eight firms had expressed interest, only Dubois & King, Inc. (D&K) submitted a bid by the December 22nd deadline (copy attached). The project will combine two funding sources; 1) a State \$250,000 sidewalk grant; and 2) the remainder from the Town’s Capital fund. Dan noted that the \$75,202 bid from D & K for engineering services is 10% less than the \$840,000 cost estimated by Phelps Engineering for both projects, and therefore recommended the Board award the bid to Dubois & King, Inc. for a not-to-exceed amount of \$75,202. Nick Artim so moved; Susan Shashok seconded.

Brian Carpenter asked if paving at the new Recreation facility will be included, or if a change order will be considered. Dan advised the project will go out to bid on February 3rd, then back to the Selectboard in March, and in the meantime he will meet with Dubois & King to discuss an add alternative regarding the Recreation Facilities parking lot. Dean George suggested consulting with Breadloaf engineers to obtain the square footage. Motion carried with 7 members in favor, none opposed. **MOTION PASSED.**

**10. Consider Resolution Adopting the State of Vermont
Section 457 Deferred Compensation Plan**

Town Manager Kathleen Ramsay presented a resolution to allow employees to participate in the Vermont Municipal Retirement System’s Section 457 retirement savings plan through payroll reductions (copy attached). Kathleen advised the plan is administered by the Vermont Municipal Employees’ Retirement System (VMERS) Board and offers much lower fees on investments. Gary Baker moved to authorize Board Chair Dean George to sign the Resolution adopting the State of Vermont Section 457 Deferred Compensation Plan; Brian Carpenter seconded. Motion carried with 7 members in favor, none opposed. **MOTION PASSED.**

11. Adopt Hazard Mitigation Plan

At its December 15th meeting, the Selectboard adopted the Town’s Hazard Mitigation Plan, as approved by the Federal Emergency Management Agency (FEMA). Since that time, FEMA has clarified its process for approving the plan at the federal level, noting that the Selectboard must first approve a formal resolution adopting the Hazard Mitigation Plan (copy attached). Laura Asermily so moved; Nick Artim seconded. Motion carried with 7 members in favor, none opposed. **MOTION PASSED.**

12. Approval of Check Warrants

Having reviewed the check warrants from January 6, 2016 through January 12, 2016 (copy attached), Gary Baker moved to approve total expenditures in the amount of \$173,931.37 consisting of \$84,386.12 for accounts payable, and \$89,545.25 for payroll; Laura Asermily seconded. Motion carried with 7 members, none opposed. **MOTION PASSED.**

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13. Town Manager’s Report

Town Manager Kathleen Ramsay reported that the Town has issued an RFP for the fabrication and installation of interpretive sign panels and parking signs for the downtown Middlebury Visitor Services Project. RFP responses are due by January 15th, and it is anticipated the project will be complete by early summer.

The Town’s website now features a new link dedicated to the Means Woods Nature Preserve, including a Field Guide to the Natural History of the Means Woods, and information on the walking trails.

As a follow-up to discussion regarding the grant options in connection with the Exchange Street/Elm Street intersection, the decision was made to forego an application to the Strong Communities, Better Connections Grant Program at this time.

14. Board Member Concerns

Donna Donahue has received a number of positive comments on the new lights at the Memorial Sports Center, and added that the pre-skate event on New Years Event was well attended with some 140 participants.

Laura Asermily thanked employees of Public Works for keeping sidewalks clear of snow in a timely fashion, which helped with the success of the recent Bike to School event.

Gary Baker asked about the status of the Unpaved Roads budget. Town Manager Kathleen Ramsay advised she will provide a report at the Board’s next meeting.

Nick Artim recently received a solicitation in the mail for water service line insurance, and cautioned other recipients that the insurance is neither endorsed nor required by the Town of Middlebury.

15. Executive Session

16. Action on Matters Discussed in Executive Session

None.

17. Adjourn

The Board adjourned at 8:55 p.m. The next meeting of the Middlebury Selectboard will be held on Tuesday, January 26, 2016 at 7:00 p.m.

Submitted by,
Peggy Connor, Board Clerk