

1 TOWN OF MIDDLEBURY  
2 Infrastructure Committee  
3 Town Offices Large Conference Room  
4 Thursday, August 30, 2018  
5 Draft Meeting Minutes  
6

7 Committee Members Present: Heather Seeley, Kirk Fiske, Gary Baker, Don Keeler, Luther Tenny and Judy  
8 Wiger-Grohs.  
9

10 Town Staff: Town Manager Kathleen Ramsay, Director of Public Works Planning Dan Werner and  
11 Director of Public Works Operations Bill Kernan.  
12

13 The Meeting was called to order by Heather Seeley at 8:15 a.m.  
14

15 Approval of Agenda  
16

17 Gary Baker moved to approve the agenda and Luther Tenny seconded the motion. The agenda was  
18 approved with 6 in favor.  
19

20 Approval of Minutes  
21

22 Dan Werner said that lines 110-111 should be amended to say that “he believes that there are some  
23 funds in the Caring for Canopy Grant and the remainder covered by the capital tree account.”

24 Werner also noted that lines 266-267 should be amended to say “intersection. No one witnessed the  
25 person in the crosswalk and he was found 32 feet from the crosswalk.”

26 Werner also said that on line 295, it should read “committee”, not “commission.”  
27

28 Kirk Fiske made the motion to approve the minutes as amended. Judy Wiger-Grohs seconded. The  
29 minutes were approved with 5 in favor and 1 abstention (Don Keeler).  
30

31 Citizen Comments  
32

33 Rick Cinquegrana, Middlebury resident, said that he moved here four and a half years ago from  
34 Washington D.C. with his wife. Upon moving here, he found that he had a water problem in his  
35 basement. Chris Acker told him to contact Kathleen Ramsay but when he stopped by the old Municipal  
36 Building, Kathleen was not in the office and he was referred to Dan Werner. He said that Dan was an  
37 outstanding public servant and very responsive in the four years that they spent working together. He  
38 said that yesterday, the town striped the new section of South Street and now the project is done. He  
39 said that he wanted to thank the town for their work and support.  
40

41 Pump Station Improvements – Engineering Bid Consideration  
42

43 Werner said that he requested engineering proposals for a routine schedule for inspection and  
44 improvement on the Town's 20 pump stations. There was a total of five bids submitted ranging from  
45 \$93,600.00 to \$194,400.00. He said that Otter Creek Engineering was the low bidder at \$93,600.00. He  
46 said he is sure that they will be able to do this work.

47  
48 Werner said that this contract is for the design work. He said that two stations need new control panel  
49 buildings without a generator but with a generator connection. He said that one station needs a new  
50 backup generator (on Seminary Street). He said that they will also change out the pumps that are in pits  
51 to submersible pump stations. Tenny said that the goal of the submersible pump station is that you can  
52 pull the pumps out and work on them without being in a confined space.

53  
54 Tenny made the motion to recommend that the Selectboard award the engineering bid for pump  
55 station improvements to Otter Creek Engineering for \$93,600.00. Kirk Fiske seconded.

56  
57 Seeley said that this work was budgeted for in the original capital plan.

58  
59 The motion was approved with 6 in favor.

60  
61 Project Updates

62  
63 Werner said that South Chipman Park is mostly complete.

64  
65 Werner said that for the Well Monitoring project, the well house siding is on and they are waiting for  
66 doors to show up and roofing to be put on then they will start working inside.

67  
68 Werner said that for the Charles Ave project, they completed the paving of both the base and top course  
69 yesterday and this morning they are doing the median area and the driveways will also be done today.  
70 Seeley asked about the leak. Werner said that it was a gasket in the reducer from the new main going  
71 down to the old main. Werner said there is also some minor yard restoration to be done. Keeler said  
72 that the grade into the parking lot is not great. Werner said that they will not be using that entrance  
73 very often but wanted to keep it open.

74  
75 Seeley asked Werner about the water reservoir coating. Werner said it was too hot to apply the coating.

76  
77 Seeley said that they had not started on sidewalk repairs.

78  
79 Ramsay mentioned the Creek Road updates. Werner said that he and Bill Kernan met with John Ashley.  
80 The soil borings revealed that in the road there is a two foot section of very silty and soft blue clay. He  
81 said that it has no structural integrity and there are similar soil conditions out to the shoulder. He said  
82 that it will not hold hardly anything. He said that they think that section will slowly slide into the Creek.

83

84 Kernan said that the temporary solution is to remove the payment and three feet of soil, then put down  
85 a woven fabric, soil backfill on the ditch line, separation fabric then lightweight aggregate which is  
86 available from Albany. Kernan said that then they will put six inches of recycled asphalt on top of it to  
87 get us through the winter. He said it will reduce the weight that's loading it by quite a bit.

88

89 Keeler asked where this was located. Kernan said that it's right across from VTrans.

90

91 Seeley asked Werner about the hydrology work progress. Werner said that we are still on track for mid  
92 October. Seeley said that we have received complaints about recent water main breaks on Court Street  
93 and she wanted to be sure that we are still on track and move it along as much as we can.

94

#### 95 Repairs to Public Works Building – Bid Consideration

96

97 Werner requested bids for repairs to our public works building and invited bidders to come take a look.  
98 He said that only one bid came back from DH Cameron. He said that DH Cameron does a lot of work on  
99 Butler buildings, which this one is. The bid was for several items but the budget for the work is  
100 \$14,300.00. Werner asked that the Committee support replacing the wood fascia and trim with metal  
101 and replace one workshop door and frame in the mechanics bay, which is corroded and broken at the  
102 bottom. Werner said that we will budget for other items next year.

103

104 Seeley asked Werner if this was a reasonable bid since there were no other bids to compare it to.  
105 Werner said that Mark Raymond's bid three years ago was about \$13,000.00. That bid was different  
106 because it was a wooden door and PVC material, not metal.

107

108 Baker recommended that the Selectboard award the bid to DH Cameron to replace the wood fascia and  
109 trim and the North workshop door and frame for \$14,300.00. Fiske seconded the motion. The motion  
110 was approved with 6 in favor.

111

#### 112 Fencing for Chipman Hill Reservoir – Bid Consideration

113

114 Werner said that three bidders attended the pre-bid meeting and he received two bids back. One bid  
115 was from 802 Fence Company and one from Cedar Ledge Fence and Property Care. He said 802 Fence  
116 had the low bid of \$14,735.00 and Cedar Ledge's bid was \$19,285.50. He mentioned that Middlebury  
117 Fence did not submit a bid but sent an email saying they would honor a proposal from November which  
118 was around \$16,000. He said both bids met the specifications of the bid document.

119

120 Werner said that this bid is for an eight foot high fence with three barbed wires around the top. He said  
121 that the fence surrounds the entire reservoir and there is a main gate and two larger gates for vehicles.  
122 Werner said that the water department occasionally needs to get in there and that they will be washing  
123 the top of it every fall and spring and there will also be divers that come in to inspect the reservoir.

124

125 Werner called a couple of references for 802 Fence and received good responses.

126

127 Don Keeler recommended that the Selectboard accept the bid for fencing for the Chipman Hill Reservoir  
128 from 802 Fence for \$14,735.00. Wiger-Grohs seconded the motion.

129

130 Tenny asked Werner if the posts were recessed in concrete. Werner said that the corner posts are in  
131 concrete and the gate and line posts are punched in four feet. Tenny also asked if the main posts were  
132 galvanized. Werner said that they are galvanized, two inch, three inch and four inch.

133

134 The motion was approved with 6 in favor.

135

136 Police Department Site – Control Building and Sand Filter Building Re-use

137

138 Werner said that there was an onsite meeting with Judy Harris, Steve Harris, Bill Norse and town staff.  
139 He said that Norse submitted a feasibility study which reviewed what is in the existing control building.  
140 He said that Judy sent him prints and plans and a conceptual narrative of what would need to be  
141 addressed. Werner said that Norse feels that we can use this control building as a re-use building project  
142 and that there is nothing structurally that would preclude us from doing this.

143

144 Werner said that Judy Harris contacted Henry Erickson and Erickson Consulting and asked them to  
145 develop an estimate for the two buildings. He said that there is a five-page summary that identifies all of  
146 the unit items and quantities that would be in the buildings and included in the estimate is a 20% design  
147 contingency. Werner said that it is about a \$590,000.00 project for both buildings. Werner would like  
148 the Committee to agree to move forward with next steps.

149

150 Werner said that he will meet with the State inspector to determine the level of architectural  
151 engineering services needed for this building. He said that it is not a public use building but is publically  
152 owned.

153

154 Seeley asked about the Sand Filter building and if this will be the one that cruisers can park in. Werner  
155 said yes.

156

157 Werner said that we should proceed with environmental remediation of the Control building. He said  
158 there was asbestos in the Control Building and the adjacent sub grade pipe rooms. Werner said he  
159 would like to proceed with getting that done by getting bids on removal and approval from the  
160 Committee.

161

162 Werner said that they would also need to remove the transformer in the basement of the control  
163 building and he can meet with GMP to determine the best location for this.

164

165 Werner said that we need to locate the water and sewer systems to the existing building. He said they  
166 want to make sure they find those things and plan on how to get those services back into the building.

167 Werner said that Chief Tom Hanley wants to have a wash sink and a bathroom in that building because  
168 sometimes they have to clean the vehicles and need a sanitary way to do that.

169  
170 Wiger-Grohs asked Werner to explain what design contingency means and why that 20% was high.  
171 Werner said that it is like an insurance policy for items that come up during the project and as you get  
172 closer in the project, that contingency usually drops down to around 5%.

173  
174 Seeley asked Werner if this \$590,000.00 amount included the remediation. Werner said that it was not  
175 included. Seeley asked if that could come out of the fund for decommissioning in the wastewater facility  
176 settlement. Ramsay said she thought that there was about \$500,000.00 in that account. Seeley asked if  
177 we can use any other funds in that account for this project. Werner said that removal of the  
178 transformer could be but Ramsay said nothing else.

179  
180 Tenny asked if the transformer was in use. Werner said that the transformer is in use and powers the  
181 electric in the storage building where the generators are. Tenny noted that the cost would have to  
182 include removal of the transformer and redesign and rerouting of electrical service.

183  
184 Bob Wells said that there was an estimate five years ago of \$8,800.00 to restore electric service to the  
185 building that houses the generators.

186  
187 Ramsay said no motion was needed to move forward.

188  
189 Engineering Amendment – Pump Station #9 Overflow Monitoring; Aldrich & Elliott

190  
191 Seeley said that there were concerns with the costs of designing this temporary setup and that it's only  
192 for data and not part of a permanent solution.

193  
194 Tenny said he was concerned that the monitoring of a potential overflow that may or may not occur or  
195 may occur once a year would only be one point on the curve. He asked if you are designing a wet well  
196 and storage capacity, wouldn't you want to monitor the inflow which would then give you many points  
197 on the curve which you could then extrapolate from.

198  
199 Wayne Elliott, from Aldrich & Elliott, said that they have done a few of these over the years and that the  
200 State doesn't require that you monitor the volume frequency. He said the State wants to know when an  
201 overflow occurs and that is being checked after the fact. He said they don't know how long the overflow  
202 occurs or the volume of overflow. Elliott said that what they are looking at for a solution is offline  
203 storage. He said if you did have too much flow you would pipe it to an overflow tank which would be  
204 offline. He said when the overflow recedes it would then pump back up to the pump station and  
205 continue to the wastewater treatment plant. He said the challenge right now is that the volume is just  
206 an estimate. He said that he wants to see how large the tank should be with a little bit of a buffer.

207

208 Elliott said they have tried to monitor the overflows in different ways. He said that the way they are  
209 recommending is the only way that they have received good data. He said the monitoring tank would  
210 be a precast concrete structure. He said that there is an ultrasonic device that measures when the  
211 overflow starts and stops and what the total volume of the overflow is. He said it could be in place for  
212 two to three years and could stay functional even with the overflow tank.

213  
214 Seeley asked if there was any way to build part of what we would need for storage and overflows. Elliott  
215 said that it could be done in phases but the challenge is with using precast concrete and finding the  
216 correct sizes and everything needing to fit vertically. He said that it depends on site constraints. He  
217 thinks that it may end up costing more in the long run doing it in a phased approach.

218  
219 Seeley asked what the volume would be. Elliott estimates needing 50,000 gallons of overflow storage  
220 and said that the pump station is working fine in normal conditions.

221  
222 Tenny said that considering the engineering fees, installation and cost of monitoring you could  
223 overdesign something now and end up being more cost effective in the long run. Elliot said that they  
224 won't know what they need until they monitor it. He said that the recommended structure will monitor  
225 when the overflow stops and starts. He said the overflow will go to the tank then back to the wet well  
226 once the flows recede and this is generally manual operation.

227  
228 Elliott said that this would buy some time to collect the data and get the information needed.

229  
230 Tenny asked how not increasing the wet well would help. Elliott said that it might help a little bit but not  
231 for a large capacity overflow. Elliott said that you could call this a large wet well but the pumps won't  
232 run as well.

233  
234 Seeley asked how big the monitoring structure would be. Elliott said that it's a five foot precast concrete  
235 structure. Seeley asked if this was the best option. Elliott said that it's their recommendation and that  
236 other flow meters have been tested but they don't work as well.

237  
238 Seeley asked Werner about the funding. Werner said that we could put out an RFQ for the design of the  
239 solution. Ramsay said that this is a study and the remedy would be an RFP for design services.

240  
241 Elliott said that the State has a new Pollution Control Grant that we could apply for grants in the future  
242 for construction of the tank.

243  
244 Fiske said that we have to get this data and the longer we put it off, the more expensive it could be.  
245 Elliott said that it could take up to three years to get the data that you need.

246  
247 Tenny made the motion to recommend that the Selectboard contract with Aldrich & Elliott per the July  
248 27, 2018 proposal for \$5,900.00 for pump station #9 overflow metering structure. Fiske seconded the  
249 motion.

250

251 Wiger-Grohs agrees with the collection of data but said that the more we increase impervious surface,  
252 the more problem we will have with overflow in various locations. She would like to see us start to  
253 collect information on changing to pervious surfaces when we repave. Elliott said that it could be  
254 \$200,000.00-\$250,000.00 for the offline tank. Wiger-Grohs is wondering what portion of Weybridge  
255 Street could be resurfaced to pervious surfaces. She said that porous surfaces would be concrete or  
256 asphalt that allow more water to be absorbed. Seeley asked if there were examples in Vermont of this  
257 because typically water getting into asphalt is not a good situation. Wiger-Grohs said they are  
258 developing cold weather materials.

259

260 Tenny said the bigger issue is that the infrastructure in the area, especially cross connections between  
261 sewer lines and storm drains underground.

262

263 Elliott said that there was limited influence from surface runoff. He said that in the Overflow Control  
264 Plan section number six page 35, it explains what the sources of flow are from and the recommended  
265 improvements.

266

267 The motion was approved with 6 in favor.

268

#### 269 Cross Street Bridge Fund Surplus – Discussion of projects development

270

271 Ramsay said that we have two sources of funding to pay for the Cross Street Bridge debt and  
272 maintenance which are \$600,000.00 a year from the College and the Local option tax. She said that they  
273 had anticipated that the local option tax would bring in \$650,000.00 a year but it has been \$995,000.00  
274 a year for the last two years. She said that at the same time, as our debt service ages, our annual  
275 payment goes down about \$20,000.00 a year. She said that as a result, we are generating a surplus of  
276 about \$450,000.00 a year. She said that we also have a surplus in the fund of about \$2,000,000.00. She  
277 said that in the town meeting, it was said that we should bring in some recommendations on how to  
278 spend that. She said that projecting out for the next 20-30 years, she used the average of the last five  
279 years' local option tax receipts of \$930,000. Ramsay said that we promised the voters that we would  
280 bring in any changes to the use of this tax to them for approval. Tenny asked if we can pay down  
281 principal on the current loan. Ramsay said that we cannot prepay or refinance.

282

283 Tenny asked if we have gotten any feedback from local businesses on the impact of this local option tax.  
284 Ramsay said that the only person who has given feedback is Jack Northrop who runs an Airbnb out of his  
285 house.

286

287 Seeley said that she would be in favor of retaining some in reserve.

288

289 Keeler thinks that we should leave the tax alone because it's good to have a savings account in case of  
290 an emergency. Seeley suggested that he look at the equipment replacement fund because that might  
291 change his mind. She said there was a suggestion at Town Meeting of using the local option tax for

292 equipment instead of borrowing for those purchases which avoids paying interest. Keeler asked if there  
293 was any special equipment that we need to clean the bridge. Werner said that we use our normal  
294 equipment.

295  
296 Tenny said he likes the idea of subsidizing the equipment fund with a portion of the tax and also having  
297 cash in the bank.

298  
299 Ramsay said that five to ten percent of the operating funds are set aside for rainy day funds, which is  
300 about \$1,000,000.00.

301  
302 Ramsay said that Aaron Guyette from VHP had submitted a projection of the maintenance expenses  
303 which included an inflation factor. Fiske also mentioned that some of these funds can also be used on  
304 the Battell Bridge.

305  
306 Werner said that structurally the bridge is good so far.

307  
308 Keeler said that the original agreement was that when the bond was paid off we would sunset the tax.  
309 He said that they never anticipated having this much revenue. Ramsay said that it will be paid for in  
310 Fiscal Year 2040.

311  
312 Seeley said that there is a \$450,000.00 estimated annual surplus increase and the rough estimate on  
313 funding the equipment balance is around \$325,000.00 above today's budgeted numbers per year.  
314 Seeley said that one proposal would fund the equipment fund and not use the entire surplus expected  
315 but when the tax does sunset you don't have that funding for equipment.

316  
317 Seeley said that another option is to consider purchases individually on an annual basis. She said  
318 another option could be to fund another project like the South Street project. She said we could also  
319 fund a specific infrastructure project that was never started. Werner said that the Control Building and  
320 Re-use project would be a good example. Seeley said that she would like to see projects that benefit the  
321 greater community, like improvement to sidewalks.

322  
323 Tenny said that he would like to identify a percentage of the revenue, like 30%, that we can use to fund  
324 projects that don't have a funding source. He said that one example is the Water Reliability Project on  
325 Exchange Street. Ramsay thought that we should take a concept like that which would last a few years  
326 because it would help in the budgeting process. Ramsay will take this information to formulate some  
327 concepts to discuss at the next meeting.

328  
329 Keeler said that we also have a lot of roads that need to be fixed.

330  
331 Creek Road – Discussion of next steps

332



333 Werner said that they sent out an executive summary that was done a year ago from Pathways  
334 Consulting and there are several options. He said that the grant money will not be available for this  
335 project. Ramsay said that one option presented in the report was relocating portions of the road closest  
336 to the creek to about 25 feet away from the creek. She said that when they met with the State, the State  
337 was not in favor of such a minor relocation project. Ramsay thought that the state would be more  
338 interested in a major project, like moving the road out 150 to 200 feet.

339  
340 Seeley thinks that there are multiple issues. The first is the closed South section of the road. She said  
341 that we are in violation of State statute of not fixing and opening the road. She is wondering how we can  
342 address fixing it and opening the road so we are not in violation. Seeley also said that the second issue is  
343 that the road north of the gate needs some more work. She suggests breaking it into two parts. The first  
344 is to open the South section and the second is to maintain access to driveways on the North section. She  
345 suggested reopening the Creek Road subcommittee to come up with possible recommendations for the  
346 Infrastructure Committee.

347  
348 Keeler said that because we don't receive any state funds for this we should know what this project is  
349 going to cost before we move further. Werner said that moving the road out further probably won't give  
350 us any grant money from the State.

351  
352 Seeley suggested that Public Works could put on gravel and move the road slightly to open it back up so  
353 that we are not in violation of State statute and that would buy us a little more time. She said that she  
354 thinks we should talk to the landowners to see if they are open to granting easements to move the road.  
355 She said she would like to get an estimate from Public Works.

356  
357 Kernan said he is opposed to opening traffic back up without repairing all of the areas on the road.

358  
359 Peter Hubbard, Middlebury resident, said that we need to fix the bank first. He said that the water is  
360 now cutting into the bank and changing the course into a more natural curve. He said that you have to  
361 take the pressure off of the bank and he said that he thinks if you restore the river to its natural flow, it  
362 will take the pressure off the bank. Hubbard said that he thinks that if nothing is done there will be more  
363 of a problem. Seeley said that the biggest issue with that is the cost. She said that we should figure out  
364 the funding for repairing the bank once we know what we are doing with the road.

365  
366 Brad Smith, Middlebury resident, travels the road quite a bit and he thinks that the issue is with the  
367 North end. He said that he was wondering if the road can be moved further to the East. Seeley said that  
368 Public Works has some plans for repairs there. Smith wondered if it was possible for the Town to give  
369 the road back to the farmers but hopes that they don't do that. He said that he thinks the right of way is  
370 important even if we can't afford to fix it. He said that maybe the road can be made into trail status if  
371 we can't fix it.

372  
373 Tenny said that Hubbard was concerned about the overhanging trees on the bank and he thinks that the  
374 low cost of cutting those trees and planting some saplings would go a long way.

375

376 Werner said that there is rotational failure on the bank and that the soil underneath is not strong  
377 enough and would be washed away eventually.

378

379 Ramsay said that she thinks the next step is to recommend to the Selectboard that we look at costs of  
380 moving forward. She asked the committee if they would like staff to come back with basic costs  
381 estimates of doing the work to fix the five sections of the road. Seeley said that would be good.

382

383 Seeley thinks we should look at the legal cost of changing the road status if we aren't going to pay to fix  
384 the road. Ramsay said that the Selectboard would need to hold a Public Hearing and there are some  
385 legal documents that would be needed. She said that she doesn't think a subcommittee would be  
386 needed.

387

388 Keeler thinks that the Selectboard should be responsible for this now. Tenny said that we need to do a  
389 band-aid fix soon so we should put some numbers in front of the Selectboard.

390

391 Seeley asked if the staff had time to put some band-aid fix numbers together for the Selectboard.

392 Werner said the he does not have the time to put towards this right now unless other projects can be  
393 put aside.

394

395 Fiske said that he was concerned about the town's legal obligation to Creek Road.

396

397 Ramsay said that \$20,000.00 was set aside for Creek Road in the capital budget. She said that the last  
398 time this was left with the Selectboard the price tag would be \$1,300,000.00 for the road relocation but  
399 that we would pursue grant funding. She said that the Selectboard has not heard the update on the  
400 grant money not being available for the project.

401

402 Seeley said that this should go on the agenda of the Selectboard meeting to update them on the  
403 options.

404

405 Baker made the motion to update the Selectboard on the status of the grant funding for Creek Road and  
406 propose minor fixes within the \$20,000.00 budgeted in the capital budget. The motion passed with 6 in  
407 favor.

408

409 Keeler motioned to adjourn the meeting at 10:27 a.m. and it was seconded by Baker. Motion approved  
410 with 6 in favor.

411

412 The next meeting is September 13, 2018 at 8:15 a.m. in the Large Conference Room at 77 Main Street.

413

414 Respectfully submitted,

415 Casey McDonough