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Selectboard Meeting
Large Conference Room – Town Offices
Tuesday, October 23, 2018
Meeting Minutes

DRAFT

Subject to approval by the Selectboard

Members Present: Brian Carpenter, Laura Asermily, Victor Nuovo, Nick Artim, Heather Seeley, Lindsey Fuentes-George and Farhad Khan.

Staff Present: Town Manager Kathleen, Director of Public Works Planning Dan Werner, Chief of Police Tom Hanley

Others Present: Karen Kotecki of Vermont Gas, and members of the public.

The meeting was televised on MCTV by Jim Corbett.

1. Call to Order

Brian Carpenter called the meeting to order at 7:00 pm.

2. Approval of Agenda

Nuovo moved to approve the agenda, seconded by Khan. The motion carried with 7 in favor, and the agenda was approved as presented. **MOTION PASSED.**

**3. Approval of Minutes of October 9, 2018 Selectboard
Creek Road Site Visit Meeting Minutes and Regular Business Meeting Minutes**

Khan moved to approve the minutes from the October 9, 2018 Creek Road Site Visit Meeting, and Nuovo seconded the motion. The motion carried with 6 in favor, 1 abstention (Fuentes-George). **MOTION PASSED.**

Asermily made the motion to approve the October 9, 2018 Regular Business Meeting minutes, and Seeley seconded the motion.

Amendments:

Line 202 – change to read “use for walking, biking and agriculture is proper”.

Line 277 – change to read “renewable energy technologies”

The motion to approve the minutes as amended carried with 6 in favor, 1 abstention (Fuentes-George). **MOTION PASSED.**

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4. Citizen Comments

Chief Hanley introduced new police officer, Nick Stewart, who came to the Middlebury Police Department from the Brandon Department. Hanley said Nick is learning Middlebury's policies and riding along with other officers for the first few weeks before going out solo.

5. Karen Kotecki, Vermont Gas Request for Easement on Town DPW Property at 1020 Route 7 South

Kotecki joined the Board, and said Vermont Gas is requesting an easement from the Town to tap into the 3/4" natural gas line that goes to the Public Works building on Route 7 South, and extend it to the Danyow residence behind the Public Works facility. She said she and Director of Public Works Planning Werner had reviewed several sites, and this location worked for everyone. Ramsay said Town Attorney Benj Putnam has reviewed this as well.

Asermily said she understands there are some advantages to natural gas, but wanted to go on record as being against the pipeline and is concerned about what is being learned about the effects of methane leaks, and wonders if the costs will be as advantageous in the future.

Artim made the motion to authorize Town Manager Kathleen Ramsay to sign the Easement Deed for Vermont Gas to install a natural gas line across the parking lot at the Public Works facility to provide service to the Danyow property at 1036 Rt. 7 South. Khan seconded the motion. The motion carried with 6 in favor, 1 abstention (Asermily). **MOTION PASSED.**

Artim further moved to authorize Town Manager Kathleen Ramsay to work with Counsel to initiate a Section 1061 process for the conveyance of Town-owned land. Khan seconded the motion.

Asermily asked if the Town was getting some benefit for these easements, and she just wasn't seeing that reflected in this easement. She said now that our Police Department is converting to natural gas, she wonders if Vermont Gas could provide some rebates. Carpenter said some other departments are also looking at going with natural gas and thought it would be a good way for Vermont Gas to thank the Town for all the support they've gotten. Kotecki agreed and said she would look into this possibility and report to Town Manager Ramsay.

The vote was taken and the motion carried with 6 in favor, 1 abstention (Asermily) **MOTION PASSED.**

6. Dan Werner, Director of Public Works Planning, with Recommendations from the Infrastructure Committee Meeting of October 11, 2018

6.a. Sole Source Procurement of Library Boiler Repair

Werner said the Infrastructure Committee recommended approval of the Plouffe estimate of \$7,262 to replace two sections of multi-plate boiler pieces. He said Library Director Hart found some information on work done on the boiler in 2014 that confirmed that these two

97 sections were most likely the problem and the boiler doesn't need to be replaced. He said
98 the original estimate included a 60% prepayment, but Plouffe's have dropped this
99 requirement since they have done business with the Town before and knows the Town pays
100 appropriately.

101
102 Seeley said Luther Tenny had mentioned at the Infrastructure Committee meeting that the
103 College had better luck with replacing the entire boiler plate to avoid leaks, and she
104 wondered if Plouffe had thought otherwise. Werner said that hadn't been asked, since further
105 discussion with Tenny after the meeting regarding the size of the boiler, Tenny agreed it
106 wouldn't work in this situation. Werner said it's possible they could find other issues when
107 they do the work on the boiler.

108
109 Asermily said she understands this needs to happen to keep the boiler going while they look
110 into new systems, and understands why it's a sole source procurement because of this
111 vendor's expertise, but she feels it seems to be a trend lately to have sole source
112 procurement requests and thinks even with long-time vendors it's good for them to feel an
113 edge of competition with other bids, so wants department heads to be careful about that.

114
115 Seeley moved to award a contract to Plouffe's Boiler and Mechanical Service under the Sole
116 Source Purchases exception to the Town Purchasing Policy to repair the library boiler, for a
117 total cost of \$7,262. Fuentes-George seconded the motion. The motion carried with 7 in
118 favor. **MOTION PASSED.**

119 120 **6.b. Sole Source Procurement of Wastewater Main Pump** 121 **Station – Pump Rebuild Services**

122
123 Werner said Aqua Solutions has already rebuilt two of the 150 HP motors at the main
124 pumping station, and this request is to rebuild the third and final pump. He said this main
125 pumping station is located at the old wastewater facility and pumps 95% of the wastewater
126 that goes to the Treatment Plant. Werner said Superintendent Bob Wells has had good luck
127 with this company in the past and there are very few companies that do this type of work. He
128 said the funds for this rebuild were approved and are already in the budget.

129
130 Seeley made the motion to award a contract to Aqua Solutions under the Sole Source
131 Purchases exception to the Town Purchasing Policy to repair third and final Ingersoll-Dresser
132 centrifugal pump at the main pumping station for a total cost of \$37,600. Khan seconded the
133 motion. The motion carried with 7 in favor. **MOTION PASSED.**

134 135 **6.c. Conversion of Police Department Heating System from Propane to Natural Gas**

136
137 Werner said Chief Hanley brought this request to re-pipe the Police Department building to
138 the size needed to convert from propane to natural gas to the Infrastructure Committee at
139 their last meeting. He said the quote from VHV to do this work is \$9,800.

140
141 Ross Conrad spoke on the danger natural gas poses to our climate crisis, and said an oil
142 burner would be better and burn cleaner than natural gas, which is as dirty as coal. He really
143 urged the Board to consider something different.

144

145 Seeley said she does have concerns about the climate and understands what Asermily and
146 Conrad are saying, but the life expectancy of this heating unit at the Police Station is mid-life
147 so is 10-15 years away from needing to be replaced, so perhaps at that time there will be a
148 better alternative. She said in the meantime she is alright with converting to natural gas.
149 Hanley said at this time they have no other options and to change the whole heating system
150 in the building would be close to \$200,000. He said this is a stop-gap measure until capital
151 planning can happen and it can be determine what type of heating system to go with. Hanley
152 said this will save money and they are taking steps to make other energy-efficient changes to
153 the building.

154
155 Carpenter said the Board had already approved the conversion from propane to natural gas
156 at the Police Station, so now they are looking for approval to replace the piping needed for
157 the conversion. Artim said this is a straight forward fuel change at this time, and to change
158 systems would require engineering, and he said if he was going to spend the money to
159 change the system, it wouldn't be this building. Hanley said there is no place to put an oil
160 system in this building.

161
162 Seeley made the motion to award a contract to VHV to re-pipe the police department facility
163 in preparation for conversion to natural gas, for a total cost of \$9,800. Artim seconded the
164 motion.

165
166 Asermily wanted to know why they weren't fast-tracking exploring options for heat pumps in
167 the Police Station. Hanley said he has no information on what it would take to convert to heat
168 pumps, but knew he'd have to increase his electrical capacity. He said this was their solution
169 until they can come up with a long-range plan. Asermily said she also knew the Fire
170 Department would be coming in to convert to natural gas as well, and while she understood
171 there were larger buildings with bigger systems than the police building, she is concerned
172 about this one as it's staffed 24-7.

173
174 The motion carried with 5 in favor, 2 abstentions (Asermily and Fuentes-George). **MOTION**
175 **PASSED.**

176
177 **7. Police Chief Tom Hanley, with Bid Award Recommendation for Purchase and**
178 **Installation of Wireless Power Door Openers for Police Station Vestibule and Lobby**
179

180 Chief Hanley said when the Police Station was constructed they weren't required to have
181 handicap accessible doors, but there is no way for a person with disabilities to enter the
182 building without assistance. He said they prepared specifications for installing power door
183 openers for the exterior and interior doors and they received three bids, and the low bidder
184 was Stanley Access Technologies from New Hampshire, with a bid of \$3,814. He said the
185 local bidder, Middlebury Lock, was the high bidder at \$6,860 and the Royal Glass & Mirror
186 Company in Rutland was in the middle at \$5,383. He said they were all bidding on the exact
187 same unit. He said the low bidder does this type of work all over New England and found
188 nothing derogatory about them, but he is concerned about the cost to service the product.
189 He said they have \$6,000 in the budget for this work and they removed the cost for the
190 electrical work involved; as he wants Peck Electric, who is familiar with the building electric
191 system, to do the work.

192

193 Artim asked if they needed to include the electric costs, and Hanley said not at this time since
194 he doesn't know the scope of the work needed and Ramsay can approve that.
195

196 Asermily moved to award a contract to Stanley Access Technologies for the purchase and
197 installation of power door openers for the police station vestibule and lobby, at a total cost of
198 \$3,814. Seeley seconded the motion. The motion carried with 7 in favor. **MOTION**
199 **PASSED.**
200

201 **8. Judy Wiger-Grohs & Leslie Kameny, Request for Approval of Tree Policy, as**
202 **approved by the Infrastructure Committee, and a**
203 **Request for an Arbor Day Proclamation**
204

205 Tree Committee members Judy Wiger-Grohs and Leslie Kameny joined the Board and asked
206 them to approve the new Town of Middlebury Tree Policy and the Arbor Day Proclamation.
207 Wiger-Grohs said the Conservation Committee and Infrastructure Committee have already
208 reviewed the draft policy. Kameny said by approving both the policy and proclamation, it
209 would begin to qualify the town to become a "Tree City USA" through Arborday.org, and
210 would make us eligible for additional grant funds.
211

212 Seeley said the policy had been before the Infrastructure Committee twice, and after some
213 suggested changes it was approved to recommend the Board adopt the policy. Seeley said
214 Tree Warden Chris Zeoli helped write this policy. Werner said that he and Bill Kernan had
215 also reviewed the policy.
216

217 Asermily moved to adopt the Town of Middlebury Tree Policy, and Seeley seconded the
218 motion. The motion carried with 7 in favor. **MOTION PASSED.**
219

220 Carpenter said it should be monitored how the policy works going forward and make sure
221 there is adequate leeway and isn't too restrictive, but thanked them and acknowledged the
222 work that went into creating it.
223

224 Asermily also moved to sign the Selectboard Arbor Day Proclamation, seconded by Seeley.
225 The motion carried with 7 in favor. **MOTION PASSED.**
226

227 **9. Discussion of Next Steps of the Board's Consideration of**
228 **Creek Road Maintenance & Right-of-Way**
229

230 Carpenter asked Werner if there was a less costly repair option than the work he gave the
231 Board cost estimates for. Werner said he wanted the Board to aware that the \$1.2 and \$1.5
232 million dollar figure that had been estimated previously was for only 2,200 feet of road repair,
233 and there's way more damage than that. He said the estimates he provided was for 7,300
234 feet, which he feels is more realistic. He also wanted to point out that the section of road
235 south of the VTrans garage driveway to where the work was done in 2015 is probably going
236 to cost \$500,000 based on the cost per foot on the bank work on Shard Villa Road. He said
237 he doesn't think stabilization is the way to go and thinks it will be very expensive, and we'd
238 just keep spending more and more in repairs and something else would go wrong. He said
239 once you start armoring that bank you shift the erosion to the other side of the creek.
240 Carpenter asked what about shifting the road over, and Werner said when talking about

241 spending millions of dollars, it's better used to relocate a road than armoring a river bank and
242 potentially causing environmental damage.

243

244 Seeley said she disagrees with Werner, and if the bids for Shard Villa Rd bank stabilization
245 come in as high as Werner estimates, then she won't support the bid as it's ridiculously high.
246 She thinks armoring a bank can be done well without any erosion on the opposite bank, and
247 the vegetation returns. She would like the Board to consider her suggestion to get "real life"
248 numbers from contractors on how much it would cost.

249

250 Nuovo said it doesn't make any sense to move the road and take up property that is being
251 put to good use, but then that leaves us in a place where we have to make costly repairs as
252 needed with no end in sight. Seeley said if you fix all the areas little by little, eventually
253 they're all fixed. She said if you choose to do nothing it won't get any better, and the more
254 time we spend the more it's going to cost, so make the repairs now. She said if the road is
255 downgraded to a Class IV road, the repairs will still need to be done or do we just let it fall
256 into the river and the Town loses its right-of-way and road. She said we still don't know what
257 the State and the General Roads Permit will say about hydrologically connected roads, and
258 they still may make us do something with that road and we won't have a choice.

259

260 Carpenter asked Werner for clarification on the State's position on that, and Werner said the
261 State requires towns to inventory road segments that are connected hydrologically to a storm
262 drain or stream and address any maintenance needs of those road segments. He believes
263 there are over 200 in Middlebury, so the Highway Department will be determining what it
264 takes to maintain these segments. Werner said the State realizes this is a huge cost to the
265 towns so has allowed for these areas to be addressed over 10 years.

266

267 Fuentes-George asked how this problem on Creek Road compares to the flooding problem in
268 East Middlebury. Werner said they are totally different issues, in that the East Middlebury
269 village is on the flood plain from the river that comes down from Ripton and they built a
270 settlement where they shouldn't have, whereas Creek Road was created along a wooded
271 area and agricultural fields. Fuentes-George also asked if this had always been a problem
272 on Creek Road, and Seeley said it was constructed in the 1700's and has always been
273 stable.

274

275 Asermily said she is inclined to support Heather, and wonders if this shouldn't be a vote
276 before the community at Town Meeting to see if they value this road as a valuable town
277 resource. She said regardless if it's a Class III or IV some money will be needed to maintain
278 it and she would like to see cost estimates from contractors. Nuovo said he finds Seeley's
279 proposal persuasive, and while he likes Creek Road and thinks its scenic and pleasant to
280 travel on, on the other hand it gets more and more difficult to make a decision one way or the
281 other and isn't sure he knows enough information yet and these estimates might be a way of
282 helping know what we're up against.

283

284 Maurice Rheume said Creek Road had been there over 200 years, his family lived and
285 farmed in that area, and in his 75 years he hasn't seen the creek meander at all. He said in
286 the areas that were repaired properly in the past are doing well, and he said you don't have to
287 do the repairs all at once, but you need to maintain it. He said the East Middlebury River
288 flows on part of the farm his family had for 50 years, and they planted trees along the bank to

289 stabilize it and that area is still doing well and that river moves fairly fast. He spoke
290 extensively on the status of the area of Creek Road that's closed and urged them to consider
291 the property owners and people who live there. He thinks the ideas to get some realistic
292 figures from contractors is good, and then make a decision.

293
294 Artim said he feels he still doesn't have enough information to make a decision, and while he
295 didn't agree with Seeley at first, he now thinks it might be a low-cost way to move forward.
296 He said while this road might be 200 years old, vehicles are larger now and the dynamic load
297 on that road is heavier and you can see there is still softening under the roadway, and while
298 he appreciates that people want to keep the road open, he can't see continuing to put money
299 into a sinking ship. He said at this point he isn't sure if it's sinking or it's just a hole that needs
300 to be fixed, so Seeley's suggestion has merit to it and will provide information to help make a
301 decision.

302
303 Carpenter said this is a very complex issue and he recognizes the strong feelings on people's
304 part to have continued access to this road, yet he doesn't want to break the town funds to
305 maintain one road. He said we have engineering estimates, but supports the idea of getting
306 more practical cost estimates from contractors to provide another data point and thinks it's
307 worth spending some money to make sure we've got all the options exhausted before making
308 a decision impacting so many people.

309
310 Asermily mentioned this is a bike commuter route from East Middlebury to Middlebury, and
311 Artim said we have to take all these things into the equation when deciding. He said they
312 also have to be prepared for what the outcome of these estimates is, and they could be it will
313 be outrageously expensive to fix and do we proceed with this on a fairly small section of
314 infrastructure, but is in favor of getting the information.

315
316 Werner said you can't just have a contractor come in and say how much it would cost to fix
317 the problem; it has to be permissible, since the State and Army Corp of Engineers all have to
318 permit this. Seeley said the reason for the \$1,000 stipend to the contractors for these
319 estimates is because there is no guarantee of them getting any work from this project. She
320 said she doesn't think there is anything in her proposal that wouldn't be permissible. She
321 said when Pathways did their work there was a small sub-committee that worked with them,
322 and maybe there could be another small committee work on this.

323
324 Carpenter said he wonders if shifting the road over might be less expensive, and have we
325 ever talked to the landowners to see if they'd be willing to move the road onto their land in
326 order to keep the road open. Susan Shashok, who was on the earlier sub-committee, said at
327 the time they were meeting, it never crossed anyone's mind that moving the road over 25 feet
328 would not be permissible, and she said maybe moving the road over now makes sense as
329 another alternative. Werner said Pathways was only talking 2,200 feet that had to be
330 stabilized and now we're talking 7,300 feet, so maybe looking at moving the road versus
331 spending more money makes sense overall. Shashok said you have to look at all options.
332 Seeley said she doesn't think at the moment we have to repair 7,300 feet right now in order
333 to open that road.

334
335 Dean Rheume said he's been asking for three years for someone to ask these landowners if
336 they're willing to work with the Town, and that's going to be a big part of the answer.

337 Shashok said it was worth exploring, and since there's no money available to purchase the
338 land needed, it would mean the property owners would have to be willing to participate.
339

340 Asermily asked the audience if they're the landowners, could it be assumed they'd be willing
341 to provide those easements. One of the Nop's from the Nop Farm, said he was a relative of
342 the landowner, and he thought they'd do what it took to keep the road open. He said when
343 they bought the property there was road frontage and access, and all of a sudden the Town
344 closed the road, and the impact to them is quite drastic. He said he thought they'd be willing
345 to participate. Another Nop family member said, the Board would need to look at the cost
346 impacts if they did close the road. Artim said they don't want to close the road, but what are
347 the costs and options to keep the road open. He said if these are acceptable to the
348 community, then they'll do it, but he doesn't feel he has enough information yet. He said they
349 also have the responsibility to use the Town's resources wisely. Dean Rheume reminded
350 the Board there are statutory requirements they need to follow regarding roads.
351

352 Shashok thought the idea mentioned earlier regarding having a small group working on this
353 was a good idea, and she was willing to help with that.
354

355 Carpenter asked Ramsay to draft a letter to landowners asking them if they'd be willing to
356 participate, if shifting the road over is necessary.
357

358 Nuovo said he was in favor of keeping the road open, provided it didn't cost the taxpayers a
359 lot of money, but he isn't sure he's ready to form a committee, because he thinks this is a
360 Selectboard responsibility. He said he'd only be in favor of a committee if it consisted of
361 hydrologists and experts that can make recommendations. Asermily said she thought a task
362 force of the interested parties did bring a lot of experience, but Nuovo wanted their
363 credentials before agreeing. Seeley said she wasn't envisioning giving expert opinions but
364 more about the details of the project and choosing the contractors, and perhaps someone like
365 Judy Harris of Harris and Harris could help with this work, as she realizes this is a lot for staff
366 to take on.
367

368 Artim said he was trying to draft a motion on how to proceed with this. Seeley asked Ramsey
369 if a motion to proceed was needed or could they start work without a formal motion. Ramsay
370 suggested forming it into some type of plan and offer a motion at that time.
371

372 Werner said you want contractors' estimates, but you already have professional estimates
373 and proposals, and now there is discussion about another committee, and he wonders how
374 we get out of this cycle. He said if you want a solution to the armoring problem you get
375 someone to come up with some specifications someone can bid on. Carpenter asked how
376 much that would cost and would each problem area have to be engineered separately.
377 Werner said you need an engineering survey from point A to point B with details of
378 construction that can be approved with the Army Corp of Engineers. He said if you just hire a
379 contractor and they say what they're going to do without plans, the Army Corp of Engineers
380 aren't going to approve it. He said there are certain parameters these agencies are going to
381 want to see and if we just go to a contractor for prices, you're just spinning your wheels.
382

383 Seeley said there were no engineering plans when they repaired the northern section in
384 2015, and Werner said requirements have changed since then and they want more detail.

385 Seeley said it's been her experience that engineers price projects, but that doesn't mean they
386 have project experience for those numbers, which is why she leans towards having
387 contractors put these numbers together because they have done this work before and know
388 what it's going to cost.

389
390 Ramsay suggested working with Seeley to come up with a solid proposal for the Board to
391 consider. Carpenter said to target the second meeting in November, and that would also give
392 time to send a letter to landowners to see if they're interested in moving the road, and time to
393 develop Seeley's option. He said the Board is struggling with this, but we need to do
394 something to move the project forward.

395
396 **10. Report on Personnel Committee Meeting of October 18, 2018,**
397 **Request for New Full-Time Position for the Library**
398

399 Asermily said the Personnel Committee met to review a request for a new full-time Assistant
400 Librarian for Adult Services and Circulation position, who would report to Adult Services and
401 Technology Librarian Chris Kirby. She said Library Director Dana Hart explained that due to
402 the high use of the Library, they are understaffed and it would allow Chris to focus more on
403 technology support and the inventory of the adult programs, and the assistant would work on
404 additional adult programs, work with the volunteers and provide backup at the circulation
405 desk. She said the Personnel Committee felt the timing for the request was appropriate and
406 would be included in the next budget year, so the Board could weigh it against any other
407 positions that might be requested by other departments.

408
409 Nuovo added that Hart had made a very convincing presentation for the new position and
410 what she hopes to accomplish with it, and the real issues is can we afford it with the other
411 demands on the budget. He said it will really be decided at budget time when we see what
412 the other needs are.

413
414 **11. Housing Vermont's Request for Admission of Addison County Housing Group, LLC**
415 **as a General Partner to the Smith Housing Limited Partnership**
416

417 Ramsay said as Rewa Worthington explained at the last meeting, they are requesting Board
418 approval to allow Addison County Housing Group to join partnership with Smith Housing
419 Limited Partnership as new co-General Partner with the existing General Partner, Housing
420 Vermont.

421
422 Asermily moved to authorize Town Manager Kathleen Ramsay to sign the Consent to
423 Admission of Addison County Housing Group LLC as a General Partner of the Smith Housing
424 Limited Partnership, contingent up the completion of HOPE's legal withdrawal from the
425 Partnership. Seeley seconded the motion. The motion carried with 7 in favor. **MOTION**
426 **PASSED.**
427
428

429
430 **12. Memorandum of Understanding for Maintenance of**
431 **Marble Works Riverfront Improvement Project**
432

433 Ramsay said Public Works Operations Director Bill Kernan has provided a brief history of this
434 project and has worked with Marble Works to draft a Memorandum of Understanding to
435 transfer responsibility for seasonal maintenance of Riverfront Park from the Town to the
436 Marble Works Partnership (MWP). She said under the proposed agreement, MWP will
437 assume responsibility for landscape management of the park and in return, MWP will invoice
438 the Town \$4,000 for the 2019 calendar year. It was clarified this was just maintenance;
439 however MWP can make changes to plantings to make the maintenance easier. Seeley
440 wanted to be sure we still have some say in what is planted, and Ramsay said they have to
441 stay consistent with the approved landscaping plan.

442
443 Seeley moved to authorize Town Manager Kathleen Ramsay to sign a Revised Memorandum
444 of Understanding for the Marble Works Riverfront Improvement Project. Nuovo seconded the
445 motion. The motion carried with 7 in favor. **MOTION PASSED.**
446

447 **13. Approval of Check Warrants**
448

449 Fuentes-George made the motion to approve total expenditures in the amount of
450 \$427,566.66, consisting of \$334,738.60 for accounts payable, and \$92,828.06 for payroll, for
451 the period October 10, 2018 through October 23, 2018. Seeley seconded the motion. The
452 motion carried with 7 in favor. **MOTION PASSED.**
453

454 **14. Town Manager's Report**
455

456 **14.a. 2018 Small Business Saturday Proclamation**
457

458 Ramsay said the Board is being asked to do the annual Small Business Saturday
459 proclamation for the Saturday after Thanksgiving to promote our local businesses.
460

461 Seeley made the motion to proclaim Saturday, November 24, 2018 Small Business Saturday
462 in Middlebury. Asermily seconded the motion. The motion carried with 7 in favor. **MOTION**
463 **PASSED.**
464

465 **14.b. Addison County Economic Development Corporation Board.**
466

467 Ramsay said ACEDC Board has asked the Selectboard to provide a resolution appointing the
468 Town's designee to their Board for the term January 1, 2019 to December 31, 2019. Ramsay
469 said she has served on this Board for the last six years, but if there is a Board member
470 interested in serving as the Town's representative she would be happy to pass it on, or to
471 advertise the availability of this position if no one on the Board is interested. She said they
472 could think about it and she would put it on the next agenda.
473

474 **14.c. Hearing on Blue Spruce Motel.**
475

476 Ramsay said the Development Review Board will hold a public hearing on Monday,
477 November 5, 2018 to determine whether the Blue Spruce Motel structure destroyed by fire
478 has been abandoned and whether the lack of maintenance has given rise to any or all of the
479 following conditions: (i) a threat to public health or safety, (ii) an undue adverse impact on the
480 aesthetics of the neighborhood and surrounding area, and/or (iii) an undue adverse impact on
481 neighboring property values.

482 **14.d. Zero Energy Modular (ZEM) Program Display.**

483
484
485 Ramsay said the Efficiency Vermont's Zero Energy Modular (ZEM) Program will display its
486 traveling model home in the Academy Street parking lot October 23 – November 12, with
487 open houses on Tuesdays & Thursdays 3-6 p.m. and Saturdays 10 a.m. -12 p.m.

488 **14.e. Approval of the Planning Advance Loan for the Wastewater Treatment Facility**

489
490
491 She said the Board approved the application for a Planning Advance Loan for \$140,000 for
492 the long-term planning of the Wastewater Treatment Facility, and we were awarded that loan
493 funding and these are the documents to accompany this.

494
495 Seeley moved to authorize Board Chair Brian Carpenter to sign the Vermont State Revolving
496 Fund Loan Agreement for the 20-year evaluation of the Wastewater Treatment Facility. Khan
497 seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**

498
499 Seeley further moved to sign the General Obligation Note for \$140,000 at 0% interest,
500 payable beginning August 1, 2023, and to sign the Resolution and Certificate of the Vermont
501 State Clean Water Revolving Loan. Khan seconded the motion. The motion carried with 7 in
502 favor. **MOTION PASSED.**

503 **15. Board Member Concerns**

504
505
506 Seeley thanked everyone for their support in the Creek Road discussion and she hopes it will
507 give us some answers to move forward.

508
509 Asermily remarked on all the committee reports in their packet and is impressed by all the
510 work done by these committees. She asked Khan, who is on the Parks and Recreation
511 Committee, about the location of the water fountain mentioned in their minutes, and he
512 believed it was located outside the warming hut. Ramsay said that is proposed as part of
513 their capital budget.

514
515 Asermily also asked Seeley about the electric utility vehicles not being ideal, as mentioned in
516 the Infrastructure Committee minutes. Seeley said for the particular unit being proposed,
517 which is for field maintenance, it was felt it didn't have the power needed. She said this is a
518 suggested addition to the Capital Budget. Fuentes-George said there's still time for the
519 Energy Committee to weigh in and make suggestions, and Seeley said there was, but it might
520 be premature.

521
522 Asermily addressed the audience who might be watching at home to let them know that the
523 Board is going into budget review, and it's a good time to start participating in the process.

524 Ramsay said the Capital Budget would be available in the November 9, 2018 Infrastructure
525 Committee packet, so if anyone is interested they can take a look at that.
526

527 Asermily said one of the goals was to not increase the budget, and while looking at some of
528 these proposals she's not sure that can happen. She says this is where the public can give
529 direction on things such as the library position or the additions at the Recreation Park.
530

531 Fuentes-George wanted to mention the amazing work of the EMS and fire fighters in helping
532 to locate the elderly gentleman in the woods recently and said they more than likely saved his
533 life. She said they were checking yards and garages and knocking on doors, and said it was
534 very impressive.
535

536 **16. Executive Session – Anticipated – Contracts**

537
538 Asermily moved that the Board find that premature general knowledge of the consideration of
539 contracts would clearly place the Selectboard at a substantial disadvantage, because the
540 Select Board risks disclosing its litigation strategy if it discusses the contracts in public.
541 Seeley seconded the motion. The motion carried with 7 in favor. **MOTION PASSED.**
542

543 Asermily further moved that the Board enter into Executive Session to discuss contracts and,
544 under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Seeley seconded
545 the motion. The motion carried with 7 in favor. **MOTION PASSED.**
546

547 The Board entered Executive Session at 9:02 p.m..
548

549 **17. Action on Matters Discussed in Executive Session**

550 **18. Adjourn**

551
552
553 Upon motion by Artim, seconded by Asermily and voted unanimously, the Board exited
554 Executive Session at 9:31 p.m. and adjourned with no further action.
555

556 The next regular meeting of the Middlebury Selectboard will be Tuesday, November 13, 2018
557 at 7:00 p.m. in the Town Offices.
558

559 Respectfully submitted,
560 Beth Dow, Board Clerk
561
562
563