



CITY OF MONTPELIER MONTPELIER, VERMONT

Agenda for City Council Meeting

City Council Chambers, City Hall

Wednesday, October 9, 2013

NOTE START TIME:

5:00 P.M.

- 1) Call to Order by the Mayor
- 2) 13-240. General Business and Appearances
- 3) 13-241. Consideration of the Consent Agenda:
 - a) Approve Minutes from the City Council's September 18th Meeting. 
 - b) Ratify poll vote taken of Council Members on September 19th to approve the following items: 1) Purchase of a Dump Body and Hydraulics; 2) Purchase of a Street Sweeper; and 3) Award of Contract for Marvin Street Slope Stabilization Project. Public Works staff was prepared to have these items ready for the Council's regularly scheduled meeting on September 25th, but because the meeting date got changed to September 18th and staff needed approval as soon as possible, a poll vote was conducted. 
 - c) Accept the bid proposal for a 2013 MT6 Sidewalk Plow, submitted by H.P. Fairfield, LLC of Morrisville, Vermont, in the amount of \$120,350 and authorize the City Manager to execute all documents. The machine is to be delivered in no more than 45 days after receiving the Purchase Order. The amount included in the FY '14 Budget for this purchase is \$125,000. 
 - d) Accept the bid proposal for a new Half-Ton Pickup Truck, submitted by Cody Chevrolet, Montpelier, Vermont, in the amount of \$14,700.00, plus the extended warranty in the amount of \$1,210.00, for a total price of \$15,910.00; authorize the City Manager to execute all documents. The amount included in the FY '14 Budget for this purchase is \$23,000.00. 
 - e) Accept the bid proposal for a new One-Ton Cargo Van, submitted by Cody Chevrolet, Montpelier, Vermont, in the amount of \$16,347.00, plus the extended warranty in the amount of \$1,210.00, for a total price of \$17,557.00; authorize the City Manager to execute all documents. The amount included in the FY '14 Budget for this purchase is \$28,000.00. 

- f) Formal authorization and confirmation of the City Manager's action taken to finalize the Purchase and Sale Agreement with TKS Properties (the parking lot next to Montpelier Beverages). 
- g) Approve an "Application for Permit for Anchor & Pole Location" submitted by Green Mountain Power Corporation (GMP) to obtain a license to install three utility poles with ground anchors within the property limits of the municipally-owned public highway known as City Dump Road. GMP has requested permission from the municipal authority to occupy the public highway right-of-way to install utility poles to support power and other utility services as may be needed for the adjacent property owner(s). The Public Works Department has reviewed the petition and approves the installations as presented. DPW staff will enforce any applicable construction conditions for road and utility activities. A majority of the City Council will need to sign the petition in the space provided, and the City Clerk will record the document in the land records. (Public Works staff needs to "tweak" the petition and plan so this document will be attached prior to the Council meeting.) 
- h) Approve an "Application for Permit for Anchor & Pole Location" submitted by Sovernet Fiber Corp. to obtain a license to construct a buried conduit within a municipal highway right-of-way known as the "Winooski West Bike Path" near Dog River Road and the Interstate 89 bridge. Sovernet has requested permission from the municipal authority to occupy the public right-of-way to install a buried conduit for fiber optic cables. The subject conduit will be a buried parallel conduit with lateral crossing of the bike path which is to be directionally bored (trenchless) from the existing aerial systems. Sovernet will also seek the necessary permits for work within the State of Vermont's property including the rail corridor. The Public Works Department has reviewed the petition and found no adverse impact to the bike path facility or the buried municipal water and waste water systems. DPW staff will enforce any applicable construction conditions for road and utility activities. Staff recommends approval of the petition; a majority of the City Council will need to sign the petition in the space provided, and the City Clerk will record the document in the land records. 
- i) Acting as the Liquor Control Commission, approve the following:
 - 1) Approve the Three Penny Taproom's (Hyzer Industries) "*Oktoberfest*" event - a beer festival/tasting in the Onion River Sports parking lot from 2:00 to 9:00 P.M. on Saturday, October 26th (for up to 150 people on site).

- 2) Approve a planned change of address for license-holder Village Pizza from City Center (89 Main Street) to 54 Main Street; target date for the move is November 6th.

j) Approval of Payroll and Bills

- 4) ***NOTE: Because Council would like to accomplish as much as possible during their Budget Roundtable (Item #13-245), they may choose to go into Executive Session and make the following appointments (Items #13-242, 13-243 and 13-244) after the Budget Roundtable, or possibly even wait until after the “Public Spaces” Forum which is scheduled to end at approximately 9:00 P.M.***

- 5) 13-242. Appointment to the Montpelier Housing Authority Board. 

- a) Each year, one board member's term expires in October; this year, it is Steve Coble's.
- b) Staff advertised and received a request for reappointment from Steve and a request for appointment from Mary Alice Bisbee.
- c) Portions of the discussion related to this appointment may be eligible for Executive Session under 1 V.S.A., §313, (a)(3), *“The appointment or employment or evaluation of a public officer or employee ...”*
- d) Recommendation: Possible Executive Session; appointment to fill the 5-year term.

- 6) 13-243. Appointments to Montpelier's Conservation Commission. 

- a) Staff advertised to fill an unexpired 4-year term (until June, 2016) vacated by Alex Hoffmeier; since that time, it was brought to staff's attention that Jeanie Williams has also stepped down (her unexpired term is a 3-year term set to expire in February, 2014) and Mahima Poreddy had replaced Meghan Wingate as the Ex-officio Youth Member.
- b) There are still two vacant Alternate seats as well; staff continues to periodically advertise.
- c) As of the deadline, one letter of interest was received from John Fox who resides on Barre Street.
- d) Recommendation: Appoint Mr. Fox to either the 3- or the 4-year term; officially appoint Mahima Poreddy as the Ex-officio Youth Member for a 1-year term; and direction to staff regarding the remaining vacancies.

- 7) 13-244. Appointments to Montpelier Planning Commission. 
- a) Staff advertised to fill two expiring terms on the Planning Commission: Jon Anderson's 2-year term and Tina Ruth's 2-year term. The Ex-officio Youth Member's term is also expiring; this seat is currently being held by Thomas Nowlan.
 - b) Staff advertised and received letters/e-mails of interest from: Tina Ruth and Jon Anderson who would like to be reappointed; and the following are seeking appointment for the first time: Daniel Dickerson, Berlin Street; Ron Wild, St. Paul Street; Leslie Welts, Main Street; and Jed Guertin, North Street. Thomas Nowlan would also like to be reappointed as the Ex-officio Youth Member.
 - c) Portions of the discussion related to these appointments may be eligible for Executive Session under 1 V.S.A., §313, (a)(3), *"The appointment or employment or evaluation of a public officer or employee ..."*
 - d) Recommendation: Opportunity to meet applicants and possibly enter into Executive Session; make appointments to fill the two, 2-year terms and reappoint Thomas Nowlan as the Youth Member to the Commission.
- 8) 13-245. Budget Roundtable
- 9) 13-246. Council Reports
- 10) 13-247. Mayor's Report
- 11) 13-248. Report by the City Clerk
- 12) 13-249. Status Reports by the City Manager
- 13) 13-250. Agenda Reports by the City Manager

Adjournment

- 14) ***7:00 P.M. City Councilors will proceed to the Capitol Plaza for a "Public Spaces Forum"***

**City Of Montpelier
Department of Public Works
Memorandum**

To: William J. Fraser, City Manager
From: Todd C. Law, PE, Director
Date: October 3, 2013
Subject: Bids Received for One-Ton Cargo Van

On October 3, 2013, we opened bids received for a new one-ton Cargo Van for the Public Works Department. Four bids were received. We recommend that the low bid, submitted by Cody Chevrolet of Montpelier, VT, in the amount of \$16,347, be accepted. We also recommend that we purchase the 60 month/100,000 mile extended warranty for \$1,210. Total price for this truck will be \$17,557; \$28,000 is included in the FY2014 budget.

We request that this item be placed on the Consent Agenda for the upcoming Council meeting; suggested wording for the Agenda follows:

*To accept the bid proposal for a new one-ton cargo van, submitted by Cody Chevrolet, Montpelier, VT, in the amount of \$16,347, plus the extended warranty in the amount of \$1,210, for a total price of **\$17,557.00**; and to authorize the City Manager to execute all documents. The amount included in the FY2014 budget for this purchase is \$28,000.*

If you would like further information, or if you would like to review the file on this purchase, please feel free to contact my office.

Attachment (Bid Tabulation)
C: Eric Ladd, Equipment Supervisor

#41 ONE-TON CARGO VAN

DATE OF OPENING

Oct 3, 2013

PUBLIC WORKS

GATEWAY Motors
E-350
Cody Chevrolet
3500

ITEM	BRIEF DESCRIPTION	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	AMOUNT OF ITEM AWARD
1.	NEW ONE-TON Cargo Van	32395 -	36571 -							
2.	(Municipal Discounts)	7400 -	11224 -							
3.	(TRADE ALLOWANCE)	5000 -	9000 -							
	TOTAL BID PRICE	19995 -	16347 -							
	OPTIONAL EXTENDED WARRANTY	940 -	1290 -							

**City Of Montpelier
Department of Public Works
Memorandum**

To: William J. Fraser, City Manager
From: Todd C. Law, PE, Director
Date: October 3, 2013
Subject: Bids Received for Half-Ton Pickup

On October 3, 2013, we opened bids received for a new Half-Ton Pickup Truck for the Public Works Department. Four bids were received. We recommend that the low bid, submitted by Cody Chevrolet of Montpelier, VT, in the amount of \$14,700, be accepted. We also recommend that we purchase the 60 month/100,000 mile extended warranty for \$1,210. Total price for this truck will be \$15,910; \$23,000 is included in the FY2014 budget.

We request that this item be placed on the Consent Agenda for the upcoming Council meeting; suggested wording for the Agenda follows:

*To accept the bid proposal for a new half-ton pickup truck, submitted by Cody Chevrolet, Montpelier, VT, in the amount of \$14,700, plus the extended warranty in the amount of \$1,210, for a total price of **\$15,910.00**; and to authorize the City Manager to execute all documents. The amount included in the FY2014 budget for this purchase is \$23,000.*

If you would like further information, or if you would like to review the file on this purchase, please feel free to contact my office.

Attachment (Bid Tabulation)
C: Eric Ladd, Equipment Supervisor

From: Ginny Mackey
Sent: Thursday, September 19, 2013 3:33 PM
To: William Fraser; Sandy Pitonyak
Cc: Todd Law; Tom McArdle; ERIC LADD
Subject: Seeking Council Approval
Importance: High

Because the next Council meeting is not scheduled until October 9th, we are requesting that you seek Council approval via phone or email, as soon as possible, for the following items:

1. #16 Dump Body and Hydraulics Award Memo.
2. #32 Sweeper Award Memo.
3. Marvin Street Slope Stabilization Project Award Memo.

Thank you. If you need hard copies or further information, please let me know.

Virginia G. Mackey
Administrative Assistant
Department of Public Works

Sandy Pitonyak

To: L-Council
Subject: FW: Seeking Council Approval
Attachments: #16 Body & Parts Award Memo.pdf; #32 Sweeper Award Memo.pdf; Marvin Street Award Memo.pdf
Importance: High

Because the next Council meeting is not scheduled until October 9th, DPW staff is requesting that we seek Council approval on this items via phone or email, as soon as possible (see below).

We apologize for the timing on this. Bill checked with DPW before we sent this to see if the confusion evolved around changing the date of the second Council meeting this month. The following is the response he received from Tom McArdle:

Yes, that's primarily true; next Wednesday is the 4th Wed of the month. We often schedule our bid openings around the regular council meeting dates.

tom

On Thu, Sep 19, 2013 at 4:34 PM, William Fraser <WFraser@montpelier-vt.org> wrote:

And to be clear, if we have a non budgeted, extremely over budget or emergency item we will label them as such. These items are "business as usual" items that were headed for the consent agenda next week but got fouled up with the meeting date change. DPW would rather not wait until October 9 to award the bids so that they can order the equipment and get contractors started earlier.

Sandy Pitonyak

From: Anne Watson [anneofvermont@gmail.com]
Sent: Thursday, September 19, 2013 6:13 PM
To: William Fraser; Sandy Pitonyak
Subject: Re: Seeking Council Approval

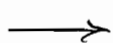
This looks fine to me.
Thanks!
Anne

From: Andy Hooper [ahooper@cabotcheese.com]
Sent: Friday, September 20, 2013 8:40 AM
To: Sandy Pitonyak
Subject: RE: Poll Vote for DPW Items

It's all fine with me.

From: tomgonlonka@comcast.net
Sent: Friday, September 20, 2013 9:39 AM
To: William Fraser; Sandy Pitonyak
Subject: Re: Seeking Council Approval

ok with me
Tom



Verbal "ok" from Councilor Guerlain via phone conversation.

Sp

9-20-13

City Of Montpelier
Department of Public Works
Memorandum

To: William J. Fraser, City Manager
From: Todd C. Law, PE, Director *TL*
Date: September 19, 2013
Subject: Bids Received for Dump Body & Related Equipment

On September 10, 2013, we opened bids received for a new Dump Body, plow, wing, and related hydraulics for the Public Works Department. Four bids were received. The low bidder was Tenco Industries, Barre, VT, in the amount of \$57,535.

Staff recommends that the truck chassis be purchased under the State Contract for a net price after trade value of \$49,655, and the low bid for the body and hydraulics, submitted by Tenco Industries of Barre, VT, be accepted in the amount of \$57,535, for a total purchase price of **\$107,008**.

The truck is to be completed no more than 75 days after the chassis is delivered to Tenco, Inc. The amount included in the FY2014 budget for this purchase is \$120,000.

We request that this item be placed on the Consent Agenda for the upcoming Council meeting; suggested wording for the Agenda follows:

*To accept the bid proposal from Clark's Truck Center under the State's Contract for the Model 7400 SFA dump truck chassis, for the price of \$49,665, and the low bid submitted by Tenco Industries of Barre, VT for the dump body and related equipment and hydraulics, for the price of \$57,535, and to authorize the City Manager to make this purchase for the total amount of **\$107,008**.*

If you would like further information, or if you would like to review the file on this purchase, please feel free to contact my office.

Attachment (Bid Tabulation)

C: Eric Ladd, Equipment Supervisor

PW-12

<i>VIKING CIGARS</i>	<i>VIKING CIGARS</i>	<i>TENEX NO.</i>	<i>HP FAIRFIELD</i>					PW-12 SERIAL NO.
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AWARDED BY:

CITY of MONTPELIER
DEPARTMENT of PUBLIC WORKS

M E M O R A N D U M

TO: William J. Fraser, City Manager
FROM: Todd C. Law, PE, Director 
DATE: September 19, 2013
SUBJECT: #32 Street Sweeper for Public Works Department

On September 17, 2013, we opened the bids received for a street sweeper for the Public Works Department. After staff review, we recommend that the bid from H. P. Fairfield, Morrisville, VT, in the amount **\$190,900** be accepted. We also recommend the purchase of the 3-year extended warranty in the amount of \$5,250. This purchase will be funded 80% by the State of Vermont up to a maximum of \$150,000, leaving \$46,150 to be paid by the City. \$75,000 is included in the FY2014 budget for this purchase.

Attached is the Bid Tabulation for your review. I request that you seek Council authorization on the next available Consent Agenda to order this equipment, suggested wording as follows:

*To accept the low bid of **\$190,900** for the purchase of a Johnston RT-655 Regenerative Air Sweeper from H. P. Fairfield, Morrisville, VT, plus **\$5,250** for the 3-year extended warranty (Total amount = **\$196,150**) for the Public Works Department, and authorize the City Manager to make this purchase.*

If you would like to review any of the bids received, please feel free to request the file from our office.

attachment
Eric Ladd, Equipment Supervisor

H. P. FAIRFIELD, LLC

BID # 133995



"MUNICIPAL SPECIALISTS"

PHONE: 802-888-2092 FAX: 802-888-1203

<http://www.hpfairfield.com>

FROM:

Mike Perrigo

254 Wilkins Street

Morrisville, VT 05661

QUOTED TO: City Of Montpelier
Public Works Department
113705 Montpelier, VT 05602
ATTN: Eric

DATE: September 12, 2013

CUSTOMER PHONE: 802-223-9510

CUSTOMER FAX: 802-223-9525

COMMENTS:

QTY	DESCRIPTION	PRICE	EXT. PRICE
1	JOHNSTON RT-655 REGENERATIVE AIR SWEEPER MOUNTED ON AN INTERNATIONAL 2013 4300M7 SPECIFICATIONS ENCLOSED FROM CLARK'S TRUCK CENTER	\$190,900.00	\$190,900.00

THIS SWEEPER WILL BE ASSEMBLED IN MOORESVILLE, N.C. U.S.A.

SWEEPER INCLUDES ALL STANDARD FEATURES AND THE OPTIONS LISTED BELOW:

FIRE EXTINGUISHER
REAR FLOOD LIGHTS W/CAGES
GUTTER BROOM TILT (DUAL)
WANDERING HOSE HYDRAULIC ASSIST WITH (3) 4" EXTENSION TUBE AND A 4'
CROWN EXTENSION
TRUCK MONTED RACK FOR EXTENSIONS
SUPER WASH SYSTEM 8GPM@1500PSI

LOW PRESSURE WASH DOWN SYSTEM
STAINLESS STEEL SCREENS
REAR VIEW CAMERA
AIR FILTER RESTRICTION INDICATOR IN CAB FOR BOTH ENGINES
HOPPER DELUGE
HOPPER VIBRATOR

SIGNED Mike Perrigo

ACKNOWLEDGED

QUOTE TOTAL \$190,900.00

Serving New England for over 60 Years

TABULATION OF BIDS

#32 SWEEPER

PURCHASE NO.

309400.83.01

DATE OF OPENING

9/17/2013

DEPARTMENT

PUBLIC WORKS

Closed 12:02

BID NO.

PW-12

CN WOOD
FREIGHTLINER

CN WOOD
INTERNATIONAL

HP FAIRFIELD
655

TENPO
7000

DONOVAN
TYMCO 600

ITEM	BRIEF DESCRIPTION	UNIT PRICE		UNIT PRICE		UNIT PRICE		UNIT PRICE		UNIT PRICE		UNIT PRICE		UNIT PRICE		AMOUNT OF ITEM AWARD	
1.	NEW SWEEPER	199600	-	219000	-	190900	-	193984	-	196492	-						
	OPTION: EXTENDED WARRANTY					24K/342		342/542		24K/342							
	342	4000	-	4000	-	2625	-	4450	-	2500	-						
	EST. DELIVERY	542	7000	-	7000	-	5250	-	8195	-	3500	-					
	Specifications																
	Certificate of Compliance																
	EEO Certification																
	Debarment & Non Collusion																

City of Montpelier
Department of Public Works
Memorandum

To: William Fraser, City Manager
Jessie Baker, Assistant City Manager

From: Thomas McArdle, Assistant Director of Public Works 

Date: September 19, 2013

Subject: Marvin Street Slope Stabilization Project
Authorization to Award Construction Contract

This memorandum serves as a recommendation to approve a construction contract to undertake a slope stabilization project on Marvin St that was brought to our attention immediately following the May, 2011 storm disaster. A more complete explanation of this endeavor to include planning and design engineering options and alternative considerations is available upon request.

In brief, the project essentially corrects a small landslide believed to have been caused, in part or in great measure, by a combination of exceedingly high surface water flows as well as super saturated soils with a high ground water table. These extreme conditions exceeded the load carrying capacity of a relatively steep slope supporting a portion of Marvin Street comprised of highly yielding silty sand and clay like native soils. A fault scarp developed along the edge of the street extending as an arc across the right-of-way onto the neighboring property and impacting a private residence.

The site was identified for FEMA review and determination of cost participation which was ultimately approved under their policy entitled "Landslides and Slope Stability Related to Public Facilities". However, the approved funding only extends to that portion of the corrective work necessary to stabilize the public highway. Unfortunately, no funding was found to be available for the private property where the land slide affects the stability of the home. However, as a landslide the entire area of instability must be corrected concurrently as single project or the city was faced with a choice of relocating the road away from the unstable slope. Consequently, a negotiated cost sharing agreement was reached with the adjacent property owner which was prepared by the City's Attorney. The cost break down of the cost sharing agreement is described below. The City is the contracting authority and will seek reimbursement from the property owner under the terms of the agreement.

Competitive construction bids were solicited by news paper and invitation with three bids received and opened on September 17th. A tabulation of the bids received is summarized below itemized on the attached spread sheet. Although the low bid exceeds the engineer's construction cost estimate, staff believes the pricing is fair & reasonable given the site constraints and other factors.

✓ Capital Earth Moving, Inc.:	\$ 81,591.00
✓ J. Hutchins, Inc.:	\$ 99,000.00
✓ Courtland Construction Corp.:	\$146,347.50

Funding of the project is as follows based on the low bid received:

➤ FEMA (& VTrans) Recovery Grant:	\$33,358.00
➤ Roddy Cooke approx. cost sharing (40% of actual):	\$28,662.00
➤ ** City (CIP Flood Expenses Acct &/Or Bond Proceeds):	\$19,571.00
Total Estimated Cost	\$81,591.00

** Cost shown does not include ROW or engineering expenses. Property owner also sharing in engineering expenses.

Public Works Dept staff has reviewed the bids received, confirmed all bid values, and considered the capability & qualifications of the Bidder submitting the lowest responsive bid. From this review, we are able to recommend that the contract be awarded to Capital Earthmoving, Inc. We ask that review of this recommendation and approval of the proposal be considered by the City Council as soon as possible so that the Contractor may be able to complete the project this fall (40 day contract duration).

Attachment (bid tab)

C: Sandra Gallup, Finance Director
Todd Law, P.E., Director of Public Works
Kurt Motyka, P.E., Staff Project Engineer

CITY OF MONTPELIER, Vermont
Department of Public Works

Marvin Street Slope Stabilization
Bid Opening Thursday, September 17, 2013 10:00 PM
Bid Tab

Item	Description	Est Quantity	Unit	Capitol Earthmoving		J Hutchins		CCC	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	Silt Fence	245	LF	\$ 9.00	\$ 2,205.00	\$ 3.00	\$ 735.00	\$ 7.50	\$ 1,837.50
2	Clearing and Grubbing, Including Individual Trees and Stumps	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 6,000.00	\$ 6,000.00	\$ 16,000.00	\$ 16,000.00
3	Excavation	1	LS	\$ 7,150.00	\$ 7,150.00	\$ 4,850.00	\$ 4,850.00	\$ 31,000.00	\$ 31,000.00
4	Dense Graded Crushed Stone	527	CY	\$ 50.00	\$ 26,350.00	\$ 30.00	\$ 15,810.00	\$ 71.00	\$ 37,417.00
5	4" Topsoil	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 39,700.00	\$ 39,700.00	\$ 24,000.00	\$ 24,000.00
6	Restoration of Growth	1	LS	\$ 6,300.00	\$ 6,300.00	\$ 2,650.00	\$ 2,650.00	\$ 2,200.00	\$ 2,200.00
7	3" Insulation	100	SF	\$ 2.50	\$ 250.00	\$ 3.00	\$ 300.00	\$ 2.60	\$ 260.00
8	4"-6" Underdrain Pipe	100	LF	\$ 14.00	\$ 1,400.00	\$ 30.00	\$ 3,000.00	\$ 95.00	\$ 9,500.00
9	New Guardrail	70	LF	\$ 31.00	\$ 2,170.00	\$ 50.30	\$ 3,521.00	\$ 81.00	\$ 5,670.00
10	Landscaping	1	LS	\$ 7,766.00	\$ 7,766.00	\$ 12,434.00	\$ 12,434.00	\$ 10,100.00	\$ 10,100.00
11	Mobilization/Demobilization	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 10,000.00	\$ 10,000.00	\$ 8,363.00	\$ 8,363.00
TOTAL CONTRACT AMOUNT				-	\$ 81,591.00	-	\$ 99,000.00	-	\$ 146,347.50
Addendum				Yes		Yes		Yes	

Revised Cost Sharing Allocation September 18th, 2013		Capitol Earthmoving					
Item	Description	Est Quantity	Unit	Unit Price	Total Price	40% Cooke Portion	60% City Portion
1	Silt Fence	245	LF	\$ 9.00	\$ 2,205.00	\$ 882.00	\$ 1,323.00
2	Clearing and Grubbing, Including Individual Trees and Stumps	1	LS	\$15,000.00	\$ 15,000.00	\$ 6,000.00	\$ 9,000.00
3	Excavation	1	LS	\$ 7,150.00	\$ 7,150.00	\$ 2,860.00	\$ 4,290.00
4	Dense Graded Crushed Stone	527	CY	\$ 50.00	\$ 26,350.00	\$ 10,540.00	\$ 15,810.00
5	4" Topsoil	1	LS	\$12,000.00	\$ 12,000.00	\$ 4,800.00	\$ 7,200.00
6	Restoration of Growth	1	LS	\$ 6,300.00	\$ 6,300.00	\$ 2,520.00	\$ 3,780.00
7	3" Insulation	100	SF	\$ 2.50	\$ 250.00	\$ 100.00	\$ 150.00
8	4"-6" Underdrain Pipe	100	LF	\$ 14.00	\$ 1,400.00	\$ 560.00	\$ 840.00
9	New Guardrail (100% City)	70	LF	\$ 31.00	\$ 2,170.00	\$ -	\$ 2,170.00
10	Landscaping (100% City)	1	LS	\$ 7,766.00	\$ 7,766.00	\$ -	\$ 7,766.00
11	Mobilization/Demobilization	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 400.00	\$ 600.00
TOTAL CONTRACT AMOUNT				-	\$ 81,591.00	\$ 28,662.00	\$ 52,929.00
*40%-60% of actual bid received							

*40%-60% of actual bid received

**City Of Montpelier
Department of Public Works
Memorandum**

To: William J. Fraser, City Manager

From: Todd C. Law, PE, Director 

Date: September 19, 2013

Subject: Bids Received for Sidewalk Plow w/Sander

On September 24, 2013, we opened bids received for a new Sidewalk Plow with Sander for the Public Works Department. Each Vendor submitted 1 bid for a new machine and up to 3 additional bids for various age demo machines. As we are likely to keep this machine for up to 10 years, we do not see any advantage to accept a used machine. The low bid submitted by Beauregard Equipment, for a 2013 Maclean, does not have a dump body and does not meet specs. We recommend, therefore, that we accept the next low bid that meets the specs, submitted by H. P. Fairfield LLC, of Morrisville, VT, in the amount of \$120,350.

We request that this item be placed on the Consent Agenda for the upcoming Council meeting; suggested wording for the Agenda follows:

*To accept the bid proposal for a 2013 MT6 Sidewalk Plow, submitted by H. P. Fairfield, LLC of Morrisville, VT, in the amount of **\$120,350**; and to authorize the City Manager to execute all documents. The machine is to be delivered in no more than 45 days after receiving the Purchase Order. The amount included in the FY2014 budget for this purchase is \$125,000.*

If you would like further information, or if you would like to review the file on this purchase, please feel free to contact my office.

Attachment (Bid Tabulation)
C: Eric Ladd, Equipment Supervisor

DEPARTMENT OF PUBLIC WORKS									
Sidewalk Plow /Sander	Beauregard Equip.	H. P. Fairfield	H. P. Fairfield	H. P. Fairfield	H. P. Fairfield	Chadwick Baross	Chadwick Baross		
TABULATION OF BIDS	Colchester	Morrisville	Morrisville	Morrisville	Morrisville	Concord, NH	Concord, NH		
309400.83.01	2013 Maclean*	2013 MT6	2013 MT6	2013 MT6 demo	2013 MT6 demo*	2013 Holder C992	2012 Holder C992		
1 New Sidewalk Plow w/Sander	\$ 103,470.00	\$ 120,350.00	\$ 100,360.00	\$ 98,700.00	\$ 152,850.00	\$ 147,916.00			
2 Optional Warranty	36 mos. \$ 3,775.00	36 mos. \$ 7,100.00	24 mos. \$ 2,670.00	24 mos. \$ 2,670.00	60 mos. \$ 4,850.00	60 mos. \$ 4,850.00			
Delivery	45 days	45 days	45 days	45 days	45 days	10 days			
	* no dump body				* no dump body				
DEPARTMENT OF PUBLIC WORKS									
Sidewalk Plow /Sander	Viking Cives	Viking Cives	Viking Cives	Viking Cives	Viking Cives	***	***		
TABULATION OF BIDS	Williston	Williston	Williston	Williston	Williston	***	***		
309400.83.01	2013 MB MSU	2010 MB MSU	2010 MB MSU 600 hrs.	2009 MB MSU 900 hrs.	***	***			
1 New Sidewalk Plow w/Sander	\$ 124,450.00	\$ 104,400.00	\$ 84,550.00	\$ 72,750.00					
2 Optional Warranty	60 mos. \$ 5,000.00	60 mos. \$ 5,000.00	60 mos. \$ 6,000.00	60 mos. \$ 7,000.00					
Delivery	30 days	30 days	30 days	30 days					



OFFICE OF THE CITY MANAGER
City Hall - 39 Main Street, Montpelier, VT 05602
Telephone: (802) 223-9502
Fax: (802) 223-9519
E-Mail: wfraser@montpelier-vt.org

June 3, 2013

The Times-Argus

Please insert the following with City of Montpelier notices on Thursday, June 6th, and Thursday, June 13th. Thank you!

CITY OF MONTPELIER
Conservation Commission Vacancy

The City of Montpelier is looking for citizens interested in filling an unexpired 4-year term; said term will expire in June, 2016. Letters of interest and/or resumes should be submitted to the Office of the City Manager, City Hall - 39 Main Street, Montpelier (or by e-mailing spitonyak@montpelier-vt.org) by noon on Thursday, June 20th. The City Council will make this appointment at their meeting on Wednesday, June 26, 2013; applicants are encouraged to attend. All municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws. Questions should be directed to Commission Chair Roy Schiff: 223-7214.

William J. Fraser
City Manager

Sandy Pitonyak

From: Alex Hoffmeier [ahoffmeier@gmail.com]
Sent: Monday, June 03, 2013 10:34 AM
To: Sandy Pitonyak
Subject: Stepping down from Montpelier Conservation Commission

Hi Sandy,

I want to let you know that I am regretfully stepping down from the Conservation Commission. My work is taking me out of Vermont for the majority of the summer and fall and I won't be able to give the Commission the attention it deserves. Thanks.

Sincerely,

Alex Hoffmeier

--

Timber & Stone, LLC
Trail Design and Construction
802 - 917-1812

Sept 17, 2013

John D Fox
96 Barre St Apt 2
Montpelier VT 05602
Johndfoxservices@gmail.com
802-505-3406

Attn: William J Fraser
City Hall - 39 Main St
Montpelier, VT 05602
spitonyak@montpelier-vt.org

RE: Conservation Commission Vacancy

Dear Mr Fraser,

I am interested in filling the Conservation Commission vacancy.

I am a Vermonter by choice and would put my deliberate and thoughtful heart into such a role.

I would love an opportunity to speak before you and the council on what I can contribute to the city of Montpelier by so serving.

Thank you for your consideration.

Kindest Regards,
John

Sandy Pitonyak

From: royschiff12@gmail.com on behalf of Roy Schiff [roy.schiff@aya.yale.edu]
Sent: Tuesday, September 17, 2013 8:33 PM
To: Sandy Pitonyak
Subject: Re: Conservation Commission

Thanks Sandy.

Jeannie and Alex are off the commission now. Meghan is too, and replaced by Mahima.

Joann decided not to serve. Please let John Fox know to contact me. Thanks.

Roy

On Tue, Sep 17, 2013 at 9:05 AM, Sandy Pitonyak <SPitonyak@montpelier-vt.org> wrote:

John Fox has sent in an e-mail that he's interested, as well, Roy.

From: royschiff12@gmail.com [mailto:royschiff12@gmail.com] **On Behalf Of** Roy Schiff
Sent: Friday, September 13, 2013 9:56 PM
To: Sandy Pitonyak
Subject: Conservation Commission

Sandy,

Could you send me an updated listing for the commission. We wanted to review term dates.

A high school student joined us and would like to be on the commission. Her name is **Mahima Poreddy**.

Thanks.

Roy



DATE: October 1, 2013

TO: City Manager, Assistant City Manager
City Council Members

FROM: Sandra Gallup, Finance Director

SUBJECT: **BACKGROUND INFORMATION FOR FY 15
BUDGET**

YEAR	VOTER APPROVAL
★ FY 14	75%
★ FY 13	70%
★ FY 12	75%
★ FY 11	73%
★ FY 10	74%

MUNICIPAL PROPERTY TAXES AND ECONOMIC INDICATORS

FIVE YEAR HISTORY-% Changes	FY10	FY11	FY12	FY13	FY14	AVERAGE
Property Tax Increases- Municipal	2.9%	*0.8%	1.4%	3.2%	0.5%	1.8%
Median Tax Bill Increases-Municipal	4.0%	5.7%	1.2%	3.0%	0.45%	2.9%
Consumer Price Index(Annual)	1.5%	0.3%	3.8%	2.0%	2.0%	1.9%
Adj Gross Income-Resident/Montp Increase	2.5%	1.8%	Info	not	available	
City Employee Cost of Living Adj	3.0%	1.5-3.5%	0-3.5%	0-2.5%	2-2.25%	2.25%
Grand List (Property Values) -Municipal	0.7%	*54.8%	0.3%	0%	1.5%	0.6%
Unemployment Rate-Montpelier	6.0%	5.3%	4.1%	5.3%	4.0%	4.9%
Total Budgeted Expenditures-General Fnd	6.5%	4.3%	4.7%	2.3%	2.7%	4.1%
Property Tax Dollars Raised-Municipal	5.3%	3.0%	1.9%	3.9%	2.3%	3.3%

Note: In FY15 every 1% increase in the tax rate adds almost 1 cent to the current tax rate and raises an additional \$84,000

MUNICIPAL PROPERTY TAXES:

For FY 13, Montpelier has the 8th (7th highest in the previous year) municipal tax rate in the state (Barre City, Springfield, Athens, Rutland City, Windsor, Brattleboro, and Newport City are

higher). When the education tax rates are included in the total, Montpelier has the 13th highest residential tax rate in the state as compared to the 9th highest the previous year.

Our FY14 tax rate increased from \$2.3595 to \$2.4877 (up 5%). Most of the increase was in the education tax rates. The change in the municipal tax rate was small - only up \$.005 (0.5% increase). We had projected a \$0.02 (2%) increase at budget time but an unexpected growth in the grand list reduced the impact to taxpayers to half a cent on the tax rate.

For FY14, a new Downtown Improvement Tax rate of \$0.0515 was approved for downtown commercial properties.

INFRASTRUCTURE SUPPORT-CAPITAL IMPROVEMENT PROGRAM – NEW POLICY FOR FY14- FY23 – Includes Equipment Plan Funding.

The Capital Projects, Equipment and Debt Service Program costs will increase \$166,300 (approx 2 cents) in FY15 as per the new 10 year plan.

Preliminary detail for FY15:

Debt Payments	\$728,597
Annual Capital Projects	676,707
<u>Equipment</u>	<u>500.000</u>
Total (per Multi-year Plan)	\$1,905,004

The CIP committee will meet in October to review the city's capital needs and recommend a plan for FY15 expenditures.

FY 15 OPERATING BUDGET

- ASSUME NO GROWTH IN NON-TAX REVENUE
- ASSUME NO GROWTH IN GRAND LIST
- PROJECT PERSONNEL COSTS INCREASE \$216,000 (COLA and step increases)
- ASSUME 2% INCREASE IN SUPPLIES INCLUDING FUEL COSTS \$18,000

Total OPERATING BUDGET INCREASES \$234,000

SUMMARY OF EARLY PROJECTIONS FOR FY15:

Note: This is a starting point only, before Departments present their budget requests.

Increase in operating – Personnel Costs & Supplies	\$234,000	2% of FY14 Exp Budget
Increase in CIP/Equipment/Debt	\$166,300	CIP planned increase
Total increase in General Fund Budget	\$400,300	3.5% of FY14 Exp Budget

Property Tax Rates would increase 4 cents which is a 4.7% increase (2.7% before CIP increase)

EXPENSE TRENDS/PROJECTIONS - Details

Consumer Price Index – The Consumer Price Index: July 2013 was 2% higher than July 2012.

Salaries & Wages Projections: Fire Union contract is settled for FY15. DPW contract, Police contract and Personnel Plan have not been negotiated. We will assume 2.25% Cost of Living Adjustments for projection purposes.

Assume: Cola Rate Step Increases Total Salary Increases

DPW	2.25%	1.0%	\$67,000
Police	2.25%	1.0%	\$45,500
Fire/EMS	2.25%	1.0%	\$42,000
Other/Admin	2.25%	.05%	\$42,000

Total Projected Salary increases	\$196,500
Add: FICA/MEDI	15,000
Workers Comp	6,500
<u>Pension</u>	<u>12,800</u>
Subtotal Projected increase in Salary /related costs	\$230,800

Other Employee-related increases

Increase in VMERS Employer Contribution	\$15,000
Health Insurance	20,000
Dental Insurance 5% Increase	2,500
<u>Workers Comp 5% Increase</u>	<u>12,000</u>

Subtotal Projected Other Employee-related Increases \$49,500

Total Projected Employee Wages and Benefit Increase \$280,000

The General Fund has 77% of Employee Salaries. Therefore, \$216,000 of the increase will be in the General Fund.

Note: There are many changes to health insurance programs in Vermont. Because our number of employees exceeds 100, we will not be joining the Vermont Health Benefit Exchange. Based on the current schedule, our insurance options will not be affected until the single-payer system is introduced in January, 2017. The city's employee health insurance committee will make a recommendation to the City Council concerning the employee health program for the 2014 calendar year.

Supplies and Vehicle Fuel Costs – UP 2.5% increase of \$18,000 – Early Estimate

Energy Costs: The City is always looking for opportunities to make energy conservation improvements and lock into fixed fuel prices when the market is favorable. The District Heat project will help control our costs for heating our downtown facilities. Energy conservation improvements were made to City Hall in FY13.

Todd Law, Director of Public Works will provide projection for energy costs for FY15.

The Street Light Committee has proposed a plan for new energy-efficient street lighting and a reduction in the number of street lights. As of June 2013, all of the street lights that can be upgraded have been changed. The only remaining non-LEDs are 4 flood lights and the T & C underground lights for which we have no substitute. The City's Green Mountain Power lease for street lights will have to be re-negotiated to achieve the financial benefit of the energy-conservation improvements.

American Disability Act (ADA) Improvements

As part of our capital improvement plan, we made substantial ADA improvements over the past three years. Bathrooms in City Hall were renovated and the back door was automated to be in compliance with ADA requirements. Three traffic signals (State/Main, Bailey/State, and Memorial/Main) were replaced with Accessible Pedestrian Signals. Sidewalks on Liberty St, Bingham St. were improved using sidewalk designs for accessibility. Repairs to accessible parking were made in the Blanchard Parking Lot. Accessible parking spaces were created and/or reclaimed in the Jacobs, 60 State St and Capitol Plaza parking lots. Accessible parking spaces were added at the library. An inventory of sidewalks was completed this summer. Part of this inventory involved compliance information with the Pedestrian Access Route ADA policy.

Grant Revenue

Montpelier has increased its grant revenue in recent years.

Fund Received:	FY10	FY11	FY12	FY13
Federal COPS & Police Grants	78,800	36,583	59,780	104,058
Federal Fire/EMS Grants	23,800	71,930	2,869	181,828
Federal DPW Grants				11,931
State Town Highway/Bridges Grant	25,400	297,524	-	
Planning Grant			4,500	6,000
State Community Justice Grants	108,800	187,305	196,407	208,099
Storm Damage/Flood events			948,000	109,822
Flood Mitigation			464,000	
Carr Lot			65,000	31,813
District Heat		13,770	1,321,000	1,085,566
REACH	173,908	331,558	260,000	153,826

FUND BALANCE

The City's Fund Balance Policy states that the City Council "develop a multi-year plan to achieve a minimum unassigned fund balance equal to 15% of the budgeted General Fund expenditures." As of June 30, 2012 the unassigned fund balance was 8.9% (\$1964,141/\$10,862,379) of the budgeted expenditures. It appears that the General Fund may have a \$200,000 surplus in FY13, The City Council approved to set aside any surplus (up to \$250,000) for capital projects that may need additional local funds. Therefore, our unassigned fund balance will probably not increase in FY13. The FY13 audit report will be completed in December and will have final fund balance information.

DEBT

The Council approved a Debt Management Policy in September 2011 which helps guide the decisions regarding borrowing in FY15 and beyond. Using this guideline no borrowing is anticipated in FY15, other than the already approved \$2,000,000 for district heat.

CITY COUNCIL QUESTIONNAIRE FOR FY15 BUDGET

To help us begin the FY 15 Budget process, please consider your response to the following questions and be prepared to share your answers at the Budget Roundtable Discussion on October 9th.

1). LEVEL OF SERVICES:

a). NEW OR EXPANDED SERVICES

In spite of our current fiscal constraints, are there any services that we should be doing that we are not doing or any services that may need to be expanded?

_____ Yes _____ No

If yes, please identify the new or expanded services below:

b.) CUTS IN SERVICE: CITY SERVICE, PROGRAM OR PROJECT REDUCTIONS, ELIMINATIONS OR TRANSFERRED-If cuts in City services are required, what City services, programs or projects, if any, do you feel should be eliminated, reduced or provided by another organization?

2). PROPERTY TAX TARGET: Do you have a property tax target for this year's budget?

3). GENERAL COMMENTS

Please make any other comments or suggestions that you have about the upcoming FY 15 Budget. Your ideas and knowledge about the interests in the community are very important as we develop the FY 15 Budget.



City of Montpelier, Vermont
"The Smallest Capital City in the United States"

Mayor John Hollar

City Council:

Tom Golonka, President
Angela Timpone, Vice President
Andy Hooper, Parliamentarian
Anne Watson
Alan H. Weiss
Thierry Guerlain

William J. Fraser
City Manager
wfraser@montpelier-vt.org

September 19, 2013

The Times-Argus:

Please insert the following ad with other Montpelier notices on: Monday, September 23, 2013. Thank you!

MONTPELIER HOUSING AUTHORITY VACANCY

The Montpelier City Council is seeking applicants interested in filling an expired term on the Montpelier Housing Authority Board; said 5-year term to expire in October, 2018. Interested citizens should submit a letter of interest and/or resume to the Office of the City Manager, City Hall - 39 Main Street, (or by e-mail to: spitonyak@montpelier-vt.org) as soon as possible and no later than noon on Thursday, October 3rd. The City Council will make this appointment at their October 9th regularly scheduled meeting; applicants will be notified and encouraged to attend. All municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws.

William J. Fraser
City Manager

sjp

Sandy Pitonyak

From: Coble, Stephen [Stephen.Coble@state.vt.us]
Sent: Thursday, September 19, 2013 4:34 PM
To: Sandy Pitonyak
Subject: Appointment to the housing authority board

Sandy, I would like to be reappointed to the Montpelier Housing Authority Board at the October 9th City Council Meeting. Thanks Steve Coble

Steve Coble



Department of Environmental Conservation

FACILITIES ENGINEERING DIVISION

1 National Life Drive

Main Building, 1st Floor

Montpelier, VT 05620-3510

Stephen.Coble@state.vt.us

802-490-6224

Sandy Pitonyak

From: Mary Alice Bisbee [mbisbee@myfairpoint.net]
Sent: Wednesday, October 02, 2013 11:05 PM
To: Sandy Pitonyak
Cc: John Hollar; Timothy Andrew Hooper; Anne Watson; Alan Weiss; Tom Golonka; Thierry Guerlain; Jessica Edgerly
Subject: Montpelier Housing Authority vacancy
Attachments: Resume for Gov.appt..docx

Dear City Manager, Bill Fraser, Mayor and Montpelier City Councilors:

I am writing to submit my name as a candidate for the currently advertised opening for a five year term as a member of the Montpelier Housing Authority (MHA). My resume of my work and volunteer experience is attached and I will provide you with a hard copy today.

My desire to serve stems not only from my general interest in providing affordable housing of all kinds to Montpelier citizens in an environmentally sensitive manner, but also stems from the fact that I currently reside at 3 Prospect Street, one of the many projects under the ownership of the MHA.

In my working life, I was licensed and served as a real estate sales associate at Century 21 in Montpelier and later planned organized, secured funding and supervised the building of my own Huntington Home in Waitsfield on family land. I also managed and later sold forest lands to provide for my well being during several periods of unemployment due primarily, to being over qualified but under experienced for my age and for my diagnosis of PTSD.

In my working life I was licensed and served as a real estate sales associate at Century 21 in Montpelier and planned, organized, secured funding and supervised the building of my own Huntington Home in Waitsfield on family land and arranged the sale of inherited lands to provide for my well being during several periods of unemployment due to my diagnosis of PTSD.

Previously, I have lived at Evergreen Place, Waitsfield, a senior project under the jurisdiction of CVCLT; after selling the home I lived in for 6 years, in order to provide retirement savings for myself, which due to my sketchy work history, left me with very little Social Security and NO pension of any kind and no alimony!

My move to Montpelier after a 4 year wait for admission at 3 Prospect St, was precipitated by my need and desire to live closer to medical, social and recreational services and to continue to serve on the MSAC board of directors. As a close friend and acquaintance of both Garth and Liz Genge, I also was very much involved in designing the remodeled 58 Barre Street as well as helping develop rules of residency at Evergreen Place as one of the original residents.

Unfortunately, I will not be available to answer questions at your October 9th meeting, as I will be on a trip to Italy with several of my friends at MSAC and my daughter from Florida who will be my attendant. Since I frequently attend City Council meetings and often watch on ORCA, I believe several members are aware of my background and interest in Montpelier City matters.

I do have some mobility issues due to arthritis and neuromuscular problems, but am able to access most spaces with minor accommodations.

This introduction may help answer some of the questions I have tried to anticipate; since I will not be present at the Oct. 9th meeting. I leave on October 4th, and am happy to answer any questions posed prior to that date on the phone at 223-8140 and look forward to hearing from you.

Respectfully yours,

Mary Alice Bisbee
3 Prospect Street, Apt. 308
Montpelier, VT 05602
(802)223-8140
cell phone unlisted
mbisbee@myfairpoint.net

Personal Resume

Mary Alice Bisbee
3 Prospect Street, Apt. 308
Montpelier, VT 05602
(802)223-8140
mbisbee@myfairpoint.net

Education:

Montpelier High School—Graduated with honors, 1954
Douglass College, Rutgers University, New Brunswick, NJ—Bachelor of Arts, Sociology/Political Science-1958
(on full tuition 4 year scholarship)
Various course work, CCV, UVM, Abnormal Psychology, 1971, Education courses, Sacramento State (Calif.), 1962, Nazareth College, Rochester, NY., 1969.
New Hampshire College School of Human Services (now Springfield College) M.S., Human Service Administration/Gerontology. 1989.

Varied Work Experience summary

Children's Hospital, Buffalo, NY, Medical Social Worker, 1959-60.
Raised two children as homemaker; lived in California and Rochester, NY; moved back to VT, 1971, Community and school volunteer.
1983-1987, Social Service Director, Berlin Health and Rehab., Inc. Berlin, VT-Admissions, discharges, family and patient counseling, support groups, residents rights, etc., advance directive training given to staff and family members.
1988-1989, Long term temporary State Employee, Attendant Service Programs Coordinator, Dept. of Aging & Disabilities, Waterbury. (Position terminated during reorganization of DAILS)
1989-1991, Self employed eldercare manager, founded Aging Resources, Montpelier.
1991-1992, Client Service Specialist, DET, State of VT, Morrisville Office
1992, Paraprofessional aide, Spaulding H. S., Barre, Private Eldercare provider
1992-1993, Brookside Nursing Home, Bradford, VT, Social Service Director
1994, Various temporary positions as a receptionist/administrative assistant, self employed reporter/feature writer and substitute hospital social worker, (Gifford Hospital and NWMC)
1995, Social Service Director, King David Convalescent Center, West Palm Beach, Florida and Care Manager, Palm Beach County Home and General Care Facility. (Diagnosed with CA of uterus, returned to Central VT for surgery-total recovery, job terminated as a result.)
1996, Private Alzheimer Caregiver, Waitsfield, VT
1996-1998, Northern Outreach Worker, VT Psychiatric Survivors, Inc. (Certified Recovery Educator)
1999-2000, Temporary receptionist, Secretary of State's office, Redstone Campus, Montpelier.
Various part time work—Licensed Real Estate Sales person, Century 21, Unemployment, Took early retirement Social Security, moved to Waitsfield to build a prefabricated home on family land. (Learned a lot about housing criteria, costs, regulations, zoning and planning.)
2000, US Census worker, ran for Washington County Senator, Progressive/Democrat.
2002-2009, Part time program coordinator, Warren Public Library. Wrote press releases, arranged speakers, and occasionally worked as library staff as needed.
2010, Moved to Montpelier, many volunteer positions including serving on the Montpelier Reapportionment committee.

(see page 2).

Elected Positions held:

President and Information Hotline Coordinator, Funeral Consumers Alliance of VT, Inc. elected by the membership. Have served five years and have just resigned as Hotline coordinator and still serve on the non profit, 501(c) 3 board of directors.

Appointed by Gov. Shumlin as a Public member of the Office of Professional Regulation, SOS, Funeral Board and will serve until December 2014.

Hold educational seminars about affordable funeral options and consumer rights all around Vermont and published a 2011 general price survey of all Vermont funeral homes to help consumers make informed choices.

Former Justice of the Peace, Berlin, Barre City and Waitsfield during my several moves around Washington County!

Montpelier Sr. Activity Center Board Member, former Secretary, Served 3 terms and assisted in the planning with Garth Genge for the MSAC and MHA housing at 58 Barre Street. Continue to volunteer and am particularly interested in starting a Barre Street Community Garden for those using MHA housing and providing composting training and facilitation.

Central VT Council on Aging, Operational Board Member, former Secretary. Resigned 2011 after serving 3 terms.

Former President and long time board member, Green Mtn. Chapter of the Older Women's League, (OWL), disbanded, 2004?.

1997, Statewide Independent Living Council, (SILC), Governor Dean appointment.

1997-98, Chair of Mental Health Advisory Council of VT Protection & Advocacy

Other Organizational memberships:

League of Women Voters of Central VT-current member

Unitarian Church of Montpelier, Vt. Interfaith Action (VIA), sing in choir at UCM, member Women's Alliance

Women's International League for Peace and Freedom, (WILPF). A "Raging Granny" at times!

Vermont Alliance for Retired Americans (VARA), current board member

Coalition of Vermont Elders (COVE) member

AARP member

References:

David Grundy, retired educator and former board president and hotline coordinator of the Funeral Consumers Alliance of VT for 11 years and former consumer member of the VT Funeral Board, 1630 Clark Road, East Montpelier, VT 05651, (802)476-4300, ddgrundy@comcast.net .

Tina Ruth, Montpelier Planning Commission member, 397 Elm Street, Montpelier, (802)223-4363 or cell:477-3235, tinapruth@gmail.com .

Sandra Gallup, Finance Director, City of Montpelier, Direct office phone line: 262-6253, Home phone, Waitsfield, VT, 496-2320,

Gwendolyn Hallsmith, Director of Planning & Development, City of Montpelier, 12 Parkside Drive, Montpelier, (802)223-2907, Office: 223-9506, gwenhs@gmail.com



City of Montpelier, Vermont

"The Smallest Capital City in the United States"

Mayor John Hollar

City Council:

Tom Golonka, President
Jessica Edgerly Walsh
Alan H. Weiss
Anne Watson
Thierry Guerlain
T. Andrew Hooper, Parliamentarian

William J. Fraser
City Manager
wfraser@montpelier-vt.org

Beverlee Pembroke Hill,
Assistant City Manager

September 19, 2013

The Times-Argus
Att: Classifieds

Please insert the following with City of Montpelier notices on Monday, September 23rd.
Thank you!

CITY OF MONTPELIER

Planning Commission Vacancies

The Montpelier City Council is seeking individuals interested in filling two expiring, 2-year terms, on the Montpelier Planning Commission. Letters of interest and/or resumes should be submitted to the Office of the City Manager, City Hall - 39 Main Street, Montpelier (or sent by e-mail to spitonyak@montpelier-vt.org) on or by Thursday, October 3rd. The City Council will make these appointments at their October 9th meeting. Applicants are encouraged to attend; all municipal meetings are accessible to people with disabilities and are held in accordance with the public meeting and public records laws. Further information may also be obtained by contacting the Planning and Development Office at 223-9506.

William J. Fraser
City Manager

Sandy Pitonyak

From: Tina Ruth [tinapruth@gmail.com]
Sent: Wednesday, September 18, 2013 12:44 PM
To: Sandy Pitonyak
Subject: Montpelier Planning Commission term

Sandy, thanks for the notice that my term is expiring.

I would like to seek reappointment. We are in the midst of rewriting our zoning bylaws to conform to the Master Plan. We have a new vigorous chairman who is determined to move it along in a timely fashion, and I would like to help him do so. There is also a significant learning curve for a new planning commission member. I feel I am getting a fairly good understanding of zoning issues in the City, and formulating ideas of what I think is an appropriate balance between the best interests of the City and the wishes of individual neighborhoods.

I also represent the City on the Central VT Regional Planning Commission. I serve on the CVRPC Executive Committee, and have been active in the current key issue for the Commission, whether to merge with CVEDC. CVRPC is also about to kick-off the rewriting of its regional plan, and I am interested in helping in that process in some way. The Montpelier Planning Commission agreed, when I was first appointed to the RPC, that it is a good idea to have our CVRPC rep be a member of the MPC.

For all of the above reasons, I respectfully request that the Council consider re-appointing me to the Montpelier Planning Commission.

Thanks very much, Tina

--

Tina Ruth
397 Elm Street
Montpelier, VT 05602
h - 802-223-4363
c - 802-477-3235

Sandy Pitonyak

From: Daniel Dickerson [ddickerson82@gmail.com]
Sent: Tuesday, October 01, 2013 10:29 PM
To: Sandy Pitonyak
Subject: Planning Commission opening
Attachments: Dickerson Planning Commission package.pdf

Dear Mr. Fraser,

Please consider my resume and letter of interest regarding one of the future planning commission vacancies with the City of Montpelier. Unfortunately, I will be out-of-state for work on Wednesday, October 9 and unable to attend the City Council meeting. However, I would certainly answer any questions the Council might have for me in advance of the meeting.

Thank you,

--

Daniel Dickerson, MUPP
Fiscal Analyst
Vermont Legislative Joint Fiscal Office
(217) 836-0594
ddickerson82@gmail.com

October 1, 2013

William Fraser
City Manager
City of Montpelier

Dear Mr. Fraser:

I am writing to express my enthusiastic interest in the opportunity to work with the Montpelier Plan Commission and city staff as a Plan Commission member. I recently moved to Montpelier where I began working as a fiscal analyst with the Vermont Legislative Joint Fiscal Office. My graduate degree is in urban planning and policy and was awarded by the University of Illinois in Chicago. Additionally, I am a member of the Vermont Air National Guard and previously lived in Vermont while on active duty. My educational background and work experience in the planning profession have given me substantial knowledge of city planning issues and the ability to work cooperatively with community stakeholders and committee members.

During my graduate studies in urban planning, I wrote and designed planning documents at the site-specific scale and over larger land areas. My academic focus was on the economic development potential of environmentally-focused land use planning. I reported upon the potential economic impacts of both timber land conservation in northern Maine and dam removal in Yosemite National Park. I participated in a plan-making studio focused on an inner-city Chicago neighborhood in which I contributed plan recommendations for on-street "greenways" and innovative recreation strategies for vacant lots. My master's project dealt with the challenges of watershed planning and protection over varied landscapes and across many jurisdictions. I possess a strong working knowledge of the Adobe Design suite, ArcGIS and Google Sketch-up and with this background could advise future planning consultants based upon working knowledge.

Through my internship as a planner with the Village of Glen Ellyn, Illinois, I performed numerous site plan reviews and inspections. I gained extensive experience in interpreting the rules of the Village Zoning Code, Appearance Review Guidelines and other ordinances when analyzing development plans. I frequently was in contact with residents, developers and architects during the plan review process. On numerous occasions, I presented development proposals to the Village Plan Commission and Architectural Review Commission in addition to drafting Village Board memos or staff reports, as well as resolutions and ordinances for Village meetings. My other contributions included the development of an RFP for a signage and wayfinding plan for the Village as well as research for a future rental property licensing ordinance. I made daily use of ArcGIS in order to visualize areas at the site and municipal level for use by Village staff and was in charge of writing the Planning and Development Department's quarterly report.

In my short time in Montpelier, I have grown to love the sense of community and the closeness with nature that I am able to experience every day. My morning walk to work takes me through the compact and diverse downtown, as well as past the amazing state capitol. I often walk, or run, through the quaint city neighborhoods. I understand some of the complex planning issues facing Montpelier and I relish the opportunity to work collaboratively with my peers to achieve the best possible outcomes for the city and her residents. Thank you for your consideration.

Sincerely,
Daniel Dickerson, MUPP
Fiscal Analyst
Vermont Legislative Joint Fiscal Office

DANIEL DICKERSON

31 Berlin Street Unit 2

Montpelier, VT 05602

217.836.0594

ddickerson82@gmail.com

EDUCATION

UNIVERSITY OF ILLINOIS AT CHICAGO (UIC)

Master of Urban Planning and Policy

May 2013

Focus: Land Use Planning, Economic Development

SOUTHERN ILLINOIS UNIVERSITY AT EDWARDSVILLE (SIUE)

Bachelor of Science in Accountancy (Cum Laude)

December 2010

Software Skills

ArcGIS, SketchUp, InDesign, Photoshop, Illustrator, SPSS, IMPLAN, Microsoft Office Suite

EMPLOYMENT EXPERIENCE

Fiscal Analyst

Vermont Legislative Joint Fiscal Office, Montpelier, VT, September 2013- Present

Perform research and fiscal impact modeling for the General Assembly regarding proposed legislation. Work directly with the House and Senate Appropriations, Senate Finance, and House Ways and Means Committees during the legislative session.

Planning Intern

Village of Glen Ellyn, IL, May 2012- May 2013

Helped with implementation of the Downtown Strategic Plan recommendations. Performed site plan reviews to ensure compliance with Village ordinances. Presented special use permit, zoning variation and downtown exterior appearance update requests to Village governing bodies at periodic meetings. Mapped and interpreted data using ArcGIS software. Researched and drafted an ordinance for rental property licensing and inspections in the Village. Completed an RFP for the Village Signage and Wayfinding Plan.

Business Intern

Cooper B-Line, Highland, IL, June- December 2010

Defined an updated set of product description standards for the entire Cooper B-Line product line utilizing extensive research and data manipulation. Organized project status update meetings with senior management and presented the final description standards to the relevant product managers.

MILITARY EXPERIENCE

Avionics Specialist

Vermont Air National Guard, S. Burlington, VT, January 2009- Present

Spent two years on active duty supporting a home station alert mission in Vermont and maintaining F-16 aircraft electrical systems. Earned a Meritorious Service Award while deployed to South Korea in 2011 and spent additional time on alert duty at Langley Air Force Base in Virginia prior to starting graduate school.

Avionics Specialist

Illinois Air National Guard, Springfield, IL, May 2001- January 2009

Achieved the level of F-16 avionics maintenance craftsman and earned the title of non-commissioned officer while also attending college. Volunteered for 3 tours of duty in the middle east during wartime. Received a Superior Performance Award as well as the honor of Squadron Airman of the Year while serving in Illinois.

ACTIVITIES

Urban Planning and Policy Student Association (UIC), August 2011- May 2013

American Planning Association, August 2011- Present

Graduate Student Council (UIC), August 2012- Present Contributed to the establishment of the 2013-2014 GSC budget as a member of the Finance Committee.

Student Organization for Sustainability (SIUE), January- December 2010 Performed research and outreach to build support for a future campus 'green' fee.

International Studies (SIUE), Groupe ESSCA, Angers, France, January- May 2007

Sandy Pitonyak

From: Ron Wild [ronhwmail@gmail.com]
Sent: Wednesday, October 02, 2013 1:27 PM
To: Sandy Pitonyak
Subject: Planning Commission Vacancy
Attachments: resume summary -rhw.pdf

10/2/13

William Fraser
Montpelier City Manger

Dear Bill,

I'm writing to submit my name for consideration to fill one of the two openings on Montpelier's Planning Commission.

As a long-term resident, home owner, and former property owner,
I have a keen interest in Montpelier's vitality and unique nature.

I appreciate the tasks set before the Commission and believe my diverse professional background can be an asset. My resume is attached.

Please let me know if you require any additional information.

Sincerely,
Ron Wild

5 St. Paul Street

Recent professional experience

- 2010-2013 Program assistant; Everybody Wins! Vermont
- 2009-2010 Volunteer coordinator; The Nature Conservancy (AmeriCorps), Montpelier, VT
- 2007- 2009 Sales & service, Sun & Ski Sports, Austin, TX
- 2004-2006 Coordinator; Aging Services Council, Austin, TX
- 1996-2003 Marketing & public relations manager; Wheels Transportation, Montpelier, VT
- 1995-1999 Grants administrator; Vermont State Employees Association's Child & Elder Care Committee, Montpelier, VT
- 1993-1996 Director; Vermont Alliance for Arts Education, Montpelier, VT
- 1986-1995 Director; Kids'fest, Montpelier, VT
- 1987-1991 Manager; Barre Opera House, Barre, VT

Other activities of note

- 2013 - Justice of the Peace, and member Board of Civil Authority; Montpelier, VT
- 2007 Site manager; VITA Tax Assistance Program, Austin, TX
- 2006 Elections trainer; Travis County, TX
- 2004 Volunteer voter registrar; Travis County, TX
- 1998-2002 Justice of the Peace; Montpelier, VT
- 1996-2000 Coordinator; Montpelier community bike program and representative to Central Vermont bike path committee
- 1993-1994 Co-founder and director; Montpelier First Night New Year's Eve celebration.
- 1991-1994 Field representative; Arts in Education, Vermont Arts Council, Montpelier, VT
- 1991 Producer; Vermont bicentennial celebration, Montpelier, VT
- 1989-1995 Co-chair; family and young audience programming, Green Mountain Consortium for the performing Arts, VT
- 1988 Instructor; "Job Scholar", a course on work issues and experience, Goddard College
- 1985 Director; international volunteer program providing recreational services to Ethiopian refugee children in Israel.

Resume summary Ron Wild

(512) 342-1824
ronhwmail@gmail.com

Education

Goddard College

MA, Community Organization

Master's Thesis - *Volunteers in Action: A Case Study for Private Initiative in Public Issues*

Georgia State University

BA, Anthropology

Minors in Education & Philosophy

Professional training & certification

Transit Ambassador

Graduate of customer service training program

University of Massachusetts, Amherst

Graduate of Institute for Arts Management

Vermont

Community Emergency Response Team

League of American Bicyclists

Certified cycling instructor

Computer skills

Microsoft Word, Publisher, Excel and Adobe Photoshop. Experience with Microsoft Access, Power Point, Adobe In-Design and Illustrator

Awards & citations

Governor's Commission on Volunteers
Vermont Arts Council
Vermont Alliance for Arts Education

LESLIE WELTS

142 Main Street, Apt. B, Montpelier, VT 05602 • (802) 490-6103 • leslie.welts@state.vt.us

Montpelier City Council
Office of the City Manager
City Hall - 39 Main Street
Montpelier, VT 05602

October 3, 2013

Dear Mayor Hollar and City Councilors:

Please accept my application for a two-year term with the City of Montpelier Planning Commission. I am a staff attorney for the Vermont Department of Environmental Conservation who recently moved to Montpelier and am looking to get involved in my community.

As a commissioner, I would bring my youthful energy, strong analytical skills and communication abilities. As a new and young resident of Montpelier, I will listen to fellow commissioners' concerns and be able to offer a fresh perspective. As a renter, I have a different viewpoint than landowners and will be able to represent a currently unrepresented demographic. And as an environmental lawyer, I can alert the Commission to potential environmental issues—such as wetlands, flood protection, and water quality concerns—that warrant further study by the Conservation Commission.

I have long been interested in planning and land use issues and view responsible development as especially important in Vermont. As the state capital, Montpelier is distinct in Vermont because it is host to several governmental, corporate, nonprofit, and educational institutions. Its residents value preserving the City's historic features and enjoying its bountiful natural resources. In addition, Montpelier faces unique planning challenges in accommodating an expanded population during certain times of year.

I am drawn to serving on the Planning Commission because I love Montpelier and its unique nature. Since I live and work here, I am able to enjoy walking through the historic district on my way to the office every day. I am also impressed with the level of involvement of Montpelier's citizens. As a resident, I have been approached at the Farmer's Market on issues as wide-ranging as the district heat pipe installation and whether dogs should be allowed in Hubbard Park. The Montpelier community is truly special and I would find it fulfilling to be able to give back by serving at the municipal level.

Thank you for your time and consideration of my application.

Sincerely,



Leslie Welts

LESLIE WELTS

142 Main Street, Apt. B, Montpelier, VT 05602 • (802) 490-6103 • leslie.welts@state.vt.us

PROFESSIONAL EXPERIENCE

Vermont Department of Environmental Conservation, Montpelier, VT

Staff Attorney, Nov. 2012-Present

- Establish water quality rule procedures and stakeholder engagement processes, review petitions for amendments to water rules, and provide general legal support in the Department's Watershed Management and Air Quality & Climate Divisions.

McGill University School of Environment, Montreal, Canada

Teaching Assistant (Knowledge, Ethics and Environment), Jan.-May 2012

- Led student discussion conferences, graded student essay exams, and held office hours.

Commission for Environmental Cooperation Secretariat, Montreal, Canada

Legal Consultant, Nov.-Dec. 2010

- Conducted legal and technical research for the factual record assessing EPA's enforcement of the Clean Water Act against coal-fired power plants for mercury emissions.

Environmental & Natural Resources Law Clinic, Vermont Law School, South Royalton, VT

Student Clinician, May-Aug. 2010

- Drafted legal documents for Clean Water Act cases challenging wastewater treatment plant discharge compliance and urban stormwater discharge compliance in Massachusetts and agricultural runoff prevention practices in Vermont.

Commission for Environmental Cooperation Secretariat, Montreal, Canada

Semester in Practice Legal Extern, Jan.-May 2010

- Legal externship for academic credit focused on developing a factual record assessing EPA's enforcement of the Clean Water Act against coal-fired power plants for mercury emissions.

Law Office of Marc Chytilo, Santa Barbara, CA

Law Clerk, June-Aug. 2009

- Drafted memoranda for California Environmental Quality Act matters for small environmental law firm.

National Center for Ecological Analysis & Synthesis, Santa Barbara, CA

Events Manager, Feb. 2007-July 2008

Program Assistant, Dec. 2005-Feb. 2007

- Coordinated with scientists from hundreds of institutions world-wide and served as main point of contact for information on NCEAS programs. Analyzed and performed initial screening of research proposals.

Benjamin A. Barnes, P.C. Law Firm, Northampton, MA

Office Assistant, Dec. 2004-Sept. 2005

- Provided litigation support and conducted non-legal research projects for small general practice law firm.

SPEAKING ENGAGEMENTS

COLLOQUIUM ON ENVIRONMENTAL SCHOLARSHIP, "Form Over Substance: Procedural Hurdles to the NAAEC Citizen Submission Process," Vermont Law School, Oct. 2013

JOINT WORKSHOP ON SUSTAINABLE DEVELOPMENT, THE SUBMISSIONS PROCESS AND CROSS-BOUNDARY ENERGY ISSUES, "Statutory Interpretation in the NAAEC Citizen Submission Process," Secretariat of the Commission for Environmental Cooperation, June 2013

PERSPECTIVES ON SHALE GAS DEVELOPMENT IN QUEBEC, "Comparisons with Other Global Jurisdictions: Canada, the United States, and China," McGill University, May 2012
MCGILL GRADUATE LAW CONFERENCE, "Stemming the Phosphorus Tide: Quebec's Legal Restraints on Agricultural Runoff," McGill University, May 2012

PUBLICATIONS

Form Over Substance: Procedural Hurdles to the NAAEC Citizen Submission Process, in NAFTA AND SUSTAINABLE DEVELOPMENT: THE HISTORY, EXPERIENCE AND PROSPECTS FOR IMPLEMENTATION (Hoi Kong & L. Kinvin Wroth, eds, University of Cambridge Press, forthcoming 2014).
Ignorance is Risk: Scientific Uncertainty, Hydropower & Mercury, 2 CHI.-KENT J. ENV. ENERGY L. 1 (2011-12).

COURT ADMISSIONS & PROFESSIONAL ASSOCIATIONS

Vermont Supreme Court
California Supreme Court
Member, Vermont Bar Association, Environmental Division, Young Lawyers Division

EDUCATION

McGill University Faculty of Law, Montreal, Canada
Master of Laws, Environmental Law, 2013
Honors: Graduate Excellence Fellowship
Thesis: *The Failure and Future of Policy Instruments in Managing Harmful Algal Blooms*
Activities: School of Environment *Liber Ero* Chair Search Committee Graduate Student Representative, Environmental Law McGill Member, McGill Triathlon Club

Vermont Law School, South Royalton, VT
Juris Doctor, *cum laude*, Certificate in International & Comparative Law, 2011
Honors: Vermont Law Review Chase Paper 2011 Competition Winner
Academic Excellence Awards for achieving the highest grade in *Frontier Issues in Environmental Law & Policy* and in *Trial Practice*
Activities: International Law Society Executive Board, Environmental Law Society Member, VLS Outdoors Club Member

University of Massachusetts Amherst, Amherst, MA
Bachelor of Music, Music Performance, *cum laude*, 2007
Honors: University Chancellor's Talent Award Scholarship Recipient
Activities: University Orchestra, Wind Ensemble, Jazz Ensemble I, Double Reed Ensemble

PRO BONO & VOLUNTEER WORK

Centre for International Sustainable Development Law, Montreal, Canada
Pro Bono Legal Researcher, Oct. 2011-Oct. 2012
Naples Coalition, Santa Barbara, CA
Outreach Volunteer, June-Aug. 2009
Environmental Defense Center, Santa Barbara, CA
Volunteer, Feb.-July 2008

PERSONAL

Bassoon at professional level. Interests include running, Ballet dancing, cycling, snowboarding, Nordic skiing, birding, and French language.

Sandy Pitonyak

From: Jon Anderson [janderson@vtlaw1.com]
Sent: Thursday, October 03, 2013 1:29 PM
To: Sandy Pitonyak
Subject: RE: Your Term is Expiring

I would like to be reappointed. thanks

From: Sandy Pitonyak [<mailto:SPitonyak@montpelier-vt.org>]
Sent: Thursday, October 03, 2013 1:21 PM
To: Jon Anderson
Subject: Your Term is Expiring

I haven't heard back from you, Jon ... or at least I can't find an e-mail response from you. I'm preparing next week's Council agenda and need to know asap!

Sandy Pitonyak

Administrative Assistant to the City Manager
City Hall - 39 Main Street
Montpelier, VT 05602
Telephone: (802) 223-9502
FAX: (802) 223-9519
spitonyak@montpelier-vt.org

Sandy Pitonyak

From: Jed Guertin [jedg@myfairpoint.net]
Sent: Thursday, October 03, 2013 3:17 PM
To: Sandy Pitonyak
Subject: Planning Commission Opening

To the Montpelier City Council,

Please accept this email as my letter of interest in one of the open positions on the Planning Commission.

I'll send a more detailed letter with resume later this PM.

Sincerely,

Jed Guertin
459 North St.

229.7707

Sandy Pitonyak

From: Jed Guertin [jedg@myfairpoint.net]
Sent: Thursday, October 03, 2013 9:08 PM
To: Sandy Pitonyak
Subject: Interest in Planning Commission Position

Please accept this email as my letter of interest in one of the two open Planning Commission positions.

My background:

Vermont native

Moved to Montpelier 3 years ago, also lived in Northfield for 16 years

Masters degree, UVM, Resource Economics, special interest in market research and spatial analysis

Started two businesses

Research Analyst, State of VT, Agency of Development and Community Affairs

One of three members of a task force established to initiate a GIS database system in Vermont.

Additional information upon request.

The city has done an excellent job in putting together its current plan, trying to address and balance all of the pertinent issues, and is now at the stage of identifying and fleshing out the plan into detailed zoning regulations.

What is most important to me is that the regulation process be open, well understood and related directly to the plan. The zoning regulations must be a living, functional and pertinent document. Times change, circumstances change, and we all make mistakes, so the critical aspect of this process is not the perfection of the regulations, but the ability to understand why each piece of the regulation is written as it is, so that in the future we can make adjustments and corrections as appropriate, and retain language which continues to function well.

We need to move ahead with the zoning process by making decisions that can be justified with solid facts and logic. My goal, if selected, would be to be able to justify my position with facts, and be willing to change my position when appropriate.

I have attended many of the Commission meetings this year and I have a very good understanding as to what will be required of me.

Sincerely,

Jed Guertin

229.7707

Jedg@myfairpoint.net

Sandy Pitonyak

From: Thomas Nowlan [nowlant@mpsvt.org]
Sent: Thursday, September 19, 2013 10:40 AM
To: Sandy Pitonyak
Subject: Re: Planning Commission

Ms. Pitonyak,

I'm willing to do whatever the Commission thinks is best and whatever tradition dictates. If there's some other MHS student eager for the opportunity and if it's customary to step down after a year, I'd be more than happy to let someone else have a turn. But if there's no real other interest and the Commission has been satisfied with me, I'd be more than happy to stay on. Do you have any idea what the level of interest from other students is?

Tom

On Wed, Sep 18, 2013 at 12:00 PM, Sandy Pitonyak <SPitonyak@montpelier-vt.org> wrote: Your term expires on October 10th, Thomas ... would you like to be reappointed?

Sandy Pitonyak

From: Kimberly Cheney [KCheney@csgvt-law.com]
Sent: Thursday, September 19, 2013 12:33 PM
To: Sandy Pitonyak
Subject: Re: Planning Commission

Keep him he is helpful and learning

Kim Cheney
159 state st
Montpelier Vt
05602
802 223 4000

From: Gwendolyn Hallsmith [gwenhs@gmail.com] on behalf of Gwendolyn Hallsmith
[ghallsmith@montpelier-vt.org]
Sent: Thursday, September 19, 2013 1:13 PM
To: Sandy Pitonyak; Gwendolyn Hallsmith
Cc: nowlant@mpsvt.org
Subject: Re: Planning Commission

If he wants to continue, it's fine! He's been one of the best students we've had.

SOVERNET FIBER CORP.

APPLICATION FOR PERMIT FOR CONDUIT LOCATION

Within the City of Montpelier, Vermont

September 27, 2013

In compliance with Vermont State Statutes, Title 30, Chapter 71, Paragraph 2501, 2502, and 2503, Sovernet Fiber Corp. ("Sovernet") is submitting an application for a permit by the proper authority of your city.

Sovernet hereby requests permission to install and maintain underground conduits, with the wires and cables therein, in or under, the hereinafter named highways or intersecting public highways in said municipality as said Company may deem necessary for the purpose of providing communications services.

The locations and descriptions of the conduit locations for which permission is sought are as follows:

Location – Bike Path along Dog River Road, Montpelier, VT

APPROXIMATELY 255 feet of conduit in the city right of way in and/or under the Bike Path located along Dog ^{RIVER} Pond Road (under the I89 Overpass) in Montpelier, VT. Direct Bore to begin at Pole #11208/14A and end at Pole #02346, per the attached plans.

Work prints with the specific details of each installation are enclosed. The Project Manager, Mark Tessier, can be reached at 802-460-9213 if you have any questions. Thank you in advance for consideration of this request.

SOVERNET FIBER CORPORATION

BY:

Agent for Sovernet Fiber Corp.

Karen L. Kotecki
NorthLand Right of Way Services, LLC,
313 Abigail Drive
Colchester, Vermont 05446
(802) 881-2004

DECISION AND PERMIT

Upon the foregoing petition and it appearing that the public good so requires, it is hereby decided:

That Sovernet Fiber Corporation be and hereby is allowed to install and maintain underground conduits and manholes, with the wires and cables therein, in or under, the surface of the highways covered by the said petition or intersecting public highways as said Company may deem necessary for the purpose of providing communications services.

The approximate location of underground conduits is designated or defined as show upon a plan marked Sovernet Fiber Project-949 Dog River Rd. dated 9/8/13, attached to and made a part of this order.

The foregoing decision is subject to the following conditions:

1. The conduits be constructed and maintained by Sovernet upon or under a highway, in such manner as not to interfere with repairs of such highway or the public convenience in traveling upon or using the same.
2. The conduits shall be of such material and construction and all work done in such manner as to be satisfactory to such municipal officers as may be appointed to the supervision of the work; and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
3. Said Company shall indemnify and save the City harmless against all damages, costs and expenses, whatsoever to which the City may be subjected in consequence of the acts of neglect of said Company its agents or servants or in any manner arising from the rights and privileges granted it by the said City.
4. Said Company shall comply with the requirements of existing by-laws and ordinances and such as may hereafter be adopted, governing the construction and maintenance of conduits and wires so far as the same are not inconsistent with the laws of the State of VERMONT.
5. This decision shall be recorded in the City Clerk's office, and shall be final.

Date: _____, 2013

On behalf of the governing body of the:

City of Montpelier

Date: _____, 2013

This decision is recorded with the Records of the City of Montpelier, Book _____, and Page _____.

Attest:

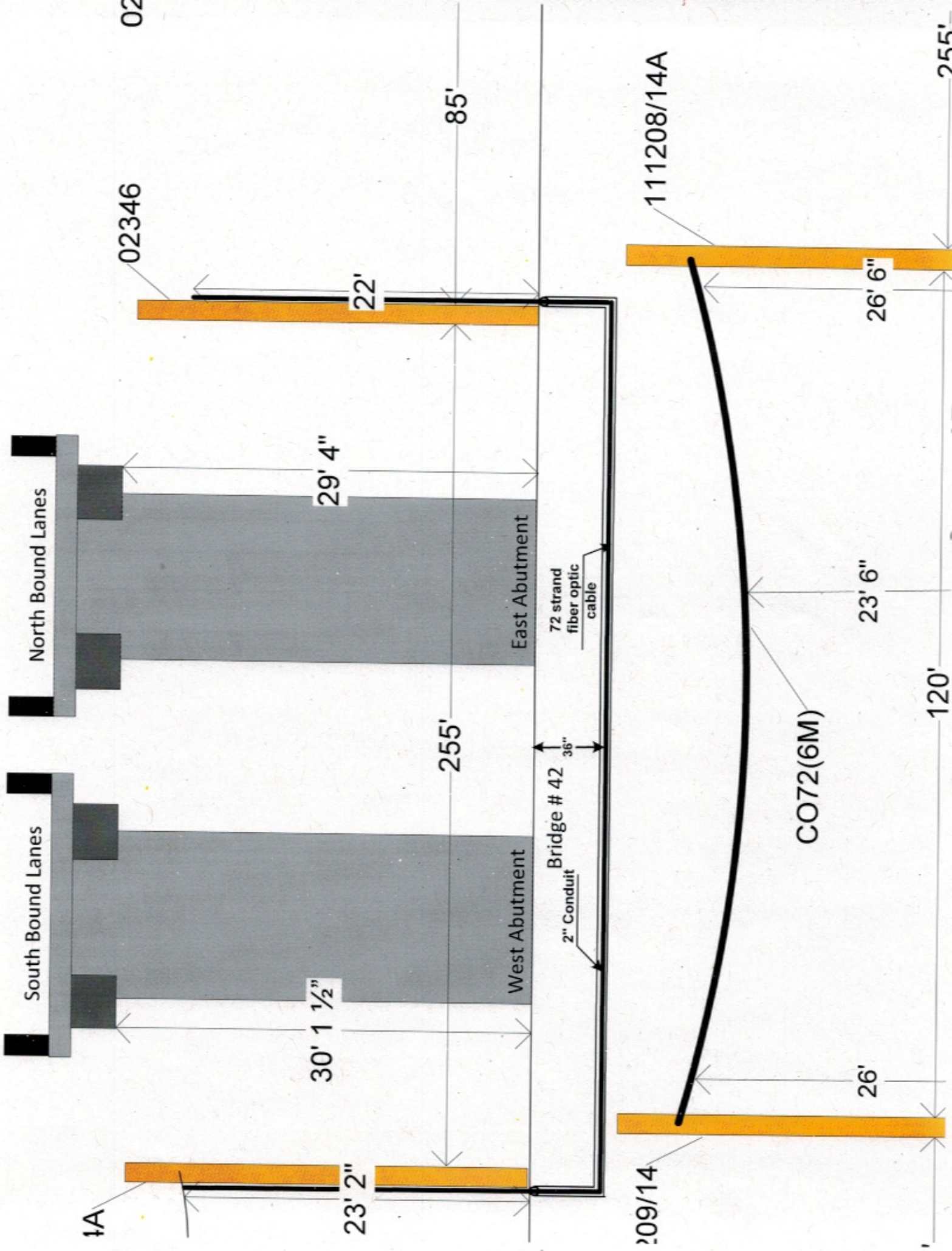
_____, City Clerk

Notes:

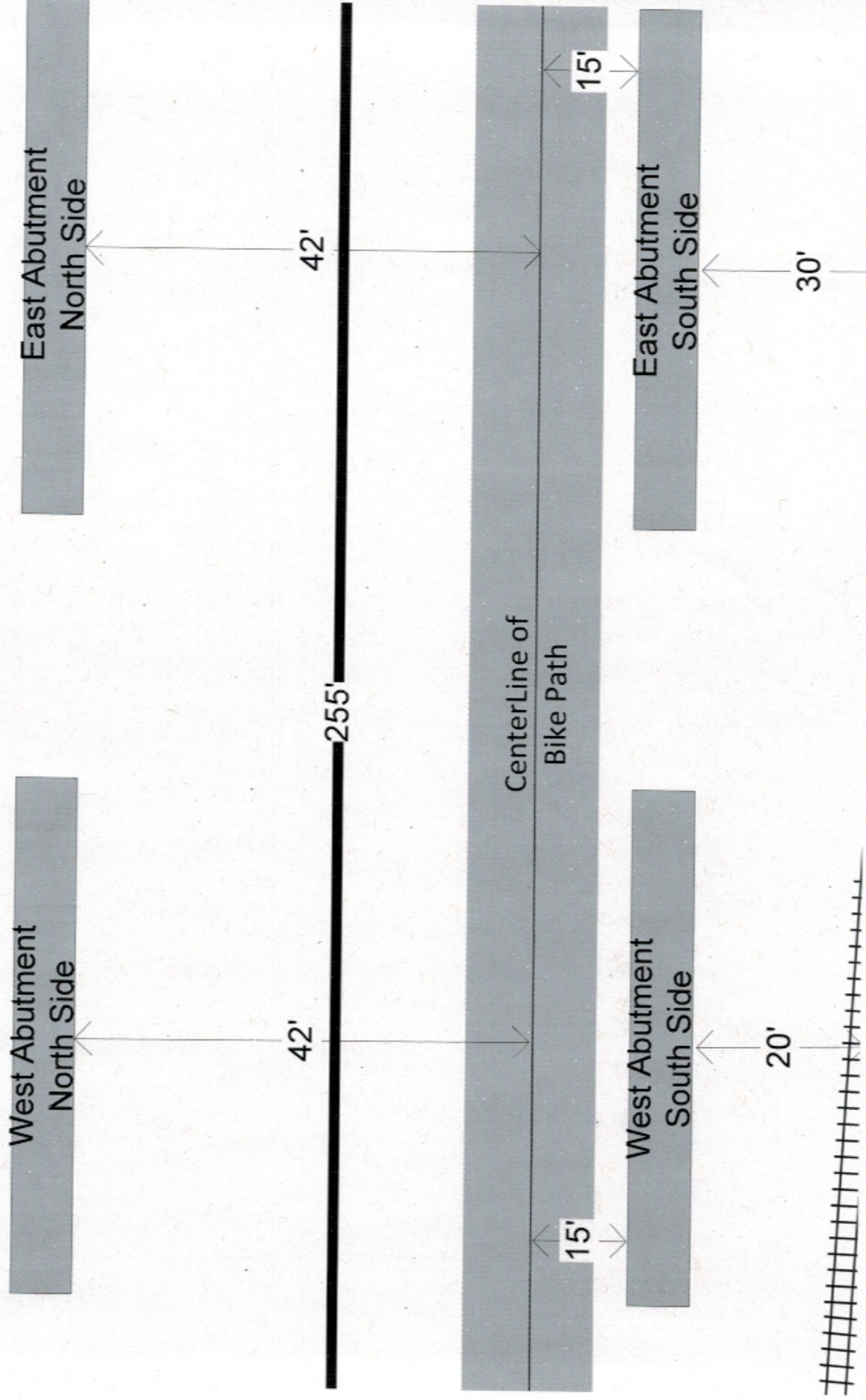
M DN/Guy Open Eye Anchor	Use False Deadend
New 6.6M DN/Guy	Open Eye Anchor
Trees Approx. 70'	
New Anchor & Guy	Lead 15'
2" UV Rated Interduct	Lash to Fiber and Strand
New Anchor & Guy	Lead 15'
New 6.6M DN/Guy	Open Eye Anchor
New Anchor if Needed.	Place new DN/Guy
New Anchor if Needed.	Place new DN/Guy

Revised 9/8/13

WO00448



Overhead Abutment Detail For North South Lanes of Bridge # 42



DALY & DALY, P.C.
Attorneys at Law
110 Main Street, 4th Floor, P.O. Box 69
Burlington, Vermont 05402-0069
phone: 802-658-6665
fax: 802-658-8565

Matthew T. Daly

M. Cecilia Daly

September 24, 2013

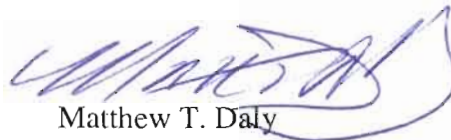
Mr. William Fraser, City Manager
City of Montpelier, City Hall
39 Main Street
Montpelier, VT 05602

Re: Purchase and Sale Agreement / TKS Properties, LLC

Dear Bill:

Enclosed please find an executed copy of the Purchase and Sale Agreement with my client, TKS Properties, LLC. Thank you for sending it to me along with a check for \$5,000. Per the terms of the enclosed Agreement, I will hold the \$5,000 in my client Trust Account until closing, at which time I will disperse it accordingly. Please call me should you have any questions or concerns. Thank you.

Very truly yours,



Matthew T. Daly

MTD/mas
Enclosure

cc: Ms. Tara Francis Forgues
via email



PURCHASE & SALE AGREEMENT

<u>Seller Name and Address</u>	<u>Email Address</u>	<u>EIN#</u>	<u>Telephone #</u>
TKS Properties, LLC 288 East Harvey Farm Road Waterbury Center, VT 05677 ATTN: Tara Francis Forgues	tlfvt@yahoo.com	_____	_____
<u>Buyer Name and Address</u>	<u>Email Address</u>	<u>EIN#</u>	<u>Telephone #</u>
City of Montpelier 39 Main Street Montpelier, VT 05602 ATTN: William J. Fraser, City Manager	WFraser@montpelier-vt.org	03-6000579	802-223-9502

1. PARTIES.

Seller agrees to sell and Buyer agrees to buy upon the terms hereinafter set forth, the Property described in Paragraph 2, below.

2. PROPERTY DESCRIPTION.

The Property to be sold hereunder shall be the following: Being all and the same land and premises conveyed to TKS Properties, LLC, by Quitclaim Deed of Kristen D. Francis-Booth and Tara L. Francis dated February 7, 2008, and of record in Book 542 at Page 76 of the City of Montpelier Land Records.

3. PURCHASE PRICE.

The agreed purchase price for said Property is \$167,600 of which:

- (a) A deposit, (hereafter the "Deposit") of Five Thousand Dollars (\$5,000) is to be held and disbursed as provided in this Agreement.
- (b) The balance, One Hundred Sixty-Two Thousand Six Hundred Dollars (\$162,600) subject to adjustment as provided in Paragraph 8, is to be paid at closing and upon transfer of title in U.S. funds by bank check, closing attorney trust account check, or certified check.

4. CONVEYANCE & POSSESSION.

The Property shall be conveyed from Seller by Warranty Deed to Buyer and said deed

shall convey insurable title thereto. Possession shall be given at time of closing.

5. CLOSING.

The closing date for this transaction, (hereinafter, the "Closing"), shall be on or before October 12, 2013, or such time as the Conditions in Section 6 have been satisfied.

6. CONDITIONS OF CLOSING.

The transfer of the Property and Buyer's obligations under this contract to purchase the Property are expressly conditioned on:

- (a) Title to the property shall comply with the provisions of Paragraph 4 herein.
- (b) Delivery by Seller of the Closing Documents identified in Paragraph 7.

7. CLOSING DOCUMENTS.

- (a) Seller agrees to deliver to Buyer, at Closing, in form and substance satisfactory to Buyer, the following documents:

- (i) Deed. A Warranty Deed in proper form for recording, conveying to the Buyer insurable title to the Property, subject only to such encumbrances and title matters acceptable to Buyer, together with an assignment of all leases to any portion of the Property.

- (ii) A Vermont Property Transfer Tax Return, Vermont Land Gains Tax Returns (LG-1 and LG-2) and Withholding Return (RW171) if applicable, any other agreement, document, certificate, deed or anything reasonably requested by Buyer's counsel to carry out the purpose of this Agreement, including, without limitation, resolutions, certificates and documentation relating to corporate or fiduciary authority and compliance with applicable state and federal environmental laws.

8. PRORATIONS/ATTORNEY FEES.

There shall be prorated between Seller and the Buyer as of the date of transfer.

- (a) Real property taxes for the current tax year levied or assessed against the Property, based on the latest available tax bills whether for that year or the preceding tax year, prorated as of July 1.
- (b) Municipal water and sewer charges, if any.

- (c) Any other item of income, expense, fuel or other matter customarily prorated between buyers and sellers in the community for transactions of like kind. Buyer shall pay Seller's reasonable attorney's fees and costs associated with the transfer of the Property to Buyer.

9. SELLER'S REPRESENTATIONS TO BUYER.

- (a) Seller has no knowledge that there is threatening or pending litigation which does or may affect the Property and which has not been disclosed in writing to Buyer.
- (b) Seller has no knowledge that during the term of Seller's ownership, the Property has been used, for the storage, generation, or disposal of hazardous or toxic materials contrary to applicable federal, state and local statutes, ordinances and regulations, and that to the best of Seller's knowledge the Property was not used for any of such purposes prior to the time Seller acquired title to the Property.
- (c) That Seller has no knowledge and is not aware of any zoning or other violations or any request by any authority to make any alterations, changes or repairs to the Property or to its appurtenances, or any claim or action or notice thereof by any tenant or third party relating to the Property.
- (d) There are no encroachments onto the Property and no improvements on the Premises encroach onto adjoining property.

10. ASSIGNMENT, ENTIRE AGREEMENT, GOVERNING LAW.

This Agreement shall inure to the benefit of and be binding on each of the parties and their respective successors, administrators and assigns. The Agreement contains the entire agreement by and between the parties, superseding any and all prior agreements, written or oral, affecting the property. This Agreement shall be governed and construed in accordance with the laws of the State of Vermont.

11. MODIFICATION AND AMENDMENT.

If any term or provision of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement and any other application thereof shall not be affected thereby. This Agreement may not be modified, terminated or amended nor any of its provisions waived except by a written instrument signed by the party to be charged or by its agent duly authorized in writing. An executed copy of this Agreement may be sent via email between the Parties and shall have the binding effect as would an original.

12. DEPOSIT.

All deposits made hereunder shall be held by Seller's counsel in its trust account, subject to the terms of this Agreement and shall be duly accounted for at the time for performance of this Agreement.

13. SELLER'S DEFAULT DAMAGES.

If Buyer shall fail to fulfill Buyer's agreements herein, Seller may retain the deposit, or may pursue any legal or equitable remedies available under law.

14. RIGHTS OF PURCHASERS ON DEFAULT OF SELLERS.

In the event that Seller fails to perform as required by this Agreement Buyer may recover the deposit, or pursue any legal or equitable remedies under law.

IN WITNESS WHEREOF, the parties have executed this Agreement as the date which appears adjoining their signatures.

Sept 18, 2013
Date

CITY OF MONTPELIER

By: _____

City Manager

9/24/13
Date

TKS PROPERTIES, LLC

By: _____

Duly Authorized Agent

Attest, _____

John Odum, City Clerk