



**CITY OF
MONTPELIER
MONTPELIER,
VERMONT**

Agenda for City
Council Meeting
Wednesday, June 13,
2012
02:30 A.M.

- 1) Call to Order by the Mayor
- 5) 12-145. Appointment of a Budget Study Committee.
 - a) Staff advertised ? "seeking volunteers to serve on a committee which will be charged with comparing the costs and effectiveness of Montpelier's municipal services with those provided by comparable communities."
 - b) The following individuals would like to be appointed to this committee:
Mike Quaranta, Berlin Street; Jim Hutton, Judson Drive; Toni Hartrich, Terrace Street; David Beatty, Independence Green; David Gorges, Main Street; Jane Kast, Chestnut Hill Road; Karl Johnson, Murray Road; Harris Webster, Cityside Drive; Bob Gross, Chestnut Hill Road; Susan Zeller, Isabel Circle; Phil Dodd, McKinley Street; Justin Turcotte, Msgr. Crosby Avenue; Jeff Francis, Ledgewood Terrace; Susan Mesner, Liberty Street; Jean Olson, Hubbard Street; Nolan Langweil, Hubbard Park Drive; Rob Kasow, First Avenue; and Larry Mires, Liberty Street.
 - c) Recommendation: Officially appoint this committee with any formal charge, if desired, and appoint a City Council representative, if desired.
- 2) 12-142. General Business and Appearances
- 3) 12-143. Consent Agenda:
 - a) Consideration of the Minutes from the May 23rd Regular City Council Meeting and the June 6th City Council Goal-setting Session.

- b) Approve a Contract Agreement between Don Weston Inc. (Contractor) and the City of Montpelier for the Ridge Street Reconstruction Project in the amount of \$149,739.00 and authorize the City Manager to execute the agreement on behalf of the governing body.
 - 1) The Department of Public Works, in conjunction with Marsh Engineering Services, received and reviewed seven bids from local contractors. A more in-depth analysis of the bids received and the project funding source is attached.
 - 2) Recommendation: Approve the Contract Agreement and authorize the City Manager to act as the City's duly authorized agent to sign the Contract Agreement with Don Weston, Inc.
- c) Approve and adopt an "authorizing" Resolution for the transfer of funds from the Community Development funds to the Senior Center.
 - 1) The Senior Center Project at 58 Barre Street is nearing completion and one of the final pieces is the transfer of these funds.
 - 2) City Attorney Paul Giuliani prepared this resolution based on the following information from the City's staff accountant which shows the funds that are lending the money:
 - i) City of Montpelier - Community Development Fund - ADA
annual interest \$ 60,000 15-yr. loan at 4%
 - ii) City of Montpelier - Community Development Fund - Capital
Plaza annual interest \$ 114,850 20-yr. loan at 3.25%
 - 3) The purpose of the loans is to fund the renovation of the Senior Center building. The loans will be paid back by the City of Montpelier - Senior Center Fund.
 - 4) The City Council approved \$73,700 on October 27, 2010 and then subsequently approved an additional \$101,150 on June 22, 2011.
- d) Approval of an additional street closure for Independence Day Celebration on July 3rd:

- 1) State Street: From Taylor Street to Elm Street, as well as Taylor Street and Governor Davis Avenue (next to the Pavilion) after the parade passes as there is so much pedestrian traffic in this area. The Police Department is recommending this be considered as it assists greatly in the pedestrian safety and overall traffic at the State Street and Taylor Street intersection. Taylor Street from the parking lots to the bridge would remain open.
- e) Approve a VT Agency of Transportation (VTrans) grant reimbursement document known as a TA-65 Report of Expenditures for the Gallison Hill Bridge Replacement Project.
- 1) A preliminary report of expenditures has been submitted to VTrans for reimbursement of expenses for the replacement of the Gallison Hill Road bridge which was lost during the May, 2011 flood disaster event. Gallison Hill Road is a Federal Aid Urban Highway and, therefore, disaster assistance for public facilities is being provided by the Federal Highway Administration (FHWA) through a grant awarded to the City under the Emergency Relief Program and administered on behalf of FHWA by VTrans.
 - 2) The total final expense for this now completed project is \$557,750.81. The VTrans Project Manager will prepare the TA-65 Report which must be approved by the governing body of the City which Public Works staff expects to receive in time for review at this City Council meeting. Staff estimates the reimbursement to the City to be \$513,138.86 which represents 100% funding for repairs classified as "emergency work" (completed prior to November 22nd, 2011) and at a ratio of 80% for the "permanent work".
 - 3) Recommendation: Receive the TA-65 Project Report of Expenditures and approve. If the report is available for review at the meeting, a majority of the Council must sign to indicate approval. If the report is not available, delegate review and approval to the City Manager and Finance Director and authorize the City Manager to sign the document as the duly authorized agent.
- f) Accept the low proposal of \$14,365 by C.E. Wendell Electric of Middlesex, VT, for the bridge control repair and replacement at the Wastewater Treatment Facility, and authorize the City Manager to sign on behalf of the City.

g) Consideration of approving the Resolution to establish committed fund balances as of June 30, 2012, in accordance with GASB 54 standards.

a) The City of Montpelier adopted a Fund Balance Policy in October, 2011 that implements the new GASB 54 standards for governmental fund balance reporting and governmental fund type definitions. This new fund balance policy requires the passage of a resolution prior to June 30th each fiscal year that states the amount and the purpose of committed fund balance.

b) By approving this resolution, the funds listed will be set aside for their specific purpose and reported in the June 30, 2012 audit report. See the Finance Director's memo and attached proposed resolution.

h) Payroll and Bills

4) 12-144. Appointment(s) to the City's Conservation Commission.

a) Alex Hoffmeier's 4-year term expires this month; staff advertised and has received an e-mail/letter of interest from Alex, who would like to be reappointed, and Shawn White.

b) Kris Hammer stepped down from the board earlier this year but up to this point, staff had not heard from any new applicants interested in filling this vacant seat.

c) Recommendation: Reappoint Alex Hoffmeier to another 4-year term and if Council wishes, appoint Shawn White to fill Kris Hammer's 3-year term.

6) 12-146. Discussion regarding sidewalk seating for downtown restaurants, coffee shops, take-out delis, etc.

a) Staff recently received a request to place a couple of tables with chairs on the public sidewalk just outside of a restaurant.

b) Such private use is similar to a vendor's use of a public sidewalk for the sale of products. Accessible (ADA compliant) and unobstructed routes

and minimum clear widths should be discussed as well.

- c) Positive Pie and Capitol Grounds use privately-owned space and minimally encroach on the sidewalk. Other proposed uses would be completely within the public right of way which requires policy direction from the Council.
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 - e) Recommendation: Discussion, direct staff to prepare license and fee ordinances for sidewalk use which are similar to vendor licenses and which set clear boundaries for maintaining the primary public use of the sidewalk.
- 7) 12-147. Follow-up discussion regarding Hebert Road Transmission.
- a) Public Works Director Todd Law, Fire Chief/Health Officer Bob Gowans and Council Members Timpone and Weiss initially met with Hebert Road residents who had raised concerns about radiation from the sewer pump station transmission system in their neighborhood.
 - b) The Vermont Department of Health provided their expert on these matters to meet with the residents and to test the transmitter. Staff asked for cost estimates for alternative ways of transferring this data if necessary.
 - c) Following a lengthy discussion at their May 9th meeting, Council voted to "create a 3-member committee of the Council to study the issue with City staff and the group of concerned citizens and report back by two meetings from." The Council settled on a committee of one member from each district: Councilors Timpone, Golonka and Guerlain.
 - d) Recommendation: Receive updates from the three City Councilors; discussion; direction to Staff.
- 11) 12-151. Approve Official Statement regarding Berlin Pond.

- a) The City Council has been considering various options concerning Berlin Pond.
- b) At the Goals Workshop, the Council asked the Manager to draft an official statement outlining the current status.
- c) Recommendation: Approve the statement as drafted.

8) 12-148. Discussion of Outside Agency Funding Policy

- a) Mayor Hollar has drafted a proposed policy for funding outside agencies.
- b) Recommendation: Discuss policy; approve proposal.

9) 12-149. Discussion of policy concerning equity, balance of interest, services delivered, and fees for services relating to city programs which directly serve non residents.

- a) Many city programs or affiliates serve a population base greater than just Montpelier residents.
- b) Citizens and Council Members have expressed concerns about the balance of Montpelier appropriations or fees compared to appropriations or fees assessed to other participating communities.
- c) Recommendation: Discussion; direction to staff with regard to follow-up information and process needed.

10) 12-150. Discussion of City Council Goals and Priorities.

- a) The Council has been on working goals since March and held a workshop on June 6th.
- b) The City Manager has prepared a draft of the goals based on the workshop discussion.
- c) During the workshop, the Council decided to review the full draft and

identify the highest priorities from the list.

d) Recommendation: Review draft goals, identify key items, make changes as desired. Approve goals.

1) State Street: From Taylor Street to Elm Street, as well as Taylor Street and Governor Davis Avenue (next to the Pavilion) after the parade passes as there is so much pedestrian traffic in this area. The Police Department is recommending this be considered as it assists greatly in the pedestrian safety and overall traffic at the State Street and Taylor Street intersection. Taylor Street from the parking lots to the bridge would remain open.

12) 12-152. Council Reports

13) 12-153. Mayors Report

14) 12-154. Report by the City Clerk

15) 12-155. Status Reports by the City Manager

16) 12-156. Agenda Reports by the City Manager

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Adjournment

**Minutes of the Montpelier City Council Meeting
June 6, 2012
City Council Chambers, Montpelier City Hall**

In attendance: Mayor John Hollar (presiding), City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone, Sarah Jarvis and Tom Golonka. Assistant City Manager Beverlee Hill. Planning Director Gwendolyn Hallsmith joined the meeting at approximately 6:30 PM. City Manager William Fraser acted as Secretary of the Meeting.

- 12-139. The meeting was called to order by Mayor Hollar at 6:00 PM. The Council conducted a workshop on their goals and priorities. Topics addressed include Infrastructure, Outside Agency funding, Communications – both external and internal, Council Meeting structure, Housing, Economic Development, Bike/Pedestrian efforts, Flood control, finance policies, Charter review, volunteer recognition, Fund Balance/Debt policy, Regionalization efforts, Water rates and water system.

The Mayor provided updates on the bike path and Berlin Pond. Council decided that it would like to meet with the Berlin Select Board and asked the Manager to draft a statement about the Pond that they could consider at the 6/13 meeting.

At 9:30 PM, Council Member Hooper moved to go into executive session as per the appropriate statutory citation to discuss contract negotiations relating to the District Heat project. Seconded by Council Member Jarvis. Vote was 6-0 in favor. At 9:50 PM Council Member Weiss moved to come out of executive session. Seconded by Council Member Timpone. Vote was 6-0 in favor.

The Manager asked whether the council would like to discuss the issue of sidewalk seating. This will be on the 6/13 agenda. The Council agreed that the Manager can convene the budget study committee in advance of their official appointment on 6/13. The Manager told the council he was proceeding with a group fuel purchasing program and consultant.

At 9:55 PM, Council Member Weiss moved to adjourn, seconded by Council Member Guerlain. Vote was 6-0 in favor.

**Minutes of the Montpelier City Council Meeting
May 23, 2012
City Council Chambers, Montpelier City Hall**

In attendance: Mayor John Hollar (presiding), City Manager William Fraser, City Councilors Andy Hooper, Thierry Guerlain, Alan Weiss, Angela Timpone, Sarah Jarvis and Tom Golonka. City Clerk John Odum acted as Secretary of the Meeting.

At 6:02 PM, the Mayor called the meeting to order. The Mayor took a moment to honor former City Councilor Jim Sheridan for his 12 years on the Council, and presented him with a "10 year pin" noting a decade-plus of service to the City.

- 12-127. The meeting then proceeded to Item 2, an update on the Berlin Pond access issue. City attorneys Glenn Howland and Paul Guiliani addressed the Council on the results of their work on the matter following the Vermont Supreme Court decision opening up access to the previously restricted pond.

Howland suggested the city take as wide a view and approach as possible, working every avenue available to them in protecting the resource. It was noted that nearly all the land around the pond was the property of the City of Montpelier, and enforcing trespassing laws could mitigate much of the abuse of the area. It was noted that No Trespassing postings on this city land have been frequently targeted for removal or vandalism. It was noted that there are criminal, as well as civil trespassing charges.

It was also noted that Mirror Lake Road has direct access to the water without having to cross Montpelier or Berlin-owned land, and that this location has been the site of much abuse of the pond. It was suggested that the city work with the town of Berlin to encourage parking restrictions and enforcement of current laws regarding the obstruction of roads (given that there is no shoulder on the road and parked cars are situated in the road itself, to large degree). It was further noted that Montpelier had Title 10 authority in regards to "destructive acts", and that the City should work with the Agency of Natural Resources (ANR) to develop protocols. A recent spill into the pond requiring a hazmat response was cited to express the urgency of such action.

Also regarding ANR, the attorneys suggested the City approach the agency to make changes to water supply and water access rules, given that the rules as presently written are ambiguous. At the Mayor's questioning, Howland indicated that the only protective rules in force are restrictions on airplanes and motorboats. Concern over invasive species such as milfoil and zebra mussels was expressed in the context of the non-motorized craft that have been frequenting the pond.

Also discussed was the possibility of erecting a barrier across the lake at the southern (Mirror Lake Road) site, and possible changes to the charter or statute. Howland downplayed the possibility of fencing off the City land at Councilor Timpone's questioning, due to the scale of such an effort.

The possibility of citing boaters for presumed trespass in order to reach the water was discussed and encouraged by counsel, with the caveat that such citations may or may not hold up to legal challenge. Howland affirmed to Councilor Golonka that Montpelier Police could indeed patrol and enforce trespassing laws on City property. Police Chief Tony Facos indicated that he had been in contact with his Berlin counterparts and the Fish and Wildlife Department, but indicated his department had been in a holding pattern pending further guidance. He noted the large scale of trespassing made enforcement challenging. He also suggested there could be Department of Homeland Security implications, given that the pond is a municipal water supply.

At Councilor Weiss's question, Howland indicated that current statute on comparable bodies of water anticipates, but does not require, public access. At Councilor Timpone's questioning, Public Works Director Todd Law expressed concerns about increased turbidity and pollutants causing problems with the water plant and noted the destructive impact zebra mussels would almost certainly have on the system. He also indicated that we would continue to necessarily clean up any reported chemical spills in the pond.

Berlin resident Steve Dodson asked if parking restrictions could be enforced based on the presence of the fire hydrant on Mirror Lake Road.

Doug Hill, who lives on Berlin Pond noted the number of people fishing along the bank and urged the City to enforce the trespassing laws. He indicated that the traffic had become problematic, and that the Berlin Selectboard had informally indicated that they would post their land abutting the pond and enforce such laws.

Cathy Hartshorn, a resident of the south end of the pond spoke to the many boats going into the pond, suggesting that it is likely too late in regards to invasives such as zebra mussels. She expressed particular concern over the wildlife and urged immediate action.

Pond area resident Robert Green urged maximum police coverage over the coming Memorial Day weekend.

Councilor Guerlain noted the pond also serves as the water supply for the hospital in Berlin, and called for the enforcement of trespassing laws on city land. Councilor Jarvis noted that the city would ultimately need the cooperation of the State's Attorney, but that there was no reason to wait on enforcement until that support was clear.

The Mayor asked that the City Manager convey to the State's Attorney that this matter was a City priority. At Councilor Jarvis's suggestion, the City Manager also agreed to arrange for supportive letters from effected towns. Councilor Golonka noted the importance of having the town of Berlin partner with the City in any solution. Councilor Timpone indicated she was supportive of authorizing additional staff time for police coverage of the area over the weekend.

At questioning from the Council, Chief Facos recommended citations be issued for misdemeanor trespass, carrying a penalty of not more than 3 months jail time, or fined more than \$500, or both (Councilor Jarvis noted that criminal trespass charges could be problematic).

Facos noted that enforcement would be done in concert with Berlin authorities, as well as state Fish and Wildlife authorities, but would require staff overtime. City Manager Fraser suggested creating a joint task force with Berlin.

Brian Pfeiffer of St Paul Street felt that the immediate problem was the vehicles at the southern end, and that all options for towing should be pursued.

Ron Wild of St. Paul Street wondered about the possibility of asking for short term restrictions from Berlin for the weekend.

Doug Hill of Berlin reported that there was desire on the part of the Berlin Selectboard to restrict parking, but that they were unwilling to move forward without an ordinance change. Hill suggested cars could be towed based on their obstruction of the road. City Manager Fraser indicated he would ask Berlin authorities about that possibility.

Berlin Town Manager Jeff Schulz indicated that any fencing option would need to go through the Selectboard, and that at their meeting, the board directed staff to craft a No Parking ordinance. He stated that Berlin authorities wanted to be helpful in this matter, but were concerned about staffing limitations.

Councilor Weiss asked for – and received from the City Manager – confirmation that the City's land around the Pond was properly posted. At 7:24, Councilor Weiss then moved that the Montpelier Police be authorized to take immediate enforcement action in regards to trespassing on the city land surrounding Berlin Pond, that the City Manager be directed to coordinate the City's response with Berlin, and that he arrange a joint meeting with the hospital and the towns to coordinate response efforts. Councilor Timpone seconded. The motion carried unanimously.

The Mayor called for a five minute recess. The Council reconvened at 7:29.

12-129. With nothing under General Business, the Council moved on to the Consent Agenda. Councilor Jarvis called for the removal of item k from the consent agenda for consideration. Councilor Golonka similarly called for the removal of item h, followed by Councilor Weiss who called for the removal of items g and j.

At 7:31, Councilor Jarvis moved that the amended consent agenda be accepted. Councilor Hooper seconded. The motion passed unanimously.

On removed Consent Agenda item h (the PACE program), Councilor Golonka noted he is not opposing the item, but would prefer it be discussed publicly when Planning Director Hallsmith can be present. He moved that it be approved and placed on a future agenda to discuss. Councilor Jarvis seconded. At 7:33 the motion passed 5-1, with Councilors Hooper, Guerlain, Timpone, Jarvis and Golonka in favor and Councilor Weiss opposed.

On item k (replacing a Public Works truck), Councilor Jarvis noted that difference between the competing vehicle bids for was only \$100. Given that the high bid is a local business (Formula Ford) she asked whether they should be given the opportunity to match the low bid. A short discussion followed on the relative merits (or problems) of giving one party a preference in the bidding process, versus simply approving a vote that was not the lowest for this sort of reasoning. Public Works Director Todd Law indicated that the latter had been done in the past.

After confirming with the Fire Chief that the two cars in the different bids were exactly the same, Councilor Jarvis (at 7:37) moved that the City purchase the truck from Formula Ford despite the \$100 higher price to support the local business. Councilor Golonka seconded. There was discussion over the proper way to proceed. Councilor Jarvis amended her motion and moved that item k be approved and Councilor Golonka seconded. The motion carried unanimously. Councilor Golonka then voted to reconsider item l from the Consent Agenda (the previously passed authorization to accept the low bid for the vehicle) and Councilor Guerlain seconded. That motion also passed unanimously. The sense of the Council was that the local business would be purchased from.

On Item g (approving the Village Green grant application for \$200,000 to assist with customer hookups for the district energy system), Councilor Weiss inquired as to what the city is required to invest, while Councilor Golonka asked if there was a match requirement. Harold Garabedian replied to their questions, noting there is no match requirement, and suggesting that the vagueness of the statute allows that financial support is not necessarily required.

Councilor Weiss then asked confirmation as to whether the city's agreement did not include "year round thermal energy." Garabedian confirmed this, explaining that on off-months of low demand, the boiler would put energy into the system.

At 7:42, Councilor Weiss moved approval of item g. Councilor Jarvis seconded. The motion passed unanimously.

As to item j (consideration of municipal Bond Bank Sale documents), Councilor Weiss cited no specific objection, noting that he simply preferred a separate vote on the record. Councilor Jarvis moved its passage and Councilor Guerlain seconding. The motion passed on a 5-1 vote, with Councilor Weiss voting nay.

Councilor Weiss then called for a point of order at 7:42, noting that the just approved letter (item j from the original consent agenda) included language indicating the Council had voted unanimously for its approval, when he (Weiss) had just voted nay, making it a 5-1 vote. Councilor Hooper, acting as parliamentarian, acknowledged the point.

After some discussion, Councilor Golonka moved to reconsider item j and amend the letter by striking the word “unanimous” from the sentence noted to be inaccurate by Councilor Weiss. Councilor Hooper seconded. Some discussion followed about the wisdom of making a unilateral change and the merits bringing these concerns up prior to the meeting.

Councilor Weiss moved that the original motion be amended to include the phrase "subject to bond council approval" Guerlain seconded. At 7:48, the motion to amend was defeated 2-4, with Councilors Weiss and Guerlain voting aye, and all others opposed.

At 7:49, Councilor Golonka’s original motion was then voted on, and carried on a 5-1 vote with Councilor Weiss voting nay.

- 12-130. At 7:51, Councilor Jarvis moved that the Senior Center dues proposal tabled at the previous meeting be taken off the table. Councilor Timpone seconded, and the motion was agreed to unanimously.

Assistant City Manager Bev Hill offered background on the history and discussion of capturing dues and support for the Senior Center from other towns, and residents of other towns, as well as the effect on membership and participation. She was joined at the table by Senior Center Director Janna Clar, Program Assistant Johanna Nichols, and Elizabeth Dodge, Chair of the MSAC Advisory Board.

Director Clar explained the proposed changes in the fee and membership structure, indicating it was driven by a survey and by judgments of what could be absorbed, without driving away too many out-of-town participants.

Councilor Golonka had several questions in regards to higher per capita costs borne by Montpelier residents as compared to out of town participants, which led into a broader discussion on the pros and cons of the current approach, how much of a discrepancy there actually was, and how the issues are handled as compared to the Recreation Department. Mayor Hollar further put the issue in the context of city services such as the sidewalks and the library, indicating that an overarching policy discussion was brewing.

Councilor Guerlain asked if Center staff had considered a sliding scale. When Director Clar indicated that would be too staff intensive, City Manager Fraser suggested – and Guerlain concurred – that a voluntary sliding scale might be appropriate and manageable. Councilor Golonka noted that such a voluntary slide had been the policy at St. Michael’s School, which has since closed, and suggested it was not a good idea.

Further discussions followed on the need to be overly concerned with the charge to out of towners for a service that will be maintained with or without them, the additional burden on Montpelier residents through property taxes, and the move to a uniform class fee for all participants.

Senior Center representatives in attendance (xxx) indicated they feel unfairly targeted by the Council regarding frustrations driving the municipal vs. regional service debate. Director Clar indicated that contributions from neighboring towns have been increasing, and that it would increase further with time, calling for patience from the Council.

Councilor Golonka suggested that they shouldn't feel victimized by the discussion, simply that the Senior Center was the only entity involved in the discussion that was directly accountable to the City Council, so they would inevitably receive more scrutiny from the Council.

Advisory Board Member Mary Alice Bisbee noted that, regardless of the broader debate, the dues question was of immediate concern.

Councilor Weiss moved the Council support the FY13 proposal for the Senior Center annual dues and membership fees. Councilor Jarvis seconded. The measure passed unanimously at 8:20PM.

- 12-132. The Council then moved to Item 7. Paul Carnahan, Chair of Montpelier Alive's Design Committee, explained the City Hall sign proposal, indicating that the work would be done by John Miller of Sign Design in Montpelier. This section would cost \$1842, while \$5000 had already been budgeted for the whole project.

Councilor Jarvis move that the work be authorized, Councilor Guerlain seconded. The motion carried unanimously at 8:26, after a brief discussion of other items that might compliment the effort (such as an informational booth or kiosk).

- 12-131. At 8:27, the Council took up item 6. Paul Markowitz, Chair of the Street Light Committee, was joined by Tom McCardle of the Public Works Department and Finance Director Sandy Gallup for his power point presentation. Markowitz explained the current street light leasing structure, and offered a map of the current street light layout. He offered comparisons between leasing LED streetlights from Green Mountain Power as opposed to buying them outright. He also indicated that the utility is encouraging towns to move to the lower power LEDs and is offering a favorable ongoing "tariff" fee structure to that end.

Discussions followed about the quality of the light, as well as the coverage/directionality. The responsibilities of direct ownership, including the associated costs, were reviewed and discussed with Council Members.

Markowitz laid out the thinking of the group and their proposal to go forward with a plan to lease LED lights, removing 15% (specified in the map), and to front load the plan with a robust public hearing process.

Finance Director Gallup noted the contribution of Heather Smith from Efficiency Vermont in the cost projections which led to the preference for the leasing option.

Councilor Weiss recommended the public outreach be done through the established neighborhood groups. McCardle concurred. McCardle and Markowitz acknowledged the help of Harold Garabedian in the project.

At 9:07, Councilor Hooper moved that the Council adopt the LED leasing proposal recommended by the committee. Councilor Guerlain seconded. The motion passed unanimously.

12-133. The Council agreed to defer the scheduled continuation of the goals and objectives discussion to an additional, June 6th meeting at 6:00PM. Councilor Weiss asked that the meeting be more tightly organized.

12-134. At 9:13 Council Members gave individual reports. Councilor Jarvis reported that she attended the Vermont Expo representing the city and had lunch with executives from Google. She also noted the new Montpelier promotional brochures

Councilor Timpone reported that the State Street Slam basketball tournament was underway.

12-136. City Clerk John Odum noted that he was slowing down a previously initiated process to move land records online, due to concerns about privacy and identity theft that had not yet been met to his satisfaction. He believed the Council should be aware of the issue, as it could conceivably be something that could draw public scrutiny. He further indicated that Vermont municipal clerks are working together to address concerns.

12-137. At 9:19, the City Manager noted that discussions with the state about parking and the Carr Lot were underway. He also indicated that Montpelier has received credit from other municipal staffs and community representatives for how they manage affairs, citing the recent Vermont City Managers Association meeting. He noted the city had had its first bargaining session with the Firefighters Union, and also announced that

At the VCMA meeting, an organization out of Maine that creates and manages heating fuel buying pools came to the City Manager's attention, and he has since proceeded to arrange a collective meeting with area towns in an effort to cut costs. Councilor Weiss asked that the City Manager to approach the Vermont Fuel Oil Dealers to make a proposal into the pool, but Fraser indicated that the city was engaging with a broker who deals independently with fuel sources – although he noted that local dealers are in the mix.

At 9:23 Councilor Guerlain moved to adjourn, Councilor Hooper seconded. The motion passed unanimously.



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

May 24, 2012

The Times-Argus
Att: Classifieds

Please insert the following with City of Montpelier notices on Monday, May 28th, and Monday, June 4th, 2012.

CITY OF MONTPELIER
Conservation Commission Vacancy

The City of Montpelier is looking for citizens interested in filling a 4-year term set to expire on June 25th. 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 7th. The City Council will make this appointment their meeting on Wednesday, June 13th, 2012. Applicants are encouraged to attend; all meeting rooms and facilities in City Hall are handicapped accessible. Further information may also be obtained by contacting Commission Chair Roy Schiff: 223-7214.

William J. Fraser
City Manager

Sandy Pitonyak

From: Alex Hoffmeier [ahoffmeier@gmail.com]
Sent: Tuesday, May 29, 2012 6:10 PM
To: Sandy Pitonyak
Subject: Re: Alex's term expires on June 25th

Hi Sandy,

Thanks for contacting me. I would like to serve another term on the Conservation Commission.

Regards,
Alex

On Thu, May 24, 2012 at 3:13 PM, Sandy Pitonyak <SPitonyak@montpelier-vt.org> wrote:

The attached ad is going into Monday's Times-Argus. If you'd like to serve another term, Alex, you can just send me an e-mail to that effect. If not, please let us know as soon as you can. Besides the ad, we might have to recruit! We still haven't filled Kris Hammer's vacant seat.

Thanks everybody!

Sandy Pitonyak

Administrative Assistant to the City Manager

City Hall - 39 Main Street

Montpelier, VT 05602

Telephone: [\(802\) 223-9502](tel:(802)223-9502)

FAX: [\(802\) 223-9519](tel:(802)223-9519)

spitonyak@montpelier-vt.org

Sandy Pitonyak

From: Shawn White [shawnw1022@gmail.com]
Sent: Monday, June 04, 2012 6:16 PM
To: roy.schiff@aya.yale.edu; Sandy Pitonyak
Subject: conservation commission vacancy
Attachments: ShawnWhiteResume(ConservCommission).pdf

Dear Roy and members of the Montpelier City Council,

I am writing to express my interest in being appointed to the Conservation Commission. For some time now I have wanted to get more involved in preserving and enhancing Montpelier's natural landscape and see this as an opportunity to do so.

My educational background is in biology, and most of my work experience is in education - teaching biology and environmental science courses at the college level. I have also volunteered with organizations like the Four Winds Institute, the Nature Conservancy, and the Friends of the Winooski. I have attached a resume in case you would like to see more details.

I am excited about the prospect of serving on the Conservation Commission and am grateful for your consideration.

Sincerely,
Shawn

Shawn White
23 Vine Street
Montpelier
223-4199

Shawn Emily White

23 Vine Street, Montpelier, VT 05602
shawnw1022@gmail.com
802-223-4199

Education

Ph.D. in Plant Biology, University of Georgia (1995)

B.S. in Biology, University of Texas (1987)

Work Experience

Adjunct Professor, Norwich University. Taught an online Environmental Science course.
(September 2011 to present)

Private Academic Tutor, Montpelier, VT. Tutored individual students in math and chemistry.
(2009 to present)

Library and Learning Center Coordinator, Community College of Vermont, Montpelier, VT.
Provided assistance to instructors and students doing research using the online college library
and tutored students in science, math, and writing. (2005 – 2009)

Energy Conservation Consultant, The Weidt Group, Minnetonka, MN. Computer modeling of
energy usage and energy-saving strategies in commercial and residential buildings. Written
communication of results to building owners and design teams as part of the energy efficiency
programs of two large Midwestern utilities. (2001-2004)

Assistant Professor of Biology, Green Mountain College, Poultney, VT. Developed and
delivered courses in Environmental Science, General Biology, Cell Biology, and Ethnobotany.
Served on committees working on biology curriculum and campus land use. (1999 - 2001)

Adjunct Professor, College of St. Catherine, St. Paul, MN. Taught "Plants, People, and the
Environment" and General Biology lab. (1999)

Teaching Assistant, University of Georgia, Athens, GA. Taught Biology lab, Botany lab, and
Gene Technology. (1989-1995)

Research Experience

NSF Postdoctoral Research Fellow, University of Minnesota. Characterization of genes involved
in the evolution of maize from its wild ancestor, teosinte. (1995-1998)

Graduate Research Assistant, University of Georgia. Study of transposable elements and their
role in the evolution of plant genes and genomes. (1990-1995)

Laboratory Research Assistant, Baylor College of Medicine, Houston, TX. Identification of
oncogenes in mice. (1987 – 1989)

Volunteer Work

Union Elementary School Schoolyard Improvement Project Volunteer, Montpelier, VT. Obtained funds for, helped build and maintain a new butterfly garden for the school. (2007-present)

Four Winds Institute Volunteer, Union Elementary School, Montpelier, VT. Presentation of monthly environmental education programs to school aged children. (2006 – present)

Montshire Museum Volunteer, Norwich, VT. Control of exotic invasive plants in natural areas, identification of wildflowers, aquarium maintenance, as-needed research. (2004 –2006)

Nature Conservancy Volunteer, GA and MN. Invasive plant control in Minnesota oak savanna. Independent research project monitoring endangered dwarf trout lilies. Planting of longleaf pines in Georgia pine savanna. (1992 and 1996-1999)

Greening the Great River Volunteer Supervisor, St Paul. MN. Trained and supervised volunteers for a non-profit organization working on the restoration of the Mississippi River valley. (1998)

Grants & Awards

Four Winds Institute Schoolyard Improvement Grant, (2008)

National Science Foundation/Alfred P. Sloan Postdoctoral Fellowship in Molecular Evolution, (1995-1997)

DRAFT STATEMENT regarding Berlin Pond

The Montpelier City Council is continuing to evaluate risks and options associated with recreational use of Berlin Pond. The Mayor and City Manager have spoken with the Commissioners of both Fish and Wildlife and Environmental Conservation. The City's central interest is in the continued safety and security of the water supply which serves both Montpelier and Berlin, including the Central Vermont Medical Center. The City understands that significant conservation and recreation interests also exist.

The City Council has made the following decisions:

- The City will continue to post all city owned property surrounding Berlin Pond and will continue with active enforcement and education efforts.
- The Council will meet jointly with the Berlin Select Board to discuss matters of mutual interest including Montpelier and Berlin's property, Mirror Lake Road, enforcement and potential regulation.
- The Council is actively seeking additional information about the filtration limits of the Water Treatment Plant, the impact of human activity on water quality, substances which might place the water supply at risk, federal surface water protection requirements, best practices for surface water source protection and, particularly, the potential impacts of zebra mussels and other invasive species on the water supply system.
- Based on present information available, the Council will not file a petition with the Agency of Natural Resources for additional restrictions on use of the waters or seek additional authority through the legislature for regulation of the pond.

MEMORANDUM

To: Montpelier City Council

From: Mayor John Hollar

Date: April 30, 2012

Re: Proposal for Outside Agency Funding

The question of how to fund outside agencies has presented the city with challenges for many years. I understand that the council has spent many hours addressing this issue.

In my view, there are many problems with the existing funding system, including:

- There were 27 funding items on this year's Town Meeting Day ballot for outside agencies.
- Voters do not have adequate information or time to evaluate each of these requests. Often voters are not aware of specific funding requests until they enter the voting booth.
- Voters do not have the opportunity or ability to weigh these proposals against other potential recipients of municipal funds.
- There is no process in place to audit the uses for which the appropriated funds are spent.

I am proposing that the council consider a new system that would create a more rational process for allocating municipal funds to non-profit organizations. Under this proposal, the city would create a separate fund, perhaps called the Montpelier Community Fund. This fund would be managed by a board of Montpelier residents that would be appointed by the council. In the first year, 2013, the city would appropriate to the fund the approximate amount that was placed on this year's ballot for outside agencies. (I believe this was about \$100,000). Citizens would be encouraged to make personal contributions to the fund.

The MCF board would solicit applications from non-profit organizations for grants from the fund. The council, or perhaps the MCF board, would set criteria for allocating grants. I would suggest that one consideration should be the amount the agency has received in the past from a ballot initiative.

The MCF board would be responsible for auditing the use of grant funds to ensure that they were used for the purposes for which they were approved.

Under our charter, non-profit entities would continue to have the right to place funding initiatives on the ballot. Non-profits may be less likely in the future to pursue ballot initiatives with the higher petition requirement. To ensure that the new MCF did not simply add a new mechanism to the existing process, I would propose the following:

- The MCF would only accept applications from organizations that agreed not to petition for funding through a ballot initiative for a period of two or three years;
- The council would communicate, either through the ballot or some other means, that funding is available through the Montpelier Community Fund and that the council does not recommend that the proposal be approved;
- The MCF would be reduced each year by the amount to which ballot items are approved.

I believe this process would be preferable to the current ballot initiative process in many ways:

- It would create a process by which funding requests are considered based on the overall amount that is available and the needs that are intended to be addressed.
- It would allow for an independent review of proposals to ensure that the funds are spent on appropriate purposes.
- It would allow for the subsequent review of grants to ensure that they were spent in a manner consistent with the application.
- It would relieve voters of making these decisions on an *ad hoc* basis through individual ballot items, which is not typically accompanied by adequate information to evaluate the requests.
- It would maintain the city's commitment to funding non-profit organizations.

I am submitting this proposal to you now in the hope that we can have a new system in place for the 2013 Town Meeting ballot. I would request the council's early consideration so that, if adopted, outside agencies could begin to plan for a new process for obtaining funding from the City of Montpelier.

Thank you for your consideration of this proposal.



City of Montpelier, Vermont

TO: City Council Members
William Fraser, City Manager

FROM: Sandy Gallup, Finance Director

DATE: June 6, 2012

SUBJECT: Resolution to Commit Funds as of June 30, 2012

The City of Montpelier adopted a Fund Balance Policy in October, 2011 that implements the new GASB 54 standards for governmental fund balance reporting and governmental fund type definitions. This new fund balance policy requires the passage of a resolution prior to June 30th each fiscal year that states the amount and the purpose of committed fund balances. If the actual amount of the commitment is not available by June 30th, the resolution must state the process or formula necessary to calculate the actual amount.

For most of the reserve funds included in the Resolution, the actual amounts to be set aside are not known at this time. There may be additional financial transactions before June 30th.

With one exception, all of the 15 listed committed funds were identified as "reserve accounts" in prior years. (Note: Last year's Committed and Assigned Funds are listed on Page 42 and 43 of the June 30, 2011 Audit Report.)

The one addition to the list is the Health Reimbursement Arrangement Reserve for \$33,000. This new reserve account is the savings between the budgeted and actual Health Reimbursement Arrangement Funding for 2011. Due to the ongoing risk with the current high deductible insurance plan with a city-funded HRA, these funds are set aside to offset future HRA overages. Establishing this reserve account is consistent with our plan when we initiated the City's HRA program in 2010.

This resolution is a new fiscal control procedure that is required by the Governmental Accounting Standards Board. Please let me know if you have any questions regarding this new procedure, our fund balance policy or the individual funds that we are proposing to set aside. This will be an item on the consent agenda for the June 13th Council meeting. It would be very helpful to be aware of any questions that you have prior to that date.

By approving this resolution, these funds will be set aside for their specific purpose and reported in the June 30, 2012 audit report.

City of Montpelier RESOLUTION

WHEREAS, the City of Montpelier, in accordance with its Fund Balance Policy, has determined that certain amounts should be set aside for specific purposes and presented as Committed Fund Balances in the City's financial statements.

NOW THEREFORE, be it resolved that the following amounts are set aside as of June 30, 2012 for the purposes noted:

Unless otherwise noted, actual amounts of funds to set aside will be calculated using last year's balance plus FY12 allocations, plus FY12 revenue, less FY12 expenditures:

1. Community Development Fund **Montpelier Business Loan Program** activities,
2. Community Development Fund Housing **Preservation Grant Program** activities
3. Community Development Fund **25/25 Loan Reserve Program** activities
4. Community Development Fund **Unrestricted balance –Community Development** activities
5. **Montpelier Park Commission** – Parks Fund activities
6. **Montpelier Senior Activity Center** - activities
7. **Conservation Fund** activities
8. **Montpelier Housing Trust Fund** activities
9. General Fund **Equipment Reserve** for equipment purchases
10. General Fund **Fire Revenue Reserve** for Fire/EMS equipment purchases
11. General Fund **Health Reimbursement Arrangement Reserve** \$33,000 for future HRA funding needs.
12. **General Fund 2013 Fiscal Year**, \$102,275 is assigned to offset property taxes revenues in the 2013 fiscal year budget
13. General Fund **Conservation Commission Reserve**, \$9,250 is assigned for future Conservation Commission projects as requested by the Conservation Commission.
14. **Capital Projects Fund** for future capital projects
15. **Montpelier Events Fund** activities

Approved and adopted at a regular meeting of the City Council of the City of Montpelier held on the ____ day of June, 2012.

ATTEST:

City Clerk

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

To: Todd Law, P.E., Director of Public Works

From: Kurt Motyka, P.E., Project Engineer

Date: June 6, 2012

**Subject: Ridge Street Reconstruction
Contractor Bid Results**

This memorandum serves as a recommendation for the selection of a General Contractor to construct the Ridge St. slope stabilization project and associated work. We ask that review of this recommendation and award the contract be approved on the June 13th, 2012 Council agenda.

A portion of Ridge St, between Tremont St. and Nelson St. has been deteriorating due to poor underlying soil conditions over the past several years. The roadway has been slowly sinking on the North side and has become hazardous for vehicles and winter maintenance. In addition, the underlying waterline is undersized and has required multiple repairs in recent years.

Funding for this project is allocated in the capital improvements plan for \$80,000 and additional funds were appropriated for retaining walls in the amount of \$73,000 in FY 12 for a total of \$153,000 in available funds. The selected contractor will reconstruct the street in accordance with design plans prepared by Marsh Engineering Services & Knights Consulting Engineers.

The consultant selection recommendation was arrived at by an open bid process consisting of sealed cost proposals. Advertisement for bids were placed in the Times Argus newspaper, the City of Montpelier Website and listed on "VT Bid System.com". A total of seven bids were received, reviewed and analyzed by Marsh Engineering Services. Two of the proposals were deemed incomplete as they did not acknowledge one of the Addendums to the contract. The evaluation review is summarized as follows:

<u>CONTRACTOR</u>	<u>BID</u>
Don Weston Inc.	\$149,739.00
DuBois Construction	\$173,565.00
J. Hutchins Inc.	\$179,457.20 (Incomplete)
Hebert Excavation Inc.	\$183,058.00
Capitol Earthmoving, Inc.	\$185,480.00
H.A. Manosh	\$227,507.12 (Incomplete)
Morrill Construction	\$229,400.00

Conclusion / Recommendation

We have worked with Don Weston Inc. on a past sidewalk project and have found them to be well qualified for this type of work. Additionally, our consultant engineer, Marsh Engineer Services has recommended that the City award the contract to them. Therefore, we are pleased to recommend to you and the City Council that the Ridge St. Reconstruction Project be awarded to the low bidder, Don Weston Inc., in the amount of \$149,739.00. We further suggest that the City Manager be designated as the city's duly authorized agent to execute the contract with them. If you and/or the City Council have any questions or would like to review the proposals, please do not hesitate to let us know.

Encl.

C: William Fraser, City Manager
Tom McArdle, Assistant Director of Public Works

marsh
engineering
services, plc

MEMORANDUM

To: Kurt Motyka
Fr: Don Marsh
Date: June 8, 2012

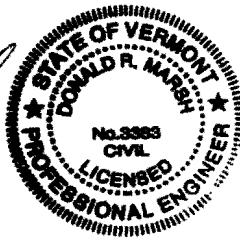
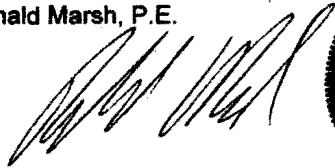
RE: Ridge Street Reconstruction

Kurt,

In response to the public bidding of the Ridge Street Reconstruction Project the City received seven responsive bids. The lowest bid was Don Weston Excavating, Inc. at \$149,739, which is within the project budget.

Based upon our review of the bids I recommend the City award the project contract to Don Weston Excavating, Inc.

Donald Marsh, P.E.



Handwritten signature and date: 5/24/12
 CERTIFY THIS IS AN ACCURATE SUMMARY OF THE BIDS RECEIVED

RIDGE STREET RECONSTRUCTION
 May 24, 2012

ITEM DESCRIPTION	UNIT	QUANTITY	DON WESTON EXC INC.		DUBOIS CONSTRUCTION INC		J HUTCHINS INC.		HEBERT EXCAVATION CORPORATION		CAPTOL EARTHMOVING INC.		H A MANOSH CORP.		MORRILL CONSTRUCTION INC.	
			UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT	UNIT COST	AMOUNT
1 Mobilization/Demobilization	LS	1	\$14,729.00	\$14,729.00	\$4,000.00	\$4,000.00	\$19,700.00	\$19,700.00	\$9,000.00	\$9,000.00	\$8,200.00	\$8,200.00	\$5,500.00	\$5,500.00	\$30,000.00	\$30,000.00
2 Construction Controls	LS	1	\$10,000.00	\$10,000.00	\$2,500.00	\$2,500.00	\$430.00	\$430.00	\$2,000.00	\$2,000.00	\$1,600.00	\$1,600.00	\$2,900.00	\$2,900.00	\$7,500.00	\$7,500.00
3 Remove and dispose of at City Slump dump existing concrete and pavement	LS	1	\$1,800.00	\$1,800.00	\$5,000.00	\$5,000.00	\$1,094.00	\$1,094.00	\$2,500.00	\$2,500.00	\$3,800.00	\$3,800.00	\$3,575.00	\$3,575.00	\$2,500.00	\$2,500.00
4 Remove and dispose off-site two catch basins and approx 80' of RCP storm line and one manhole	LS	1	\$700.00	\$700.00	\$2,500.00	\$2,500.00	\$1,943.00	\$1,943.00	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00
5 Remove and dispose of existing water main-salvage items as noted	LS	1	\$1,000.00	\$1,000.00	\$2,700.00	\$2,700.00	\$2,500.00	\$2,500.00	\$4,500.00	\$4,500.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	\$5,500.00	\$5,500.00
6 Remove, store and reuse existing granite curb	LF	300	\$16.00	\$4,800.00	\$17.00	\$5,100.00	\$21.00	\$6,300.00	\$28.00	\$8,400.00	\$24.00	\$7,200.00	\$7.00	\$2,100.00	\$30.00	\$9,000.00
7 Excavate to design sub grade elevations for side walk and road and remove material to City Slump Dump (approx 1200 CY)	LS	1	\$14,000.00	\$14,000.00	\$13,000.00	\$13,000.00	\$9,200.00	\$9,200.00	\$14,000.00	\$14,000.00	\$23,000.00	\$23,000.00	\$21,800.00	\$21,800.00	\$20,000.00	\$20,000.00
8 Provide, place and compact General Fill under road and on slope	TON	300	\$15.00	\$4,500.00	\$13.00	\$3,900.00	\$14.90	\$4,470.00	\$18.00	\$5,400.00	\$32.00	\$9,600.00	\$40.00	\$12,000.00	\$15.00	\$4,500.00
8A Sample, Store, place and compact existing road sub base material and/or existing native soils for use as General Fill	CY	500	\$8.00	\$4,000.00	\$13.00	\$6,500.00	\$10.00	\$5,000.00	\$16.00	\$8,000.00	\$22.00	\$11,000.00	\$30.00	\$15,000.00	\$20.00	\$10,000.00
9 Provide, place and compact Fine Crushed Gravel on slope (approx 950 ton)	LS	1	\$18,000.00	\$18,000.00	\$21,000.00	\$21,000.00	\$12,959.00	\$12,959.00	\$18,000.00	\$18,000.00	\$21,000.00	\$21,000.00	\$34,960.00	\$34,960.00	\$18,000.00	\$18,000.00
9A Install separation fabric under road and sidewalk	SY	500	\$1.00	\$500.00	\$1.00	\$500.00	\$2.21	\$1,105.00	\$1.25	\$625.00	\$0.70	\$350.00	\$2.00	\$1,000.00	\$3.00	\$1,500.00
10 Provide, place and compact 18" of dense graded crushed gravel under road (approx 300 ton)	LS	1	\$6,400.00	\$6,400.00	\$10,000.00	\$10,000.00	\$9,028.00	\$9,028.00	\$6,400.00	\$6,400.00	\$10,096.00	\$10,096.00	\$16,835.00	\$16,835.00	\$7,500.00	\$7,500.00
11 Provide, place and compact 6" of crushed gravel under road (approx 100 ton)	LS	1	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$2,982.00	\$2,982.00	\$2,500.00	\$2,500.00	\$4,000.00	\$4,000.00	\$7,978.12	\$7,978.12	\$2,500.00	\$2,500.00
12 Install new 8" AWWA C-900 PVC water main and associated connections to existing main, disinfection and testing.	LF	385	\$50.00	\$19,250.00	\$78.00	\$30,030.00	\$54.00	\$20,790.00	\$82.00	\$31,570.00	\$69.00	\$26,565.00	\$68.90	\$26,526.50	\$60.00	\$23,100.00
13 Provide and install fire hydrants	EA	2	\$3,000.00	\$6,000.00	\$2,500.00	\$5,000.00	\$4,000.00	\$8,000.00	\$3,600.00	\$7,200.00	\$2,800.00	\$5,600.00	\$3,900.00	\$7,800.00	\$4,000.00	\$8,000.00
14 Restore 1" water service connections	EA	3	\$600.00	\$1,800.00	\$1,900.00	\$5,700.00	\$1,498.00	\$4,494.00	\$1,400.00	\$4,200.00	\$551.00	\$1,653.00	\$1,450.00	\$4,350.00	\$1,200.00	\$3,600.00
15 Provide and install pre-cast concrete Catch Basins/Drain Manhole	VF	18	\$200.00	\$3,600.00	\$345.00	\$6,210.00	\$447.00	\$8,046.00	\$400.00	\$7,200.00	\$475.00	\$8,550.00	\$525.00	\$9,450.00	\$400.00	\$7,200.00
16 Provide and install 18" SDR 35 PVC storm line	LF	60	\$25.00	\$1,250.00	\$50.00	\$2,500.00	\$64.50	\$3,225.00	\$36.00	\$1,800.00	\$59.00	\$2,950.00	\$90.00	\$4,500.00	\$55.00	\$2,750.00
17 Provide Temp 2" Thick Type 3 water trench Patch Paving	TON	20	\$145.00	\$2,900.00	\$140.00	\$2,800.00	\$336.00	\$6,720.00	\$158.00	\$3,160.00	\$158.00	\$3,160.00	\$150.00	\$3,000.00	\$175.00	\$3,500.00
18 No Item																
19 Install w beam steel guard rail and posts	LF	205	\$22.00	\$4,510.00	\$23.00	\$4,715.00	\$22.00	\$4,510.00	\$24.00	\$4,920.00	\$25.00	\$5,125.00	\$37.50	\$7,687.50	\$25.00	\$5,125.00
20 Construct 6" thick Cast in Place Concrete Sidewalk across Driveways	SY	17	\$50.00	\$850.00	\$64.00	\$1,088.00	\$39.30	\$668.10	\$52.00	\$884.00	\$47.00	\$799.00	\$95.00	\$1,615.00	\$75.00	\$1,275.00
21 Install 5.5" Vertical Granite Curb	LF	100	\$32.00	\$3,200.00	\$34.00	\$3,400.00	\$36.50	\$3,650.00	\$38.00	\$3,800.00	\$34.65	\$3,465.00	\$30.00	\$3,000.00	\$35.00	\$3,500.00
22 Construct 5" thick Cast in Place Concrete Sidewalk	SY	110	\$45.00	\$4,950.00	\$63.00	\$6,930.00	\$37.50	\$4,125.00	\$48.00	\$5,280.00	\$46.00	\$5,060.00	\$89.00	\$9,790.00	\$70.00	\$7,700.00
23 Provide and install ADA Detectable Warning Surface	EA	1	\$300.00	\$300.00	\$77.00	\$77.00	\$460.00	\$460.00	\$230.00	\$230.00	\$312.00	\$312.00	\$250.00	\$250.00	\$250.00	\$250.00
24 Plantings	LS	1	\$3,000.00	\$3,000.00	\$3,750.00	\$3,750.00	\$6,300.00	\$6,300.00	\$9,283.00	\$9,283.00	\$3,500.00	\$3,500.00	\$4,500.00	\$4,500.00	\$7,000.00	\$7,000.00
25 Provide and install concrete thrust blocks	CY	20	\$100.00	\$2,000.00	\$200.00	\$4,000.00	\$0.02	\$0.40	\$200.00	\$4,000.00	\$120.00	\$2,400.00	\$150.00	\$3,000.00	\$200.00	\$4,000.00
26 Provide and install 8" Gate Valve	EA	1	\$1,000.00	\$1,000.00	\$1,075.00	\$1,075.00	\$1,105.00	\$1,105.00	\$1,633.00	\$1,633.00	\$1,100.00	\$1,100.00	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00
27 Provide and install 6" Gate Valve	LS	3	\$800.00	\$2,400.00	\$830.00	\$2,490.00	\$768.00	\$2,304.00	\$991.00	\$2,973.00	\$740.00	\$2,220.00	\$2,300.00	\$6,900.00	\$1,300.00	\$3,900.00
28 Miscellaneous Work & Clean-up	LS	1	\$10,000.00	\$10,000.00	\$14,000.00	\$14,000.00	\$11,033.00	\$11,033.00	\$10,000.00	\$10,000.00	\$5,650.00	\$5,650.00	\$5,000.00	\$5,000.00	\$25,000.00	\$25,000.00
29 Install sewer cleanout for 11 Ridge St Home	LS	1	\$300.00	\$300.00	\$600.00	\$600.00	\$1,223.00	\$1,223.00	\$600.00	\$600.00	\$1,525.00	\$1,525.00	\$950.00	\$950.00	\$1,500.00	\$1,500.00
TOTAL				\$149,739.00		\$173,565.00		\$163,964.90		\$183,058.00		\$183,480.00		\$227,567.12		\$229,400.00
Alternate #1							Paper bid reads \$179,457.20									
base paving	TON	60	145	\$8,700.00	\$175.00	\$10,500.00	\$185.00	\$11,100.00	\$124.00	\$7,440.00	120	\$7,200.00	188.5	\$11,310.00	121	\$7,260.00
wear paving	TON	40	145	\$5,800.00	\$175.00	\$7,000.00	\$185.00	\$7,400.00	\$124.00	\$4,960.00	120	\$4,800.00	170	\$6,800.00	121	\$4,840.00
paving total				\$14,500.00		\$17,500.00		\$18,500.00		\$12,400.00		\$12,000.00		\$18,110.00		\$12,100.00

RESOLUTION

WHEREAS, the City of Montpelier, in conjunction with 58 Barre Street Housing Limited Partnership and others, has undertaken the reconstruction, rehabilitation and improvement of the Montpelier Senior Citizen's Center located at 58 Barre Street; and

WHEREAS, in connection with such undertaking, the City of Montpelier, by action of its City Council taken on October 27, 2010 and June 22, 2001, approved project funding participation in the aggregate amount of One Hundred and Seventy-Four Thousand Eight Hundred and Fifty Dollars (\$174,850); and

WHEREAS, it has been found and determined by the City Council that such funding will be evidenced by loans from the Community Development Fund (ADA) and Community Development Fund (Capital Plaza) to the Senior Center Fund.

NOW THEREFORE, be it resolved that:

1. The Community Development Fund (ADA) extends a loan in the amount of Sixty Thousand Dollars (\$60,000) to the Senior Center Fund, such loan bearing interest at the rate of 4.00% per annum, interest and principal payable in monthly installments of \$443.81, commencing July 15, 2012, and continuing on the 15th day of each month thereafter through June 15, 2027, at which time the balance of the loan shall be due and payable in full.
2. The Community Development Fund (Capital Plaza) extends a loan in the amount of One Hundred and Fourteen Thousand Eight Hundred and Fifty Dollars (\$114,850) to the Senior Center Fund, bearing interest at the rate of 3.25% per annum, interest and principal payable in monthly installments of \$651.42, commencing July 15, 2012, and continuing on the 15th day of each month thereafter through June 15, 2032 at which time the balance of the loan shall be due and payable in full.
3. All loan proceeds transferred from the Community Development Fund (ADA) and the Community Development Fund (Capital Plaza) to the Senior Center Fund shall be disbursed through the Capital Projects Fund to pay costs incurred in making the subject Senior Center improvements.
4. Disbursements of loan proceeds by the Senior Center Fund and the Capital Projects Fund shall be made against formal requisitions supported by invoices or architect certification.
5. Loan disbursement and project expenditure records shall be maintained within the Senior Center Fund for a minimum of six years following the

date the completed project is accepted by the City of Montpelier and placed into service.

6. The Loan repayments called for in this Resolution shall, upon receipt, be deposited and credited to the respective Community Development Funds from which such loans are made.

Approved and adopted at a regular meeting of the City Council of the City of Montpelier held on the _____ day of June, 2012.

ATTEST:

City Clerk

paths or sidewalks, or any combination of these, within the limits of town highways where they do not conflict with travel on the highway." This section also permits VTTrans to grant permission to construct and maintain these facilities on state highways.

- 19 VSA. §905a, Curb cuts and ramps requires, "All newly constructed intersections or curbs in the state used by pedestrians shall be constructed with curb cuts or ramps which enable people with ambulatory handicaps to have access to the sidewalk...All curb cuts or ramps in the state shall be of a uniform design where practical."
- 19 VSA. §10c(g)(2) permits a municipality to request the agency, unless otherwise required by law, to rehabilitate a bridge that does not already carry a sidewalk without adding a sidewalk, or to build a replacement bridge without building a sidewalk or with a sidewalk on only one side.

The Vermont Statutes Annotated does not define a "pedestrian" or "disability." For the purpose of this manual, the following definitions shall apply:

Pedestrian — A person on foot, walking a bicycle, or using an assistive device, such as a wheelchair, for mobility.

Disability — With respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.

The definition of a "pedestrian" includes any person with a disability. Further, any individual who meets any one of the three tests included within the definition of "disability" is considered to be a person with a disability for purposes of coverage under the American with Disabilities Act.

Other documents to review for pedestrian facility design are listed in Section 3.6, Additional Resources.

3.2 Design Considerations

3.2.1 User Characteristics and Requirements

Pedestrian Characteristics

Virtually everyone is a pedestrian. As a group, they exhibit a wide range of needs. Pedestrians also vary greatly in age, height, physical ability, visual acuity, awareness of their surroundings and reaction time. Therefore, it is important to understand that there is no single "design pedestrian."

A person's age, physical ability and cognitive capacity influence how they behave and react when walking (refer to Table 3-1).

People with disabilities are confronted by a wide range of conditions that can affect their mobility. Hearing and sight impairments, for instance, reduce the amount of information physically impaired pedestrians receive about the walking environment around them. Physical impairments can influence travel behavior and force a person to travel in a wheelchair, use a cane or guide dog, or forego independent travel altogether.

Cognitively, children have limited capacity to process the information they receive and may not make appropriate decisions about prudent behavior and risk management on the street.

Older adults have a variety of needs as pedestrians. Research shows that people over 60 walk more, yet in some cases may have impaired mobility.

Table 3-1.
Common Pedestrian
Characteristics by
Age Group

Age 0 to 4

- Learning to walk
- Requires constant parental/adult supervision
- Developing peripheral vision and depth perception

Age 5 to 8

- Increasingly independent but still requires supervision
- Poor depth perception

Age 9 to 13

- Sense of invulnerability
- Poor judgment
- Susceptible to "dart out" intersection type crashes

Age 14 to 18

- Improved awareness of traffic environment
- Poor judgment

Age 19 to 40

- Active, fully aware of traffic environment

Age 41 to 65

- Reflexes begin to slow

Age 65+

- May cross streets with difficulty
- May have poor sight
- May have difficulty in hearing vehicles approaching from behind
- High fatality rate if involved in a crash

Source: Adapted from *Guide for the Planning, Design and Operation of Pedestrian Facilities* (Draft), American Association of State Highway and Transportation Officials (AASHTO), 2001

Table 3-2.
Populations Without
Access to an
Automobile

Vermont:

- 2.0-2.5 percent of the state's population

Source: VTTrans Long Range Transportation Plan Survey, 2000

- 16,000 households (8 percent of the state's total)

Source: Statistical Abstract of the U.S., 1995

Chittenden County:

- 8.5 percent of households

Source: Chittenden County Regional Planning Organization, 1997



Accommodating people in wheelchairs will also accommodate most other pedestrians.

Both children and older adults are more prone to depend on walking for many trip purposes. If adequate provisions for walking are not available, these individuals may be transportation-dependent; that is, they will be forced to rely on others for their transportation needs (refer to Table 3-2).

Spatial Needs

Figure 3-1 illustrates approximate human dimensions when walking and sitting. To accommodate two people walking side-by-side or passing each other while traveling in opposite directions, the average width required is 1.4 m (4 ft 8 in).

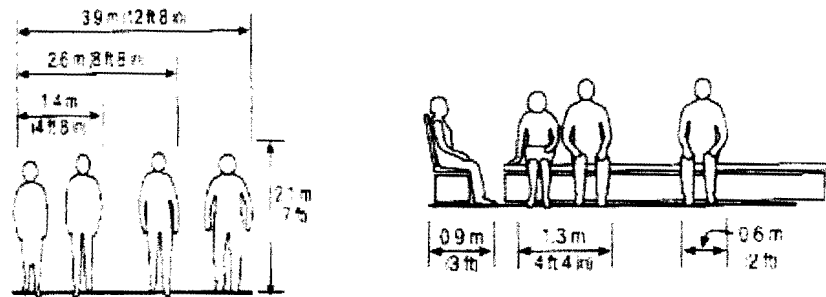


Figure 3-1.
Human Dimensions, Walking and Sitting.

The space required to accommodate pedestrians with disabilities varies considerably depending upon physical ability and the type of assistive device used. By providing adequate space to accommodate a person in a wheelchair most other pedestrians will be provided for. Figure 3-2 illustrates the spatial dimensions of a person in a wheelchair, a person using a walker, and a person using a cane.

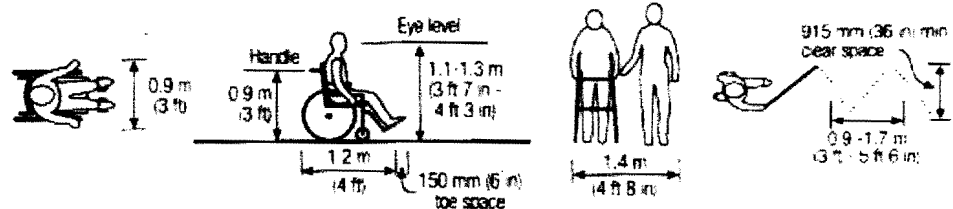


Figure 3-2.
Spatial Dimensions, Pedestrians with Disabilities.

Walking distance

A number of factors influence a person's decision whether to walk or drive. One factor is travel time or how long it takes to reach a desired destination.

Directly affecting travel time is the distance to reach a destination or transit stop. Distance is the key factor that limits utilitarian walking trips. The 1995 National Personal Transportation Survey (NPTS) found the average pedestrian trip length to be 0.85 km (0.53 mi).

To reach their destination or a transit stop, pedestrians are likely to walk no farther than:

- One quarter mile (Unterman, 1984)
- 400 meters (1,300 ft) (Arash, 1994)
- Less than one half mile (Noland, 1996)

National surveys also report that one-quarter of all trips by all modes are 1.6 km (1 mi) or less in distance. This suggests that a significant number of trips made via

- Existing facilities and programs must achieve program accessibility goals. Program accessibility, a concept first used in Section 504 of the Rehabilitation Act (1973), means that each service, program, or activity conducted by a public entity, when viewed in its entirety, be readily accessible to and usable by individuals with disabilities, except where to do so would result in a fundamental alteration in the nature of the program or in undue financial and administrative burdens.
- New and altered streets with sidewalks must contain curb ramps. The U.S. Department of Justice defines road resurfacing as an alteration. Alterations trigger the requirement to provide accessible curb ramps at the time of the resurfacing or roadway milling. Merely filling potholes is not considered an alteration (filling potholes, filling cracks, and applying thin coat sealants are considered maintenance).

The ADAAG prepared by the Architectural and Transportation Barriers Compliance Board (also called the Access Board) contains a wide range of administrative and procedural requirements as well as design and construction standards to help ensure compliance with the ADA. ADAAG does not contain all the design issues and specifications that may be encountered in pedestrian environments. Yet, entities are still required to do the best they can to meet the Title II accessibility requirements even if the current ADAAG had not addressed various design specifications. The ADAAG are continually being updated and refined and current versions should be reviewed as part of the design process for every project.

Accessible Routes of Travel

Accessible route of travel — A continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility that can be negotiated by a person using a wheelchair and that is usable by people with other disabilities.

Providing Accessible Routes of Travel

It is useful to think in terms of how people, including those with disabilities, need to move *along* (parallel to) and *across* (perpendicular to) travel routes.

Providing access *along* travel routes involves the design and installation of walkways, a class of pedestrian facilities that includes sidewalks, paths and roadway shoulders.

Providing access *across* travel routes involves consideration of appropriate crossing and intersection design.

Together, continuous walkways and safe crossings make up the pedestrian network.

3.3 Facility Design

3.3.1 Facility Characteristics

Design Principles

The following design principles should be incorporated, to the extent that they can reasonably be achieved, into every pedestrian improvement including sidewalks, pathways and crossings. They are ordered roughly in terms of relative importance:

1. **Make it safe.** Design facilities to be free of hazards and to minimize conflicts with external factors such as vehicular traffic and protruding architectural elements.
2. **Make it accessible to all.** Accommodate the needs of people regardless of age

or ability.

3. **Connect to places people want to go.** Provide continuous, direct routes and convenient connections between destinations, including homes, schools, shopping areas, public services, recreational opportunities and transit.
4. **Make it easy and pleasant to use.** Design facilities so that people can easily find a direct route to a destination and so that delays are minimized. Consider the effects of spray or splash from vehicles from the adjacent roadway onto the pedestrian facility.
5. **Provide good places.** Enhance the look and feel of the pedestrian environment. The urban and village pedestrian environment includes open spaces such as plazas, courtyards, and squares, as well as the building facades that give shape to the space of the street. Amenities such as street furniture, banners, art, plantings and special paving, along with historical elements and cultural references promote a sense of place.
6. **Encourage many different uses.** The pedestrian environment is a place for public activities and social exchange. Commercial activities such as dining, vending and advertising may be permitted when they do not interfere with safety and accessibility.
7. **Make it economical.** Design pedestrian improvements for the maximum benefit-to-cost, including initial construction and maintenance costs as well as reduced reliance on more expensive modes of transportation. Improvements in the right-of-way should stimulate, reinforce and connect with adjacent private improvements.

Brunswick, ME



The management of sidewalk conditions helps determine how well sidewalks serve their intended purpose.

Rutland



The Buffer Zone "buffers" pedestrians from the roadway and provides a place for trees, signal poles, signs, street lights, bicycle parking, and snow storage.

Streetside Space

While simply providing a sidewalk is a major step towards making it easier and safer to walk, the management of sidewalk conditions — including clear space, lighting, landscaping, trees, street furniture, and maintenance — helps determine how well sidewalks serve their intended purpose.

In managing sidewalk conditions in urban and village centers, it can be helpful to look at the space between the edge of the roadway and the right-of-way line. It has three functional zones (see Figure 3-4):

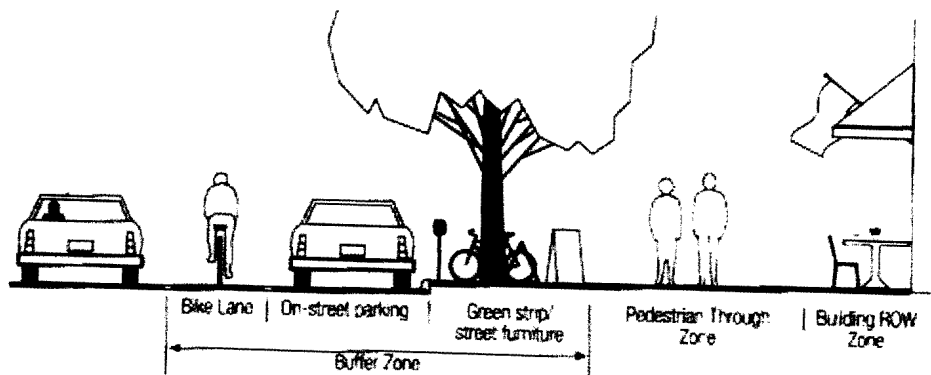


Figure 3-4.

Defining Streetside Space

Source: Campaign to Make America Walkable,
A Recommended Policy on the Management of Public Sidewalk Space.

1. **Buffer Zone.** Also known as the "roadside zone" or "fixture/furniture zone." This area buffers pedestrians from the roadway and provides a place for trees,

signal poles, signs, street lights, bicycle parking, and snow storage. It includes all features between an adjacent travel lane and the pedestrian through zone, including on-street parking, bike lanes and green strips. This is the area where people enter and exit parked cars and may be part of the paved sidewalk or an unpaved green strip.

2. **Pedestrian Through Zone.** Also known as the "pedestrian travel zone." This is where most people walk. It should be clear of any objects or intrusions, permanent or temporary.
3. **Building/ROW Zone.** Also known as the "building frontage zone." It is the area between the Pedestrian Through Zone and either the front wall of adjacent buildings or the edge of the right-of-way. In downtowns it is where people window shop, enter and exit buildings, and sit at outdoor cafes.

The pedestrian through zone is the most critical element for pedestrian travel. In downtowns and village centers, adequate buffer and building zones are necessary to maintain a usable pedestrian through zone.

Where on-street parking is present curb extensions may be used to accommodate uses such as transit shelters, utility poles, and signal controller boxes. (Refer to Section 3.5.7.)

The devices and activities listed below frequently compete with pedestrians for sidewalk space.

Surface features (Note that even when the following items are located outside the Pedestrian Through Zone, if they are in the sidewalk it is likely that some people will walk over them.):

- Utility covers.
- Drain covers.
- Ventilation grates.
- Tree grates.

Signs:

- Traffic signs.
- Parking and transit signs.
- Information signs and kiosks.
- Advertising signs.

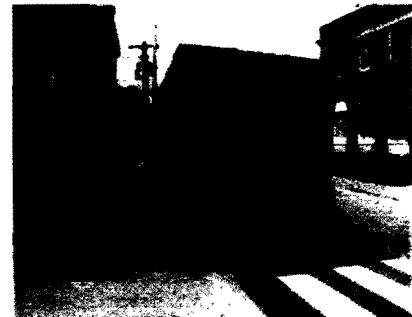
Parking:

- Parallel parking.
- Angle and perpendicular parking.
- Bicycle parking.
- Delivery vehicles.

Street furniture and fixtures:

- Benches.
- Public art and fountains.
- Transit shelters.
- Fire hydrants.
- Utility poles.
- Signal controller boxes.
- Planters.
- Trash receptacles.

Brunswick, ME



Middlebury



Pedestrian through zones should be kept clear of any objects or intrusions, permanent or temporary.

Buffalo, NY



The building/ROW zone, between the Pedestrian Through Zone and the front wall of a building or the edge of a right-of-way, is where people window shop, enter and exit buildings, and sit at outdoor cafes.

South Burlington — U.S. Route 7



The fundamental component of increased pedestrian activity is a safe place to walk. Just as vehicles need roads, pedestrians need walkways.

- Mail boxes.
- Drinking fountains.
- Parking meters and pay stations.

Other features:

- Snow storage.
- Café/outdoor seating.
- Merchandise displays.
- Street vendors.
- Newspaper and other vending boxes.
- Construction activity (refer to Section 3.5.12).
- Driveway entrances and exits (refer to Section 3.4.6).

3.3.2 Location

The fundamental component of increased pedestrian activity is a safe place to walk. Just as vehicles need roads, pedestrians need walkways.

Even if there is no apparent demand for pedestrian facilities, pedestrian travel can be expected to increase where more complete and continuous walkways, crossings, and other pedestrian amenities exist. Indeed, when little or no pedestrian activity is observed along a roadway, professionals should ask themselves, "What factors are responsible for low pedestrian activity?" and "How can I make this place more conducive to walking?" in lieu of assuming that pedestrian demand does not exist or assuming that every trip will be made by motor vehicle.

Where Sidewalks are Needed

In commercial centers and downtowns, and along major residential streets, sidewalks are often needed on both sides of streets. This enables pedestrians to access all destinations along a street and minimizes the need for crossings. Also, sidewalks serve as social and recreational facilities in front of any residential property. Finally, sidewalks are a key element in fulfilling accessibility requirements.

A sidewalk on one side of a local street may be adequate in residential areas, especially where no existing sidewalk exists. Available right-of-way, roadside limitations such as cross slope, and pedestrian circulation patterns play a role in deciding whether to place sidewalks on one or both sides, and on which side.

In rural and suburban areas, sidewalks are needed to provide access to schools, local businesses, parks, office buildings, industrial plants, and residential developments. The higher speeds of traffic and general absence of lighting in rural areas reinforce the need for sidewalks. Data indicate that sidewalks in rural areas reduce pedestrian injuries and fatalities.

Table 3-4.
Recommended Walkway Locations.

• Commercial centers and downtowns	Both sides of all streets
• Major residential streets	Preferably on both sides
• Local residential streets	Preferably on both sides, but at least one side.
• Low-density residential (1-4 units/ac)	Preferably on both sides, but at least one side with appropriate shoulder on other side
• Rural residential (less than 1 unit/ac)	Preferably on one side with appropriate shoulder on other side, but at least a shoulder on both sides.

Adapted from *Design and Safety of Pedestrian Facilities*, Institute of Transportation Engineers (ITE)

**CITY of MONTPELIER
DEPARTMENT of PUBLIC WORKS**

M E M O R A N D U M

TO: William J. Fraser, ICMA-CM, City Manager

FROM: Todd C. Law, PE, Director

DATE: June 7, 2012

SUBJECT: Bridge Controls Work at the WWTF

I am requesting that you seek Council authorization on the next available Consent Agenda to authorize award of this project, suggested wording as follows:

To accept the low proposal of \$14,365 by CE Wendell Electric of Middlesex, VT, for the bridge control repair and replacement at the Wastewater Treatment Facility, and authorize the City Manager to sign on behalf of the City.

The Public Works Department requested quotations from qualified contractors to perform rehabilitation/ replacement of the controls for the primary settling bridges at the WWTF due to normal degradation. We received bids from three (3) local contractors capable of performing this work; CE Wendell Electric for \$14,365, Cowan Electric for \$37,600 and Royal Electric for \$49,120. We recommend award to the lowest bidder, CE Wendell Electric of Middlesex, Vermont for \$14,365. We have budgeted \$65,000 in the wastewater budget for the rehabilitation of the bridges and the coating portion of the project costs are \$32,700, which was previously authorized, leaving adequate funding for this portion of the rehabilitation work in the CIP budget.

If you would like to review any of the bids received, we would be happy to provide the 3 bids.

Bob Fischer, WWTF Chief Operator