

Town of Bolton
3045 Theodore Roosevelt Highway
Bolton VT 05676
Select Board Minutes
November 27, 2017

Board members present: Josh Arneson, Jen Dudley-Gaillard, Chair, Ron Lafreniere (6:50 p.m.) Sharon Murray
Board members absent: Gene Armstrong
Also present: JB McCarthy, VTrans, Charlie Baker, CCRPC, Mike Gervia, Mike Debonis, GMC, Andrew Pond, MMMUSD, Joss Besse, Kyle Pratt, Ethan Tapper
Clerk: Amy Grover

1. **The meeting was called to order at 6:00 p.m. by Jen with a quorum of 4 members present.**
2. **Additions or deletions to the agenda:**
Additions to the Agenda:
 - Scheduling – January 2018 meetings: Tuesday 1/9 and Monday 1/22. PW budget review 12/4/17 @ 7 p.m.Deletions to the Agenda: none
3. **Public comment:** none
4. **Recurring Business:**
 - Minutes November 6, 2017: Sharon made the motion *“to accept the minutes of November 6, 2017 as amended.”* Josh seconded. There was no further discussion. All were in favor and the motion passed (4-0).
 - Warrants: signed.
5. **Communications:**
 - Legislative Breakfast, December 12, 2017, Sharon to attend.
 - VLCT News.
6. **Appointments:**
 1. 6:00 p.m. JB McCarthy, VTrans – Notch Road Tunnel Project
JB McCarthy noted:
 - Review of past process, structural condition (100K spent on boring determined there were no structural or supporting material concerns), programmed for 500K rehabilitation, town reaction to scoping report.
 - VTrans is not proposing replacement given the budget and lack of structural concerns, the project was not initiated to address both structural and functional issues, only structural.
 - The difficulty with the state keeping up with structural issues given the budget constraints; no budget to address functional issues.
 - The town was noticed that VTrans was moving forward with rehabilitation design.

The BSB noted that:

- The process with public meetings gave the impression that concerns and input regarding safety would be taken into account, which has not happened; pedestrian safety (hikers and school children, the children especially do not always trigger the pedestrian signal) trucks losing brakes and going across Route 2 (multiple incidents), poor visibility in and accessing the tunnel.
- Safety came up much earlier in the DRB review of the Long Trail relocation, and was of concern. VTrans was involved in those discussions. At that time, the town was under the impression that there would be a project in a few years (bridge replacement) that would address the safety issues. That was taken into account when the Long Trail relocation was approved.
- The safety concern is not collapse, it is the height and width – as noted by VTrans, the tunnel is functionally deficient in those areas.

Andrew Pond noted that:

- MMMUSD was surprised at VTrans position regarding safety, not a concern. The concern is only structural and does not reflect the whole issue – which is both structural and safety.
 - JB McCarthy responded that VTrans cannot address all the functional issues with their budget, and noted that the state cannot keep up with structural issues, and has spent 1 billion in the past ten years on structural issues. With respect to the Notch Road tunnel/culvert (which is owned by the state) and the functional side, 600-700 cars a day did not push the tunnel “up very high on the list,” and it was “strange that this job like this was structurally programmed.” The rehabilitation will remove pavement to gain a few inches of vertical clearance, paint the inside white, fix the cracks, and add lighting. The vehicle stop/yield conditions are not yet designed.

Brief group discussion on terminology and functions: box culvert/tunnel vs. bridge, differences in safety factors of both; i.e. nowhere to go in the tunnel, and that the town and MMMUSD are struggling with the multiple safety issues and that there is no way for VTrans to review/incorporate addressing those issues.

Brief group discussion on other box culverts/culverts in VT and Bolton; noted Boys Club Road culvert, standard designs in the 1960s, but only access for a handful of houses.

Brief group discussion on the one lane option, pedestrian tunnel, and that there appeared to be no other option than the rehabilitation (good for 30+ years); no option that “fell in the middle” between a rehabilitation and new bridges.

- Joss Besse asked if data on pedestrian usage factored into the decision making process.
 - JB McCarthy responded that pedestrian data was not factored in at all, that VTrans does not have that data, and that the scoping process did not count pedestrians.
- Jen asked if VTrans would gather pedestrian data.
 - JB McCarthy stated that there were not many projects with pedestrian counts, and that an accurate count would require a lot of staff time, and questioned what that count would inform, other than the fact that pedestrians existed.
- Joss Besse inquired about the formal process if the town disagrees with VTrans’ decision to proceed with the rehabilitation.
 - JB McCarthy stated the process would entail a letter to Secretary of Transportation, Joe Flynn, which would be “sent up the chain,” and for the town to inquire about the reason this project was selected, if it was because of structural concerns, i.e. the cracking.
- Josh asked if there were any VTrans projects that were looking at safety.
 - JB McCarthy stated that the state is still trying to catch up with all of the structural issues, not to belittle safety issues, but that safety competes with issues like sinkholes, bridges with unknown foundations, and 200 culverts in need of 240 million in repairs, which was why “some of our people don’t sleep well.”
- JB McCarthy stated that if the project had come from CCRPC with support from the legislature, it would have been addressed and planned for differently.

The BSB thanked Mr. McCarthy for attending the meeting.

2. 6:30 p.m. Charlie Baker – CCRPC Annual Report.

Brief group discussion continued on the Notch Road tunnel project; budget allocations of 70% for maintenance, why the project was generated would be the focus of the project, safety issues, wildlife corridors, federal funding, if CCRPC did not approve funding (in TIP for 2020), a letter to the Secretary requesting that the project be delayed/removed, option for town to do upgrades at the town’s expense and request the project be removed, potential to use a CCRPC intern to gather summer/fall pedestrian counts, possibility for a UPWP project requesting a scoping study for a different purpose as a regional project (due to I89). Consensus: a letter to the Secretary, CCRPC Board Chair Chris Roy, and the legislature is the starting point, requesting project delay, not project removal.

Brief discussion on the BV access Road designation, which would qualify the road to be on the TIP for project funding.

Charlie Baker noted that:

- He was completing the fall “customer service” check in with towns, and the group reviewed the CCRPC annual report, including direct assistance to Bolton, and projects county wide.
- Sharon asked if the road erosion inventory work would be valid for the MRGP. Mr. Baker stated that yes, the data would be applicable to the first round, and updates would be needed every five years thereafter.
- Jen noted the town’s appreciation to CCRPC for help with the Town Plan and Chris Dubin’s work with the Better Roads grants and the town’s Highway Department.

3. 7:00 p.m. Mike Gervia – BVFD/ Engine 1 update:

Engine 1:

- Towed to Clark’s due to brake failure; unsafe to drive. The brakes were repaired and the truck failed inspection due to a cracked frame. Clark’s recommended sending the truck to Giroux’s to repair the frame. Giroux’s noted that they would prefer to repair the frame, if possible, the same day they inspect it, while the truck is apart. Repair would entail installing another frame rail over the cracked rail – Jericho just had similar repairs done to their truck. Preference to fix and avoid renting a firetruck. Noted: Mike will get information/costs from Giroux and call the BSB for direction.
- Jen asked how this is impacting the BVFD/town. Mike stated that it limits response by the BVFD in all areas, including I89; running with one engine, one rescue truck. A larger issue is concern about Bolton Valley’s upcoming opening and the water supply, and possible impacts to insurance ratings.
- Issues with mutual aid noted during the day, BVFD current roster is fourteen.
- Brief discussion of BVFD vehicle replacement schedule and options; mini pumper and a tanker vs. a truck.
- Brief discussion on timing of inspection and brake issues/towing, inspection of Engine 2 completed last summer by Clarks.

BVR, LLC – Fireworks:

- Brief discussion, open to the public, noted the BVFD does not typically place a truck due to snow cover and BVR inspecting the site.

CIP:

- Jen noted the CIP will reconvene to review BVFD & PW changes and options.

Subdivision:

- Mike noted the BVFD was no longer in the loop with respect to subdivisions, i.e. Wheeler Field. Sharon to follow up with Sarah.

7. **Action Items:**

1. BVR, LLC – Fireworks Fee Waiver Request – New Year’s Eve fireworks display. Sharon made the motion “to waive the \$250 permit application fee for BVR, LLC’s New Year’s Eve fireworks display.” Ron seconded. Josh recused himself from the vote. There was no further discussion. Three were in favor and the motion passed (3-0).
2. Planning Commission Appointment & Resignation: Sharon made the motion “to accept the resignation of Jim Bralich with thanks for his years of service to the town, and to appoint Kaelyn Modrak to complete his term, expiring in March 2020.” Josh seconded. There was no further discussion. All were in favor and the motion passed (4-0).
3. Copier Bid Opening:
 - 5 bids received, Amy will tabulate and check references for the 12/4/2017 meeting.
4. Town Garage Water Heater Replacement
 - Bids requested from 2 outside contractors, none received. One more week to follow up.
5. Amended Tax Payment Policy
 - Josh made the motion “to approve the amended 2017 Tax Payment Policy” Ron seconded. There was no further discussion. All were in favor and the motion passed (4-0).

8. **Business:**

1. Constable/Animal Control: the group discussed the current status.
 - Josh made the motion "to appoint Jeffrey Leete Animal Control Officer effective immediately, to serve until the BSB organizational meeting after Town Meeting 2018." Sharon seconded. There was no further discussion. All were in favor and the motion passed (4-0).
 - Josh made the motion "to appoint Rob Mullen Animal Control Officer effective immediately, to serve until the BSB organizational meeting after Town Meeting 2018." Sharon seconded. There was no further discussion. All were in favor and the motion passed (4-0).
 - Amy to check on Constable Statute and follow up with Chris LaBerge.
2. PPCA Logging discussion with Ethan Tapper and Kyle Pratt included:
 - Documents reviewed and amended by the Town's attorney, Ethan to firm up trucking price for Timber Sale Contract.
 - Review of map, Ethan will adjust.
 - Reference Timber Management Plan.
 - Reviewed by VLT – only need to approve amendment to Stand 6.
 - Management, AMPs, steep slopes, established skid road infrastructure.
 - How to manage firewood; administration of lottery system, staging area, 60 cords of firewood, number of cords per resident (suggested 3), \$7,500 credit for first 10 truckloads, local wood from town forest is an additional way to use resource of PPCA, trucking costs and payments, administration of lottery.
 - Timeline: mid-January 2018 start – first ten loads towards the end of January, beginning of February.
 - Overlap of logging areas and trails; Conservation Commission to address.

The BSB noted their appreciation to Ethan for his informing monthly articles.

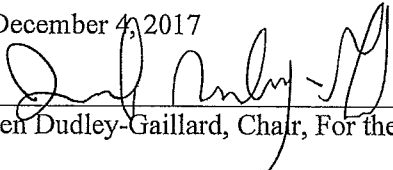
3. FY 18-19 budget: Brief review of GG draft budget.

9. **Closing:** Josh made the motion "to close the meeting." Ron seconded. There was no further discussion. All were in favor and the motion passed (4-0) at 9:32 p.m.

Attest: Amy Grover, Clerk

Minutes are unofficial until approved. These minutes were read and approved by the Bolton Select Board on:

December 4, 2017



Jen Dudley-Gaillard, Chair, For the Board