

Duxbury Selectboard Meeting Minutes

Tuesday, May 28th, 2019

Note: The complete audio recording of this meeting may be found at www.duxburyvermont.org

SELECTBOARD MEMBERS PRESENT	Bob Magee, Mari Pratt, Dan Schillhammer, Jerry McMahan, Kevin Garcia
MINUTES PREPARED BY:	Jonathan DeLaBruere
CALL TO ORDER	The meeting was called to order at 6:00 PM by Bob Magee.
INTRODUCTION OF SELECTBOARD MEMBERS	Selectboard members introduced themselves and attendees were reminded to sign in using the sign-in sheet.

CHANGES TO THE AGENDA

DISCUSSION	<ol style="list-style-type: none"> 1. Add Animal Complaints under New Business 2. Add Opening of Sand Hauling Bids under New Business 3. Add Line of Credit under Old Business 4. Add Driveway Culvert Maintenance under New Business 5. Remove Tax Sale Process under New Business 	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Add Tax Sale Process to June 10, 2019 Selectboard regular meeting	Jonathan	06/10/19

CITIZENS AND VISITORS TO ADDRESS THE BOARD

DISCUSSION	<ol style="list-style-type: none"> 1. Jill Smith – Concerned about driveway damaged that occurred as a result of the May flooding event. Jill explained that a town maintained culvert was what was responsible for directing the water toward her property. She also explained that she is in the process of getting two quotes for the repairs. The Selectboard asked Jill if they could review the quotes before making a decision on how they will proceed. 2. David Specht – Concerned about how the Crossett Hill Road project will impact his land. He asked about the soil that will be removed from the excavation site and if he was able to have it brought to another location on his land. He also brought up concerns about who is going to make sure that the contractor that is hired for the project follows all state regulations.
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Ask Golder for more information about the soil that will be excavated from David's land	Jonathan	ASAP
Ask town attorney about legal ramifications for David if the contractors don't follow the law	Jonathan	ASAP

APPROVAL OF MINUTES

DISCUSSION	<ol style="list-style-type: none"> 1. Motion by Dan, Second by Jerry, All in Favor of approving the 05/13/19 Selectboard minutes as posted. 2. Motion by Dan, Second by Jerry, All in Favor of approving the 05/21/19 Selectboard minutes as posted. 	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

REVIEW OF SELECTBOARD MAIL

DISCUSSION	<ol style="list-style-type: none"> 1. The board received a letter from Harwood School District. They asked to add this as an agenda item for the next meeting so they have time to review the letter. 2. River Road Public Utility Commission (PUC) letter stating that a communications tower was being installed at 2153 River Road in Duxbury. Motion by Dan, Second by Jerry, All in Favor of approving the documents as presented. 	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Add Harwood School District to June 10 agenda	Jonathan	06/10/19

REPORT: SELECTBOARD ASSISTANT

DISCUSSION	See attached report	
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Contact Carol Senning to discuss the final project plans and the impact that this project will have on her property	Jonathan	ASAP
Reach out to Golder and VHB to see when the project area will be marked so David can view before signing the stream alteration permit	Jonathan	ASAP

REPORT: HIGHWAY FOREMAN

DISCUSSION	See attached report		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	
Work together to get pictures of Scrabble Hill Road to VHB	Jonathan & Adam	ASAP	

REPORT: TOWN TREASURER

DISCUSSION	<ol style="list-style-type: none"> 1. A line item in the budget was created for track the April 2019 storm damage and is "1-7-804-A April 2019 Flood Damage." 2. Jonathan, Adam, and Jerry will all work together to track the amount spent on River Road (Main Street to the Winooski Street Bridge) to account for the Waterbury Reconstruction project. 3. David announced that after his three-year term, he will not be seeking re-election. 		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE	

NEW BUSINESS

DISCUSSION	<ol style="list-style-type: none"> 1. Gravel Pit Bid Opening <ol style="list-style-type: none"> a. Received two bids for the work that is required by the Act 250 commission before the town's gravel pit area can officially be released of Act 250 jurisdiction. Motion by Mari, Second by Jerry, All in Favor of selecting the lowest bidder, which was Avery Excavation. <ol style="list-style-type: none"> i. Top Country (\$19,193.00) ii. Avery (\$12,950.00) 2. Sand Hauling Bid Opening <ol style="list-style-type: none"> a. Received four bids for hauling 6000 cubic yards of sand into the town's gravel pit. Motion by Dan, Second by Kevin, All in Favor of selecting the lowest bidder, which was Adam Stone Trucking. <ol style="list-style-type: none"> i. ST Paving (\$27,000) ii. Newton Construction (\$22,680.00) iii. Tough Country (\$30,900.00) iv. Adam Stone Trucking (\$22,500.00) 		
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	<p>3. Animal Complaints</p> <p>a. The board received and reviewed two animal control reports. The animal control officer has been notified and will follow up on the reports.</p> <p>4. Driveway Culvert Maintenance</p> <p>a. The board reviewed the “Driveway Culvert Installation, Maintenance, and Replacement Policy.” The policy does not mention or address pre-existing driveway culverts that don’t have an updated driveway access permit approved by the Highway Foreman. The board discussed how to get non-compliant driveways to become compliant, and decided to have the Selectboard Assistant draft a letter to notify residents that their driveway culvert is out of compliance.</p>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Notify Avery Excavation and Adam Stone Trucking	Adam	ASAP
Draft a letter to notify residents that their driveway culvert is out of compliance	Jonathan	ASAP

OLD BUSINESS

DISCUSSION	<p>1. Town Garage Update</p> <p>a. Received design drawings from DeWolfe Engineering on Tuesday, May 28. The board will review the documents and asked that an agenda item be added to the next meeting on June 10.</p> <p>2. Gravel Pit Act 250 Permit Update</p> <p>a. Covered in Gravel Pit Bid Opening</p> <p>3. Flooding Repair Update</p> <p>a. Covered in Selectboard Assistant Report</p> <p>4. Line of Credit</p> <p>a. The board discussed getting a line of credit to be prepared in the event that the town now needs money immediately for any reason. The board asked the Town Treasurer to do some research on what it would take to get the town a line of credit.</p>
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ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

ADJOURNMENT	Motion by Dan, Second by Jerry, All in Favor of adjourning at 9:24 PM.
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**Town of Duxbury
Selectboard Assistant Report
05/28/19 Selectboard Meeting**

1. Grants In-Process

a. Crossett Hill Road Slide (Planning Phase) – FEMA

- i. Duxbury's Scope Change Request has been received by FEMA, and they have conducted an initial review of the supporting documentation. This supporting documentation has been passed on to other agency representatives to take a deeper dive on the materials. After an initial review of Scope Change documentation, FEMA Environmental and Historic Preservation (EHP) would like to conduct a site visit to Crossett Hill Road.
- ii. At this point, the Town of Duxbury has finalized/obligated all of their projects from DR-4330. FEMA would like to conduct a Recovery Transition Meeting (RTM) to review next steps with Duxbury and answer any questions.
- iii. FEMA will be here this Friday, May 31st beginning at 8:00 AM to conduct both of these tasks with Duxbury in one day.
- iv. The Town of Duxbury, Golder Engineering, VHB, and property owner, David Specht, met to conduct a second site visit on Tuesday May 21st, 2019 to come to an agreement on what specific areas of the project site David would like undisturbed. These additional details were included in the updated plans, and sent to David to review. The goal is to have David sign the stream alteration permit at tonight's meeting to begin the 30-day public comment period for the permit.

b. Scrabble Hill Road Stabilization – Municipal Highway & Stormwater Mitigation FY19

- i. VHB submitted the proposal to DuBois & King on Thursday, May 16th, 2019. Once a proposal is created and submitted by the deadline of June 20th, 2019, it will be shared with the Selectboard for review and comment by the July 8th, 2019 Selectboard meeting.

c. Salt/Sand Shed – Municipal Highway & Stormwater Mitigation FY19

- i. Jeremy, Project Manager for DuBois & King has scheduled a project kickoff meeting for Wednesday, June 5th beginning at 8:30 AM.

**d. Camels Hump Road Scoping Study – Transportation Alternatives
FY19**

i. No update

e. River Road Paving – Class 2 Town Highway Road Program

i. No Update

2. Grants – Pending Review

a. Ryan Road Culvert Replacement – Better Roads FY20

b. Scrabble Hill Road Culvert Replacement – Better Roads FY20

c. Morse Road Culvert Replacement – Better Roads FY20

d. Stevens Brook Road Culvert Replacement – Pre-Disaster Mitigation
(PDM)

3. Other Items

a. **Ryan Road** – A letter was sent to 384 Ryan Road in Duxbury on Friday, May 24, 2019 and was received on May 28, 2019. Ten days from the receipt of the letter would be Friday, June 7, 2019.

b. **May 2019 Flooding** – Received notification from Vermont Emergency Management today that even though Washington County has met the threshold, the State of Vermont as whole did not. This does not mean that the town won't receive any money for repairs, but it does mean that this money won't come from FEMA. VTrans does have money in the form of a State Emergency Grant that will be made available in the event that the State doesn't reach the FEMA State threshold of \$1 million.



NOTICE OF AWARD

PLEASE READ ALL INFORMATION CAREFULLY!

May 28, 2019

Town of Duxbury
5421 VT Route 100
Waterbury, VT 05676

Dear Adam Magee:

Congratulations on your FY2020 Better Roads Category D Grant award! You have been awarded \$21,246.00 for a project on Ryan RD.TH#26 that includes the following components per your grant application: Culvert - Upsize. All projects are currently undergoing an environmental review; if any project conditions arise from this review, your Grant Agreement may include additional Special Conditions of construction. You may not begin work until you have received a fully executed Grant Agreement from the Agency. It is expected that funding will be appropriated by the Legislature in early May 2019. If you would like to begin work on the project prior to July 1, 2019 but after execution of your grant agreement, that is permissible as long as the Town understands that there is some element of risk. However, we cannot reimburse for any of these costs until after July 1, 2019.

The Grantee shall complete work in accordance with specifications contained in the Vermont Better Backroads Manual, ANR Stormwater Manual or other applicable manual(s). Before completing work please make sure you have any necessary permits. Please remember to work safely! This may include items such as safety vests, hard hats, trench boxes, and work zone signs.

To receive reimbursement for your work you must complete the following:

Project completion checklist:

Work completed according to the specifications in the above referenced documents. This includes, but is not limited to:

- Mulch exposed soil areas daily, seed and mulch as soon as final work occurs;
- Use erosion control matting on side slopes over 2 horizontal: 1 vertical, use riprap where appropriate, likely in the base of ditches when slope is over 5%;
- If work is completed after September 15th, exposed areas must be stabilized with either hydroseeding or erosion control matting (seed and mulch is not adequate protection for winter);
- Use adequately sized culverts, headers and riprap at inlets and outlets if needed;
- Dispose of excess soil properly, not in wetlands or on streamside slopes;
- Use silt fencing at the base of exposed slopes but not in flowing water. Stabilize ditches with seed and mulch (before September 15th), erosion control matting, hydro seeding, or riprap.

The items below must be received with the final report in order to release grant award:

- Municipal Invoicing Spreadsheet with attached receipts/invoices
- A total of **4 color photos** including: 2 before and 2 after project completion

For reimbursement information and forms please see program website at:
<http://vtrans.vermont.gov/highway/better-roads>

Upon receipt, review, and approval of all items listed above, your town will be reimbursed for 80% of your project costs, up to your total grant amount. The deadline for completion of your FY2020 Better Roads grant project and submission of the final report paperwork is **June 30, 2020**. Your project may also be subject to a final inspection.

The Committee encourages you and your town road leaders to continue with Better Roads initiatives in a number of ways:

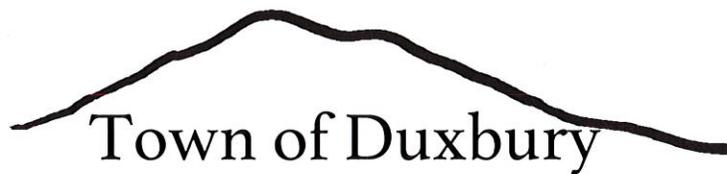
- Ask us for technical assistance, it is at no cost to you and you can take advantage of the proper road construction and maintenance expertise from around the state
- Tell your neighboring towns and road foremen about the Better Roads program. Help us spread the word about cost-effective techniques that improve water quality.
- Apply for Better Roads Grants next year.

If you have any questions or concerns, please contact Alan May (802) 828-4585.

Best regards,



Joel Perrigo
VTrans Municipal Assistance
(802) 595-4933
Joel.Perrigo@vermont.gov



Town of Duxbury

5421 VT Route 100
Duxbury, VT 05676

Friday, May 24, 2019

Sharon Morano & Gary Webster
384 Ryan Road
Duxbury, VT 05676

Sharon & Gary,

This letter is being submitted on behalf of the Town of Duxbury notifying the residence of 384 Ryan Road in Duxbury that your property is out of compliance with the Duxbury Driveway Culvert Installation, Maintenance, and Replacement Policy. This policy is available for review at the town office or on the website at www.duxburyvermont.org. It was brought to the attention of the Selectboard that your unpermitted access for the logging operation has caused substantial damage to Ryan Road. The board decided on May 13, 2019 that you have 10 days from the receipt of this letter to come into compliance by returning the road to its original condition before the disturbance occurred, and to the required specifications outlined in the Vermont Agency of Transportation Orange Book and the Duxbury Highway Foreman or the town will seek legal action. Then, in order to create a new driveway access you would need to submit a Highway Access Permit Application as outlined in the policy.

If you have any questions or require any additional information, please let me know and I will be happy to assist in any way I can.

Sincerely,

Jonathan DeLaBruere
Selectboard Assistant
E - duxbury.sb.assistant@gmail.com
C - (802) 323-2772

Board Meeting

May 28, 2019

Road work/Crew work

Graded River road, Hart road, Crossett Hill, Richardson road, Devlin road, Dowsville, Ward Hill and Scrabble Hill

Crew and I have been working on Scrabble Hill repairing flooded areas.

Foreman Work

Work with crew

Meeting up in the pit

Met with Johnathan on river road on RFP for culverts

Equipment

Pick up went to Duxbury auto tech for the 4 wheel drive not working. Was repaired

Grader got new blade slides. This will fix the chatting problem we were having with the blade.

Loader got a new cutting edge. The other one got thin and broke.

Flood Damage update

We are currently working on Scrabble Hill. We have filled the big gully on the bank side and started the temporary fix on the headwall but the steel plates didn't show up today. Johnathan called the company and they had delivery issues and said they would be here tomorrow no later than 8am. We will be setting the plates tomorrow after the show up. We have some ditching and stone lining and one culvert to upsize. Then we will be working near pits bridge to do some

ditching then to the intersection of Marshall and Camels Hump to fix the headwall and road.

Submitted by

Adam Magee

Road Foreman

Tough Country Excavating & Trucking

77 Country Way
Barre, VT 05641 US
toughcountry@hotmail.com

ESTIMATE

ADDRESS

Town Of Duxbury
5421 Vt Route 100
Duxbury, Vt 05676 USA

ESTIMATE # 1006

DATE 05/23/2019

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
05/23/2019	Evergreen Trees		4	175.00	700.00
05/23/2019	Hydroseed		1	1,750.00	1,750.00
05/23/2019	Mobilization		6	250.00	1,500.00
05/23/2019	Excavator		24	145.00	3,480.00
05/23/2019	Excavator		24	125.00	3,000.00
05/23/2019	Excavator		4	95.00	380.00
05/23/2019	Dozer		24	160.00	3,840.00
05/23/2019	Trucking		24	85.00	2,040.00
05/23/2019	Miscellaneous expenses		1	2,503.50	2,503.50

TOTAL

\$19,193.50

Accepted By

Accepted Date

Avery Excavation INC
2316 Baptist Street
Williamstown, VT 05679
802-433-1655

5/23/19

Avery Excavation Inc is placing a lump sum bid of \$12,950.00 for the removal of 5 dead trees, replace 4 small evergreen trees. Raise and extend berm estimated 260' X 3'. Hydro seed all areas that were shown in walk through. We would be responsible for materials and disposal. It was said at meeting that fill material on site could be used. Those areas would have to be cleaned up and hydro seeded as well. Work has to be completed no later than July 31st 2019

Scope 1	\$2750.00
Scope 2	\$ 6000.00
Scope 3	\$4200.00
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	\$12950.00

Avery Excavation Inc

Michael Avery *Michael Avery*

S. T. PAVING, INC.

P.O. BOX 567

WATERBURY, VT. 05676

Phone: (802) 244-7861

Fax: (802) 244-1354

Proposal Submitted To: Town Of Duxbury Phone#

Date: May 17, 2019

Street:

Job Name: Sand hauling

City

Job Location:

S. T. Paving, Inc is pleased to submit the following for your consideration:

Town of Duxbury

Provide trucking for sand haul

6000 cy

from Varin's pit in Bolton to Duxbury Town Pit

to be completed by October 7 2019

Price per Cy = \$4.50 delivered

Conditions-

- Price is for week day and day time work
- Project is tax exempt
- NO retainage

AS STATED ABOVE

Payment to be made as follows:

TERMS: NET DUE UPON COMPLETION

All materials is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra over and above the estimate. All agreement's contingent upon strikes, accidents or delays beyond our control. Owner's to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. Customer agrees to pay 1-1/2% per month (or 8% per annum) interest on sums overdue by 30 days or more and agrees to pay costs of collection and reasonable attorney fees.

AUTHORIZED SIGNATURE _____ **Paul Lawson** _____
Paul Lawson

Note: This proposal may be withdrawn by us if not accepted within ____ 10 ____ days.

ACCEPTANCE OF PROPOSAL - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE _____ DATE OF ACCEPTANCE _____

Tough Country Excavating & Trucking

77 Country Way

Barre, VT 05641 US

toughcountry@hotmail.com

ESTIMATE

ADDRESS

Town Of Duxbury

5421 Vt Route 100

Duxbury, Vt 05676 USA

ESTIMATE # 1005

DATE 05/10/2019

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
05/10/2019	Varin's 3/8 & 3/4 sand		6,000	5.15	30,900.00

TOTAL

\$30,900.00

Accepted By

Accepted Date



To: Town of Duxbury, Attn: Adam Magee – Highway Foreman
From: Mason Kuhn – Newton Construction Inc.
Date: May 16th, 2019
Re: Winter Sand Hauling

Adam,

Newton Construction Inc. is pleased to offer you a proposal to haul your winter sand from Varin's pit in Bolton to your sand pile. We operate a fleet of late model, safe trucks that are in compliance with all state and federal motor carrier guidelines and are operated by professional and courteous drivers. Our fleet is equipped with powered load covers, to cover the sand. We will provide a copy of our current certificates of insurance, and we have current municipal excess weight permits in place.

For the 2019 season, we are happy to offer the Town of Duxbury a delivered price per cubic yard of **\$3.78** (Three Dollars and seventy-eight cents). The total bid price, based on 6,000 cubic yards would be: **\$22,680.00** (Twenty-Two Thousand, Six Hundred and Eighty dollars) We would like to add that this price factors in the extended travel times we expect to encounter due to the ongoing construction on route through Waterbury.

If you have any questions, or require any additional information, please contact us at 802-223-5288.

Sincerely,

A handwritten signature in black ink, appearing to read "Mason Kuhn", with a long horizontal line extending to the right.

Mason Kuhn
Dispatcher
Newton Construction Inc.

Adam Stone Trucking

211 Martin Road

Williamstown, Vt. 05679

I would like to submit a bid of \$3.75 per yard for the transport of 6,000 yards of winter sand from Varins to the Duxbury town garage. The total bid price is \$22,500.

