

**Town of Castleton
Special Select Board Meeting
Minutes of May 22, 2014
Town Offices**

MEMBERS PRESENT: Joe Bruno, Thomas Etori, Richard Combs, John Hale, Robert Spaulding

MEMBERS ABSENT:

OTHERS PRESENT: Charles Jacien, Town Manager, Paul Eagan, Highway Foreman, see attached listing

Meeting was called to order at 6:00 pm by Chairman Bruno

JOINT DISCUSSION WITH FIRE DISTRICT #1

C. Jacien stated that he and Paul Eagan had concerns, and were at a pre-construction meeting last week and it appears that the restoration of the roadway does not meet our needs. He and Paul went over the plans and Paul came up with a plan of what we want done to meet our needs as to the width of the paving.

P. Eagan explained that the main concern is that it is about 45 feet from the center line to the curb. He continued stating that the cut would be about 15 feet wide.

K. Smith of Marble Valley Engineering responded not that wide but some measurable width.

P. Eagan stated that the patch would be about 1500 feet long and 20 feet wide.

C. Jacien stated to do the completely, the lane would be milled down 1 1/2" and a coat of black top to the same level as currently there. The cost would be about \$25,000.

J. Bruno asked how far it was from the curb to the fog line. C. Jacien answered that it was 11 feet. J. Bruno continued stating that the 20 feet will bring the cut out into the traveled portion of the road.

K. Smith answered that it is defined by the fog line, yes. On a practical level the lane is defined by the concrete pavement underneath it. That is the only stable place that will hold the trench to. That is just north of the fog line. In the business district, the first phase, where the concrete ends that is just north of the line.

On Seminary Street there is a box culvert. The plans show that that it will be in the box culvert. This is one of the things that we need to talk about.

J. Bruno stated that he would like to complete the portion between the curb and the fog line. He had talked to the engineer and Rick Hall marking the blue line in south of the fog line, it was going to be close to the curb. There is a blue line along the road marking where the existing pipe is. If you stay within line, then there is no reason to cut into the road.

K. Smith stated that they had done this work along Main Street a few years ago between South Street and Seminary Street and the pipe in the location along the concrete pavement. They will continue the line from Seminary Street to the Blue Cat. The reason that it is so far out is because

there is interference with other things that are in the ground. We have to keep away from the sanitary sewers and storm sewers. In this case, we decided that keep the water line in the same would be beneficial in serving the Blue Cat and the Diner. Once we get past the Blue Cat, we will be putting the new pipe where the old pipe is, south of the fog line.

He continued stating that the third phase is about 150 feet that will be into the pavement. Pavement costs a lot of money and it has eligibility limits on it. The Fire District does not want to touch the pavement where they can avoid it. The project is about \$800,000 of which \$120,000 is pavement, were that were to increase, it would make it tough on the district.

J. Bruno asked where the water and sewer runs along Main Street, is the water south or north of the sewer? K. Smith answered in the first phase it is north of the sewer. J. Bruno stated that the manhole is clearly north of the water lines, so that is why the question as to why you needed to go close to the road, if you are placing the new pipe where the old pipe.

K. Smith stated that there was a lot more congestion in the first phase. The only place we could find to place the line was north of the sewer due to contaminated soils in the vicinity from the gas station and putting measures in to protect the main.

J. Bruno asked if the district would agree to the Town Managers plan to add \$25,000 to the project.

K. Fowler stated that it is state money and there is not any money that is reimbursable. R. Bergeron once all documents/contracts are signed then the money stays at that figure.

C. Jacien stated that the permits issued call for a full width replacement complete and that we didn't find out until Thursday what the full replacement is and that we have a solution.

J. Bruno asked why we were not notified of the meeting on Thursday. C. Jacien responded that Paul Eagan attended that meeting and found out what the full extent of the trench restoration is.

J. Bruno asked if the Fire District understood our permit. T. Riley said he felt that it was ambiguous and that the paving was going to cost \$121,000.

K. Smith stated that the narrative that accompanied the plan talks about repaving a 7 foot wide strip of pavement. J. Bruno responded that it is still on in compliance with our policy. K. Smith answered that they have many masters to serve on this project and the master that effects paving is the have to go about 7 feet or they will have to find money on their own.

J. Bruno responded that it is important to the Town because the Town is responsible to the taxpayers and if you do a project and the Town has to come up with money to support it then the whole town has to pay for it and not the fire district. The policy was in effect when you started this project.

J. Bruno asked why they need to encroach on the travel portion of the road beyond the fog line. K. Smith responded that the concrete section was put in when cars were narrower. When they put in the water main in 6 years, it was putting it in a place that offered the best isolation. And it was clear in the application their intent.

J. Bruno stated that there were obviously mistakes made on both sides and that the Fire District was aware of our policy. He asked if the Fire District would negotiate the \$25,000 for the project the way our Highway Foreman has suggested.

G. Kupferer asked that Paul Eagan's estimate if \$25,000 that pavement would satisfy the board. P. Eagan stated that there are portions of part 1 & 2 and part 3.

The boards recessed to discuss the proposal.

K. Fowler stated that they had discussed the proposal.

G. Kupferer continued stating that it his understanding that the permit would be intact if the Fire District paid the Town \$25,000. He continued stating that the Town had to be careful not void the our warranty and allow the Fire District to get their work done this year, leave it for a year and then do yours, because if not the it will void our warranty. C. Jacien clarified that it was the contractors warranty

J. Bruno asked about the temporary material on top of the work. S. Bourque state that the contractor was going to bomag the trench and then use it as the top course. Then all restoration would be completed by September because the contract expires October 6.

P. Eagan asked about whom one calls if that is an issue after the October 6 end of contract. S. Bourque state that they tried to give a notification letter to the property owners that live along the construction site with a broad overview of the construction schedule and a point of contact for any questions and that point of contact is Terry Riley as Chairman of the Prudential Committee.

C. Jacien asked if there could be a change order in this contract asking for the bomag & paving this season? G. Kupferer stated that the contract prices are higher.

J. Bruno asked if McDonald was aware of our policy of road cut. K. Smith answered that he didn't see why they would have. J. Bruno responded "Why?". K. Smith responded they would have operated through the contract documents, it wouldn't be normal for any contractor to see those ordinances that are filtered through our contract documents and hold them to the requirements. J. Bruno asked if he was responsible to share that information. K. Smith answered that he is responsible as the engineer.

S. Bourque asked how the infrared treatment comes into play? P. Eagan responded that they should forget that portion. If there are any more projects by any one that the Highway Department, Select Board & Town Manager should be involved in any decision is made.

J. Bruno asked about the box culvert at the end of Seminary Street is a concern and asked if they were intending to abandoning that pipe once the new waterline is installed. K. Smith answered that they are intending to use it as a sleeve for an air release. They were supposed to go under the culvert but decided to seal it in. J. Bruno stated that the board is concerned about future runoff or blockage by saw cutting it and it would open the pathway for flow.

K. Smith said they could make that a change order.

J. Bruno stated that in the future they ever meet this crossroads again, it would be much more productive is get together and talk.

G. Kupferer asked for a motion to change the permit tonight removing the infrared from the permit. K. Smith stated that they had in the past invited representatives of the Town to their project meetings and will provide notice to the Town when the meetings occur.

P. Eagan asked about the culvert. K. Smith stated that they remove the blockage by saw cutting it and installing a plate on the outside and grouting on the inside and they will talk to the contractor about it.

C. Jacien asked when the warranty is up. G. Kupferer answered that it would be one (1) year which is October 6, 2015. C. Jacien stated that they wanted to get the paving done not later than October 31, 2015. G. Kupferer stated he understands that the Fire District will pay the Town \$25,000 for additional paving which will be accomplished by August 2015.

K. Smith clarified that going to work from Seminary Street east leaving the pipe in the first phase active during the entire project.

G. Kupferer read from the approval as 'pavement saw cut with minimum disturbance, compaction shall be done in accordance with the road cut policy' and removed "pavement to be replaced using infrared asphalt and repair system to meet state standards, etc. He added 'the Fire District shall pay the Town \$25,000 for additional paving to be accomplished by August 31, 2015. The Fire District shall remove the blockage "existing pipe" from the stone box culvert at Seminary Street and cap it on the outside and grout it on the inside.

MOTION - Fire District

Motion by R. Ladd to approve, seconded by K. Fowler. G. Kupferer stated the motion is to accept the condition in the Notice of Approval dated April 20, 2014 signed by Charles Jacien and the change initialed by Charles. All voted in favor.

MOTION - Town of Castleton

J. Hale motion to approve the changed wording in the Notice of Approval permit previously as stated by G. Kupferer for the Fire District. Seconded by T. Ettori. All voted in favor.

R. Combs asked if there would be at least one lane open when working at Elm Street so that in case of fire they would be able to get their equipment out. K. Smith stated yes, and they would have steel plates available.

S. Bourque stated they received the traffic control plan final submittal. They will be reviewing it and forwarded it to Charles Jacien.

Adjournment

MOTION

T. Ettori made a motion to adjourn at 8:20 pm, seconded by J. Hall. All voted in favor. So voted.

Date of Approval _____