

Town of Pomfret Selectboard Meeting Agenda

5238 Pomfret Road
 No Pomfret, VT. 05053
 Wednesday May 6, 2020
 7 p.m.

| Agenda | Presenter | Time Frame |
|---|-----------|------------|
| 1. Call to Order | Chair | 7:00 |
| 2. Public Comment | | 7:05 |
| 3. Agenda review | | 7:10 |
| 4. Recurring Items a. Minutes 04/01-04/15-04/19/2020 b. Warrants | Chair | |
| 5. Items for Discussion or Vote a. Road Commissioner Report b. Howe Hill Engineering c. Truck Purchases d. Dan Maxham Driveway Permit e. LEMP Approval f. Legal Billing g. Zoning Regulations Moving Forward h. In-Person Public Zoning Hearing i. Obtaining a legal opinion from Joe McLean in regard to the Conformance of the town Plan and Proposed Zoning Regulations” j. Town-wide Survey k. Review of VLCT Compensation Survey Data & Discussion of Appointed and Elected Officials Compensation l. Roles and Responsibilities in Town Government m. Discussion of where we’re at with Teago Intersection n. Update on Financial Management Committee - what’s left to do from the committee’s charge? | | |
| 6. Meeting Wrap-Up 7. Select Board Correspondence 8. Review of Assignments 9. Agenda Items for Next Meeting 10. Meeting Adjournment | | |

Instructions for joining the meeting are on the following page:

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+13017158592,,89774232435#,,1#,163834# US

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August 6, 2019

AGREEMENT FOR ENGINEERING SERVICES

1. CLIENT

This Agreement is between the Town of Pomfret, Attn: Pomfret Selectboard (Client), 5218 Pomfret Road, North Pomfret, VT and Horizons Engineering, Inc. (Horizons) of North Pomfret, VT.

2. PROJECT UNDERSTANDING

Howe Hill Road in Pomfret is a 1.7-mile-long paved road in poor condition and in need of rehabilitation. The Town of Pomfret has been working toward determining a treatment and would like to consider retaining the services of an engineer to finalize a plan for treatment, develop bid documents for contractor bidding, pre-construction, and construction phase services, as detailed below.

3. SCOPE OF SERVICES

Horizons proposes the following scope of services using in-house staff company wide as needed:

1. Task 1 – Planning Phase Services

- Review the soil boring report provided by M&W Soils (Borings completed in May 2019).
- Develop a preliminary recommended treatment and opinion of probable cost.
- Submit the preliminary recommended treatment to the Selectboard for review and comment.
- Incorporate comments into a final treatment plan.

2. Task 2 – Bid Phase Assistance

Item 1. – Bid Assistance

- Provide assistance to the Town to obtain contractor bids for construction. Assist the Town with preparation of bid documents to include simple layouts on aerial imagery, specifications, and quantities. Horizons also assumes the preparation of

34 School Street
Littleton, NH 03561
Ph: 603-444-4111
Fax: 603-444-1343

176 Newport Rd., PO Box 1825
New London, NH 03257
Ph. 603-877-0116
Fax: 603-526-4285

17 Sunset Terrace
Newport, VT 05855
Ph.: 802-334-6434
Fax: 802-334-5602

8836 Pomfret Road, PO Box 248
North Pomfret, VT 05053
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an engineer's estimate for the work involved. Also includes attendance to one pre-bid meeting for the project.

This work will include incorporating bid documents into the Town of Sharon bid document package if necessary.

Not included but can be provided for additional fee: preparation of bid advertisements, addendum preparation, bid tabulation, or attendance to bid opening.

Task 3 - Construction Assistance

Item 1. – Pre-Construction Conference

Prepare for and attend one preconstruction conference for the project, It is anticipated that the conference will be attended by the Town, the Contractor, the Engineer, and other interested parties.

Item 2. – Construction Stakeout

Provide stakeout of the proposed work to enable the Contractor to proceed with construction. It shall be the Contractor's responsibility to preserve the stakeout. This will include treatment limits and major project components such as underdrain locations. This will not include elevations.

Item 3. – Construction Observation

Provide observation services during the active construction period of the Contract for one project containing up to two site locations. The amount of observation services as detailed below is assumed to be limited to three - half work days but can be increased for extra fees if requested by the Town.

The Engineer will provide observation of the conduct of the construction and be able to state that the work is generally being performed in substantial accordance with the Contract Documents. The Engineer shall report to the Town and the contractor work that is unsatisfactory, faulty, or defective or does not conform to the Contract Documents.

Maintain orderly files for correspondence, a log of daily activities, meeting minutes, field orders, clarifications and interpretations of the Contract Documents, progress reports, and other project related documents.

The Engineer shall not undertake any of the responsibilities of the Contractor, subcontractors or the Contractor's superintendent, or expedite the Work, and shall not advise on any issue relative to safety, OSHA regulations, or the means, methods or procedures of construction.

Notes:

1. It is assumed that full access will be provided to Horizons Engineering as necessary to perform the necessary field work outlined in this agreement.
2. Work not included in this scope of services is as follows:
 - Survey work
 - Shop drawing review
 - Construction administration work including change orders, bid addendums, schedule reviews, contractor payment review, contract interpretation.
 - Any other work not explicitly stated in this agreement.
3. No guarantee for the quality of workmanship by the contractor is hereby provided.

4. **FEE**

Costs for the project as summarized will be billed on a time and expense basis in accordance with the rates provided below, and are estimated as follows:

Task 1 – Planning Phase Services – \$ 2500 to \$3000

Task 2 – Bid Assistance - \$ 2000 to \$ 2500

Task 3 – Construction Assistance - \$ 2000 to \$ 2500

Total Estimated Fee = \$ 6500 to \$ 8000

If during work, the costs are anticipated to be greater than 10% of the estimate shown, we will notify the client in writing. Any work not defined in this agreement will first be approved by the client and will be billed on a time and expense basis in accordance with the fee schedule below.

The following is a listing of hourly billing rates for each employee classification and fees for reimbursable expenses for use on this project.

| | |
|--------------------------|--------|
| Associate Principal | \$ 175 |
| Senior Civil Engineer | \$ 135 |
| Engineer II | \$ 92 |
| Engineer I | \$ 85 |
| Technician | \$ 81 |
| Survey Robotic Equipment | \$ 120 |
| Survey Technician | \$ 75 |

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| | |
|----------------------------|--------------|
| Project Administration | \$ 55 |
| Mileage | \$0.67/mile |
| Full Size (24"x36" prints) | \$4.00/sheet |

5. **SCHEDULE**

Horizons can commence work within one week from authorization to proceed. Anticipated time to complete the recommendations is one month. The anticipated timeframe on all other work is largely dependent on the Town schedule. Those factors notwithstanding. The project schedule may be able to be expedited depending the Client's needs and Horizons staff availability at the time of authorization to proceed.

6. **CONDITIONS FOR ENGAGEMENT**

The attached Standard Conditions for Engagement are considered to be part of this Agreement.

ACCEPTED AND AUTHORIZED TO PROCEED



Senior Engineer

08/06/2019

Horizons Engineering, Inc.

Title

Date

CLIENT (Authorized Person)

Title

Date



ENGINEERING CONTRACT CHANGE OF SCOPE

Change of Scope No. 3

Project Number: 19724

Project Name: Town of Pomfret – Howe Hill Road

Client Name: Town of Pomfret

Address: 5218 Pomfret Road
North Pomfret VT 05053

DESCRIPTION OF CHANGE TO SCOPE OF SERVICES

The change of scope #3 is to provide additional engineering services for the rehabilitation of Howe Hill Road. The proposed is additional scope to the current engineering contract dated August 6, 2019 and involves deleting Task #3 in its entirety and replacing as follows:

Task 3 - Construction Assistance

Item 1. – Pre-Construction Conference

- Prepare for and attend one preconstruction conference for the project, It is anticipated that the conference will be attended by the Town, the Contractor, the Engineer, and other interested parties.

Item 2. – Construction Stakeout

- Provide stakeout of the proposed work to enable the Contractor to proceed with construction. It shall be the Contractor's responsibility to preserve the stakeout. This will include treatment limits and major project components such as underdrain locations. This will not include elevations.

Item 3. – Construction Observation

- Provide part time daily resident inspection services for the Howe Hill Road rehabilitation projects. This will involve a resident engineer present during the road rehabilitation construction which is anticipated to begin around June 1. Resident inspection will include quality control, measurement and payment, address design questions and potential change order requests, daily status reports, and regular updates and communication with the Client. Assumes 3 weeks construction timeframe, up to 15 days maximum of inspection. The scope includes an estimated two to four hours maximum

inspection time per day. Construction testing services are not included in this scope. M&W Soils of Charlestown NH should be available to perform the nuke gauge testing for compaction under separate contract with the Client. Horizons will coordinate testing with M&W Soils and the Client as necessary.

- Resident Engineer services will be provided by Engineer Intern, Engineer II, or Senior Engineer. If Engineer Intern or Engineer II, it is anticipated that engineering oversight will be needed. Attachment #1 contains spreadsheet that details anticipated labor hours.

The Engineer will provide observation of the conduct of the construction and be able to state that the work is generally being performed in substantial accordance with the Contract Documents. The Engineer shall report to the Town and the contractor work that is unsatisfactory, faulty, or defective or does not conform to the Contract Documents.

Maintain orderly files for correspondence, a log of daily activities, meeting minutes, field orders, clarifications and interpretations of the Contract Documents, progress reports, and other project related documents.

The Engineer shall not undertake any of the responsibilities of the Contractor, subcontractors or the Contractor's superintendent, or expedite the Work, and shall not advise on any issue relative to safety, OSHA regulations, or the means, methods or procedures of construction.

FEE

Task #3 was previously estimated at \$2000 to \$2500 in the August 6, 2019 contract. Horizons Engineering, Inc. proposes to complete the Scope of Services for Task #3 on a time and expense basis for an estimated fee of \$ 6,000 to \$ 8,000. This Change of Scope will become part of our Agreement dated August 6, 2019.

SIGNATURES:

Horizons Engineering, Inc. _____

CLIENT (Authorized person)

Senior Engineer 05/01/2020

TITLE DATE _____

TITLE DATE:

Pomfret Selectboard
Draft Minutes 04/15/2020

Present: Emily Moore, Steve Chamberlin, Scott Woodward, John Peters, Chuck Gunderson

Public: Hugh Herman, M.D. (Health Officer), John Moore (Planning Comm.), Ben Brickner (Zoning Board, Auditor), Richard Martin, Bob Coates, Betsy Siebeck, Jim Potter (Road Foreman), Cynthia Hewitt (Select Board Asst.)

1. Call to order 7:06
2. Public Comment: none
3. Agenda Review: Hugh Hermann, M.D., the Town Health Officer, asked for time to update the Board RE: Covid 19
4. Recurring Items
 - a. Approval of 03/04/2020 and 03/18/2020 Minutes. Emily would like the 03/04/2020 Minutes (6j) to not state she had permission to sign a report; she was granted authority to conduct business with VTrans as Chairman of the Board, in the absence of a Road Commissioner. Scott moved and John seconded that the 03/04/2020 minutes be approved with editing by Scott Woodward; unanimous roll-call vote. Steve moved and Chuck seconded that the 03/18/2020 minutes be accepted with editing. Scott moved and John seconded that the 04/01/2020 minutes be edited and resubmitted to the board for approval. Unanimous roll-call vote.
 - b. Emily moved and Chuck seconded approval for payment of the following Warrants for Approval; unanimous roll-call vote.

| | | |
|--------|-------------|------------------|
| 19101, | \$30,172.63 | Accounts payable |
| 19100 | 11,151.47 | Payroll |
5. Items for Discussion or Vote
 - a. (20:00) Dr. Herman informed the Board of two active cases of Covid-19 in Pomfret, they are quarantined at home. He also informed the Board that Kevin Rice has a list of people who can use help with groceries, pharmacy, etc.
 - b. Road Foreman Report

Jim reports that the crew is busy grading the south end of town, i.e., River Road, part of Cloudland Road, and Sugar House Road. They are social distancing. GMP has been cutting trees and took down a large pine tree which was looming over the Town Garage, since they were storing their trucks at the Garage. Jim asked for permission to arrange additional work with the crack sealer while he is in town doing last year's sealing. This was granted. Jim wondered how reimbursement from grant money was credited to the Highway Fund. Emily and Scott explained the process. Jim was asking because he has already spent the culvert fund. More careful budgeting of grant proposals would be helpful. Jim lifted the lids on the Town Office septic system due to odor reported in the building; a pump-out is scheduled for Thurs.

04/16/2020, Jim will have the lids off. In the process of his investigation he found a broken furnace vent and bathroom vent.

- c. VTrans Stay Safe Stay Home Announcement. *“Projects being funded as part of any of VTrans’ grant programs (Better Roads, Class 2 Roadway and Structures) are expected to halt all construction activities until the Governor’s Executive Order is lifted otherwise the work completed will no longer be eligible for grant funding. This pertains to both contracted work as well as work to be completed by municipal forces,”* which compels us to furlough/lay-off the road crew. We are also a government agency thus must comply. Jim asked for one more day to work on the worst of the potholes and washboards to prevent more acute damage from heavy rain. Emily will ask for guidance from VLCT on this matter and another meeting will be scheduled to made a decision between furlough/lay-off/essential work. John moved and Chuck seconded that the road crew be authorized to work one more day and then be on-call for any emergencies.
- d. Road Commissioner Position. We are required by statute to appoint a Road Commissioner. The position has been offered to Jim Potter, with Emily being his Board point of contract. Jim would like to sit down and discuss this with the board, not over the internet after Covid-19 restrictions are lifted.
- e. (49:00) Howe Hill Delay of Project. Emily has been in touch with Sharon and they agree to honor the Governor’s order at least until May 15th. Emily moved and Scott seconded that Jim be delegated to explain this to Caleb at Pike. Unanimous roll-call vote.
- f. Tree Cutting – So. Pomfret. Timber Tenders will do this tree cutting for \$1800/day, and believe it will take two days. The Board feels that the dead elm trees especially present a hazardous situation. John moved and Steve seconded that Timber Tenders be hired for two days @ \$1800/day as per their bid to remove dead trees in So. Pomfret; Cy Benoit will ask them if their work is considered “essential.” Unanimous roll-call vote.
- g. Scott moved and Chuck seconded that discussion of pending personnel reviews and quarterly meetings be postponed to after the Covid-19 restrictions are lifted. Unanimous vote.
- h. Sewer Issues – due to an odor at the Town Offices, Jim inspected the sewer and a pump-out is scheduled for 04/16/2020 at the price of \$800 for the two 1000 gal. tanks. Emily moved to approved the expense; Scott seconded. Unanimous roll-call vote
- i. Consideration of Postponement of Zoning Hearing. The May 4, 2020 Meeting has been warned and advertised with plans to conduct the meeting via Zoom. There are, however, new regulations that would allow a 60-90 day extension of deadlines, due to Covid-19. Betsy Siebeck asked that more notice be given besides the Standard. John Moore stated that the Zoom meeting format is much better than the usual speaker phone. John Peters moved and Steve seconded that after consideration and discussion the May 4th meeting will be held, and an in-person, vs.

- Zoom, meeting can be scheduled if/when possible depending on the outcome, participation, and sentiment from May 4th. Unanimous roll-call vote.
- j. Financial Management Committee is not meeting; however, Nancy Matthews is working on final reports and may be consulted for a copy.
 - k. Roles and Responsibilities in Town Government. The Board is committed to this as an agenda item; however, discussion is tabled.
 - l. Formulating a Compensation Plan. Scott would like to determine a logical process for paying employees who are elected, appointed, and hired. He will get the average pay scales for the road crew via the VLCT Wage Survey; Emily suggested we look at only the towns within a 20-mile radius of pomfret, which are likely higher than, for instance, the Northeast Kingdom. We also need to calculate the total compensation package vs. hourly wages. Further development of this topic is noted and next steps will be discussed at the next meeting
 - m. TA-60. Neil Lamson has assisted Emily in preparing the TA-60 report using the budget items. Neil has experience with this form in the past. Scott moved and Emily seconded that the Ta-60 be submitted. Unanimous roll-call vote.
 - n. Frey Aarnio has volunteered to be on the Energy Committee. His history includes “worked in power generation for the Department of Defense and Department of Energy through a defense contractor. I have attended several seminars on alternate energy here in Vermont and in Idaho.” Scott moved and Steve seconded that Mr. Aarnio be appointed to the Energy Committee. Unanimous roll-call vote.
 - o. Scott moved and Emily seconded that Neil Lamson has permission to sell his vegetables, baked goods, syrup, etc. at the Town Hall parking lot, since it seems likely the Mt. Tom Farmers’ Market will not reopen. He will schedule pick-ups at specified times so there is not a large number of people in attendance at once. Four ayes and one abstention. Motion passed.
6. Meeting Wrap-Up
- a. Selectboard Correspondence – none
 - b. Review of Assignments. Emily will speak with Cy Benoit re: Timber Tenders, Mike Blakesly at VTrans, and with VLCT re: furloughs. Scott will arrange Zoom for upcoming meetings and hearings.
 - c. Agenda for Next Meeting:
 - Town Compensation Plan
 - Rules and Responsibilities in Town Government
7. Meeting adjourned at 9:45 p.m.

April 19, 2020

Select Board Special Meeting Minutes

Present: Emily Grube, Steve Chamberlin, Scott Woodward, John Peters, Chuck Gundersen

Public: Jim Potter (Road Foreman), John Moore (Planning Commission), Neil Allen (VT Standard), Richard Martin, Cynthia Hewitt (Selectboard Asst)

1. Called to Order 6:00 p.m. Via Act 92 Providing Public Access through Zoom
2. Public Comment. None
3. Review of Agenda: Emily added Zoning Hearing Mechanics. Strike Warrants and Approval Minutes. Scott moved to approve these changes to the agenda. Steve seconded. Unanimous roll-call vote.
4. Recurring Items: None
5. Items for Discussion or Vote
 - a. Emily called this meeting to share information Jill Muhr sent that road grading, among other outdoor necessary work is allowed, i.e., removal of snow fence. The governor also made similar announcements at his Friday Press Conference. John Peters shared the ACCD News Update which outlines an approach for the phased restart of Vermont's economy. The new addendum allows small crews for outside construction or other outdoor trade jobs and single-worker, low- or no-contact professional services. Safety requirements for these entities and others already operating to ensure continued social distancing, hygiene, and disinfection remain in place. They must wear masks and remain 6 feet apart. John moved and Emily seconded. that the town crew be put back to work on Monday in cooperation with Secretary Kurrle's ACCD Addendum10 Executive Order. Unanimous roll-call vote.
 - b. Kevin Geiger has offered to moderate the Zoning Hearing to allow Selectboard members to listen. Billy Emmons was unable to get into the last Board Meeting. John Moore also pointed out information needs to be disseminated regarding the notification of the meeting, where the zoning document can be found, and the original notice can be read. This information will be made available on the Town Website. Emily moved and John seconded, that Kevin Geiger be the host and moderator for the 05/04/2020 Amended Zoning hearing so that all Board members can listen and respond to comments. Roll-call vote unanimous.
6. John moved for adjournment at 6:38 p.m.

