

Plainfield Special Select Board Meeting Minutes
February 19, 2021
Approved

Present electronically were Select Board members Tammy Farnham, Sasha Thayer (Chair), and Jim Volz. Also present was George Cushing (resident).

The meeting commenced at 7:04 PM.

Approval of/changes to agenda - none made.

Pedestrian Bridge Project - Tammy Farnham

Tammy stated that there were two tasks to be done, one is the approval of the additional grant from the State from Vermont for the Pedestrian Bridge project. Tammy reviewed that the Town received one earlier grant for \$90,010 and this is an amendment to that grant. Every grant since then is an amendment to the earlier original grant. The first grant was a 10% match and additional grants after that are a 20% match. Tammy stated that the amount of funding for the project is \$921,007 and the project including the contingency figure for overruns, site engineer, and outstanding invoices, is currently estimated to be \$918,017. The costs for the project's site resident engineer who will be present during construction will also come out of these grants. Tammy reminded the Board that the Select Board had identified VHB engineering to be the project site engineer and also advised the Board that she has not gone back to VHB to explain to them that we narrowed the scope of the project. \$65,000 had been the amount assigned to resident site engineer services/ Tammy hopes VHB may be willing to reduce their cost as resident site engineer.

In response to a question from George Cushing about the \$65,000 for the engineer, Sasha explained that the site engineer for a project is on-site during construction to make sure that a project is constructed in accord with the job's specifications, VTrans requires that there be an engineer on-site, and that this is not the design engineer who produces the design for a project.

Sasha invited George Cushing to state his views as a member of the community. George Cushing reminded the Board was that this project was going to be put out to vote at the Town Meeting before a decision was made. He stated that, last Fall, all the Board said was that it was going to spend an additional \$4500 for an engineering upgrade to see what could get put out to bid. George asked whether this is a time issue where the Town has to move right along. George is concerned that this is going to increase taxes for all the townspeople. He was troubled that now, all of a sudden, the Board has a meeting with twelve residents (on February 11, 2021) and makes a decision to go forward. George stated that, to him, it would make more sense to go forward with the Brook Road bridge replacement, rather than the pedestrian bridge.

George said that he would like to see a concrete cost for the project so there's no cost overrun on the bid. He's reviewed the increases and stated that he's really concerned that the cost is going to grow more, with more money needed from the townspeople. He also stated his concerns about that the design safetywise. He stated that the bridge needs to have safety rails because of the traffic and the way people come around the hardware store, describing this as a real concern safetywise.

George stated strongly his view that the Select Board made an agreement to have this on the Town Meeting warning for a vote. George said that going forward the Select Board needs to handle this correctly. George also addressed the expectation that there will be additional economic activity in town at the Town Hall-Opera House because of the pedestrian bridge. He does not agree with this and stated that this pedestrian bridge doesn't benefit most of the town.

Tammy stated that it is a time issue. She suggested that he review the presentation and what we presented to the town (on February 11, 2021). Tammy said she personally contacted people and told them about the meeting last week and encouraged them to come to the meeting, including George. In response to George's concerns, Tammy shared the presentation she'd made on February 11 with those at this meeting via "screenshare." She reviewed the history and the figures related to the project. Tammy stated bids received in 2020 were very high. She worked VTrans to have them realize that the Rte 2 Intersection Remediation plan called for the State to take out the sidewalk newly installed as part of the Pedestrian Bridge project and then reconstruct the sidewalk as part of the Rte 2 Intersection Remediation construction.. As the result of Tammy's negotiation, VTrans agreed to a phased project, where the sidewalk originally included as part of the Pedestrian Bridge project will, instead, be included as part of the Rte 2 Intersection Remediation project. This means that this sidewalk work will all be done with Federal money with no Town match. Tammy noted that the lower bid received in January brings the cost to the town to \$147,960. With the \$21,083 the Town has already spent, the Town will need to pay an additional \$126,847 for the Pedestrian Bridge project. Tammy stated that if we don't move forward, under the payback provision of the grants, the Town has to reimburse the Federal government for money that it put out for the project, so that if the Town doesn't go forward, the Town will have to reimburse the Federal government \$162,876.82. Tammy described the question for the Select Board as being, "do we put this to vote about moving forward and **budget for \$12**. Tammy stated that factors which affected the Select Board's decision to go forward without a vote from the Town is that a contractor is only required to hold its bid for 30 days. After that the contractor can increase its bid, so there is a time frame issue. Tammy said that people at the meeting (on February 11) appeared to be in support of the project going forward and it made sense for the Select Board to then vote to go forward. Tammy noted as well, that if we don't move forward with the Pedestrian Bridge project, the State won't put in the sidewalk as part of the Rte 2 Intersection Remediation project, so there would be no sidewalk. Tammy noted that the bid amount includes 12% for possible overrun on the project and the figures she has put together about the possible project cost include another 10% for contingencies, so it is possible the the project will end up costing less.

George reminded the Board that by going out and getting the bids, the Board knew there would be a time limit and that if the Board hadn't proceeded as it did, it would have been possible to have a vote at Town Meeting. George stated that the Select Board handled the matter all wrong as the February 22 deadline made it impossible to put the project to a vote. Tammy stated that at earlier meetings last year she kept being asked, "What are the costs?" and at that time all the Board had was the higher bids received in February 2020, Tammy said that she doesn't think it was anyone's intent to have the project cost more over the years and that when she and Sasha voted on an earlier proposal for the project we had been told that it would save the town \$58,000. Tammy stated that we are gaining much more going forward and doing this. Jim noted that if we had cancelled this project in the Fall, we would have owed a lot of money.

Regarding payment of the Town's share of the project, Sasha stated that she'd heard from Linda that there is something on the order of \$60,000 remaining in the Batchelder fund, so there remains an additional \$66,000 to raised which could be financed. That will be taken up at the Select Board meeting on Monday.

George Cushing described that the feedback he's been getting, that out-of-state landowners feel that they've been left out totally, they haven't been notified about what is being considered and a lot of people in town weren't notified as well. Jim observed that the notices of meetings are on our agenda on the website and Tammy noted that it was put out on other resources. Tammy said that the Board created a special meeting titled "Pedestrian Bridge" just to discuss this project rather than include it in a regular meeting. Tammy said to George that if he has suggestions about getting other people involved she is 100% willing to try anything because she does want people involved. Sasha noted that if George can provide contact information for these people, one of the things the Board can do is to send the PowerPoint presentation to them.

Sasha also noted both she and Tammy, and probably Jim too, are frustrated that this started out to be a much less costly project and has ballooned.

Sasha attributed this in part with the structure that we had, where the project engineer thought that all he had to do was communicate with the Advisory Committee, and not the Select Board, so the Board was not kept in the loop. She said that if she had to do it over again, she would want to be kept better in the loop. Sasha said that the conclusion relating to not putting this on the warning was the concern that if the Board were not really articulate about what the freight could be if the project were voted down, and that it would be a lot worse by \$40,000 if it were voted down, that that might happen because people are frustrated and angry. She said that is understandable because of how the project has gone. She noted that there are also deadlines to be met to respond to the bids, that the previous figures weren't. She said she also understands Tammy's concerns about how do we give people concrete figures, because the previous figures (from 2020) weren't reliable at all. Sasha described that the Board has been faced with how to we make something good out of a mud pile.

George asked whether the Board know that a decision would need to be made before town meeting when the project was put out to bid for a second time. Tammy acknowledged that this was known, and also explained that to get the best bids the timing of a project going out to bid affects the size of the bids. She stated that the hope was that if the project were put out to bid sooner than if the Town waited until after March. She noted that contractors which are hungrier for work will bid a lower amount.

George expressed that the Town should have scrapped the project and moved on. Jim stated that the Board didn't have a chance since he's been on the Board that cancelling the project would have cost the town more money than going forward and it never made any sense to cancel it. Tammy stated that going forward the Board may want to have the Town follow a practice for any large project of having the Town vote on whether the project should go forward before the Town does so. It needs to be understood at the beginning that there are costs that have to be paid back if the Town doesn't go forward with a project. Tammy noted that even with the Rte 2 project, if the Town were to back out, the Town would have to reimburse the funds expended on that project.

Sasha noted that when she got on the board in 2017, one of the things that did not happen relating to this project was a really good explanation of here's what's going on, here's what the costs are, and here's what the costs would be if the Town didn't go forward with the project. Sasha stated that in the summer of 2017 she spent 6 hours going through the Pedestrian Bridge project file because things were confusing. She said that she didn't understand that construction bids for these projects are not graven in stone, that it was only later that Ross Gouin of VTrans explained that a bidder can put in a bid, but if they find that a portion of the project actually costs more than expected, the Town must pay that cost. She stated that she hadn't understood that the bid price for this kind of project isn't absolute.

Sasha said that there was a lot that the Select Board didn't understand.. She said that this has been horrendously painful for the Town and very painful for members of the Select Board. Sasha stated that she thinks all members of the Select Board feel that way. Tammy confirmed that she feels that way, as well. Looking at the facts and looking at what people have done, she said that if she knew previously what she knows now, she would have proceeded differently. Tammy stated that, in perspective, we need to understand as a community that when we go forward with a project, that we're committed and there are a lot of unknow factors. She mentioned that in 2014 when the project was first being considered, they were looking at \$39,000 of Town money, but over time it's gotten to be a large project. She asked, "do we not move forward and have nothing and be out \$188,000, or do we move forward and have to pay \$126,000." She noted that these figures are high because of amounts added for contingencies, but it may come in less. She said that it didn't make sense to the Select Board to put it out to the town for a vote when we could be losing our contractor, so the Board felt that the Board was making the right decision to more the project forward. Tammy said that that's what she heard at the meeting (on February 11). Jim stated that when he got on the board, the Town was working with an engineering firm that had designed the bridge and most of the costs of that was covered by a grant from the State, with hardly any money that the Town was going to have to put in. Jim said it was put out to bid and we got these really high bids, then the project was redesigned to see if it could be done more cheaply so that we wouldn't have to abandon the project and repay all these grants,, and we got the new bids based on the new redesign. Jim said that at each step of the process

there was a choice of lose lot of money or spend a little be more and go foward and have a bridge when you're done. He stated that at every step it was more rational to go forward, rather than abandon the project.

Sasha noted that one of the things that is going to be on the agenda for Town Meeting is doing Town Meeting votes by Australian ballot which means that we don't have a regular town meeting where you get to change things at the meeing. Gary Graves, who asked that these articles be put on the warning, observed that very few people get to vote on these things at Town Meeting, even when they are big budget items, and that a lot more people were voting on the budget for the school district after it was changed to Australian ballot. Sasha said she doesn't know how that vote is going to come out and it is one where there may be strong feelings. She said the Board did consider whether when we have a conventional town meeting, are we really offering the opportunity to weigh in on major issues and budget issues to a really representative number of people in town? Sasha said that she learned that the number of people who vote at Town Meeting, not the number of people who vote for Town officers, usually turns our to be about 10% of the voters. Sasha thinks it's reasonable to demand of any Select Board that they be giving more thought to how do we get people to really weigh in, rather than just turning up at meetins. Sasha also noted that one of the projects which has gotten put off is the Brook Street Bridge. Sasha noted that there are some people very much affected by the flooding in the village, but that there are a lot of people in other parts of town which aren't affected by flooding. and how to we educate the community, and how do we give people in the community the opportunity to say yea or nay.

George stated that, in his view, the State owns the waterway and they are mismanaging the waterways should be doing what is needed about flooding. Sasha also noted that additional issues in town involve the water and sewer plant is now 50-60 years old. When these were put in there was Federal money for that, but things only have a certain lifespan But there's not money for that now and Sasha thinks this is something that we need to be thinking about, how do we get fund for this, how does this become a priority? Sasha noted that the Water&Sewer people said that if they had \$1 million to put into Water&Sewer, they already have projects they would direct the money to. Sasha stated that the Town has gotten no COVID relief money from the State or the Feds for town employees, that Linda and Carol are completely overloaded. Sasha asked how do we get revenue to keep people like Linda and Carol and fairly compensate them? George agrees that they are highly underpaid.

George suggested that if you can get team that is sincere, an organization across the state, have a select board organization, so you have a whole group for each town to bombard the Legislature on such issues. Jim said that we already have an organization doing that, the Vermont League of Cities and Towns. George expressed his view the League is a horrible organization and is not helpful.

Sasha said that she has repeatedly expressed her frustration that there is no one place to go to to get information about COVID, that in July 2020 when we trying to figure out about opening the Town Hall-Opera House, there was not any one place to go for information and she had spent hours going through Executive Orders to figure out which apply. Grace Vinson of the Central Vermont Regional Planning Commission told Sasha that this was CVRPC's experience as well.o

Sasha indicated that perhaps we need to be stating to the League, "You need do do more for us." or perhaps there needs to be an additional organization as George suggested. Jim said he would be alright with that.

Sasha noted that, at this point, there needs to be a notice of award going out to the lowest bidder, and they then have 15 days to respond. Tammy stated that during that time, the bidder needs to obtain bonding.

Authorization of notice of award to Neil H. Daniels for Pedestrian Bridge Construction:

Jim moved that the Board issue a notice of award to Neil H. Daniels for the Pedestrian Bridge Construction in the amount of \$649,790 and authorize Sasha to sign it. The motion passed unanimously.

Signing of the amended grant from the State of Vermont for this project

Sasha said it's her understanding that this is something the State is requiring that for each grant addendum, which is the same amount in Tammy's PowerPoint, to confirm that we are accepting this grant.

Jim moves to approve the grant amendment Agreement CA-0418 Amendment #4 and the motion passed unanimously.

Tammy moved that the Board authorize Sasha to sign this document and the motion passed unanimously.

Next steps, including relating to VHB as construction engineer during construction

There was discussion about proceeding with the project resident site engineering being done by VHB Engineering. Tammy asked for an OK to for her reaching out to VHB to see about a lower cost for their services. She would do share with them the adjusted project and seek a reduced cost. Both Jim and Sasha supported her doing so.

Tammy also noted that technically the Town is supposed to have a project manager for the project on board from here on out, but that Ross has still agreed to allow Tammy to assist on being that person versus hiring someone and he will work with her to get us through the project, rather than hiring a separate project manager, so that we don't have that additional project manager cost.

Sasha said that she thinks that the Town was ill-served by the project manager, who basically answered to the committee who were cheerleaders for the project. So the Select Board was not kept routinely informed and when issues came up, the approach was, "well, let's see if we can figure a way to get the Select Board to agree with this." She noted that if you look at the slide that Tammy showed when the Board was being offered a reduction in cost, the Board would say, "Of course." Sasha said she'd told Pat that he had to send to her what he was sending to the Advisory Committee and there were times she found he wasn't doing that.

Sasha stated that she would like to see a very different expectation about the project engineer for future projects going forward, that we want to make sure that we are in the loop as far as what is going on and that we don't find down the road that there are problems. She said she didn't think anybody was doing anything that was bad, but I think we would want to have a more structured approach for other projects. Jim agreed that that makes sense.

Sasha said she thinks that Tammy has served us really, really, really well and has done an amazing job and a huge amount of work.

Sasha reviewed matters for the February 22 Select Board meeting and asked for other reflections from the Board:

NOTE: Funding needed from town and approaches to obtain this funding will be discussed at the February 22, 2021 select board meeting

Pedestrian Bridge Project

- Consider funding sources
- Make decision re funding for Pedestrian Bridge Project
- Adjust budget for April 6, 2021 Town Meeting if needed

Other Town Meeting matters

- approve Select Board report for April 6, 2021 Town Meeting Report
- approve Road Department budget line item for paving remaining at \$25,000, hearing from Mike Nolan
- approve warning for April 6, 2021 Town Meeting including all Town Meeting articles

Town Clerk/Town Treasurer Report - Linda Wells including:

- Approval of warrants
- Approval of minutes
- Approval of/renewal of Plainfield Cooperative liquor permit
- Excess weight/Fleet permits

Route 2-Main Street Intersection Remediation project update - Tammy Farnham

Short executive session

Agendas for future meetings on March 18 and 30 and Select Board meeting on March 8

The above outlines the discussion about the agenda for the February 22 Select Board meeting.

Other business: Sasha noted how happy she was when the opportunity to fix the calendar on the website up and running again she had been very concerned and that it included past entries so we can go back to see what was done on a particular date. Tammy asked about whether the Town got anything for free. Sasha said she went back and looked at Kathy's email and we didn't get anything for free. Tammy asked about the emails, and Sasha explained that the email using the town website comes through the Town's hosting company, Ipage, and that there's no additional cost for that.

Public comment: There was no public comment offered in addition to that made by George Cushing.

Adjournment: Tammy moved to adjourn and the motion passed unanimously at 8:22 PM.