

Rutland Town Highway Committee
Rutland Town Select Board
10-29-15

The Town Highway Committee met on Friday, 10-29, 2015 at the Rutland Town Offices at 8:30 AM. Present were Select Board members Mary Ashcroft and JP Faignant (by phone). Also present were Brownson Spencer, Red Grover, and Byron Hathaway.

1. Grove Drive

The group reviewed what would be required to enable the town to take over Grover Drive. A quick review of items remaining as noted by Kevin Brown, attorney for the Town, included

a) Certification of Brownson Spencer, engineer, to include a statement that all of the ditches lie within the highway right of way, and that the ditches comply with the ditch standards set forth in 181-37.

b) Town's attorney's fees to be paid by Grover

c) Resolution of the DelBianco Deed

d) Letter of Credit from Grover.

a) Mary read aloud the sections from Kevin Browns' memo to the Highway Committee containing what certifications must still be made by Spencer. Brownson agreed to provide this certification; Kevin will review and approve this language/certification.

b) Mary will ask Kevin Brown to send a statement to Joe for the attorney's fees incurred by the town to date. He can forward this on to Red. More fees will likely be added to this. This will give Red Grover an idea of where he stands.

c) Tammy DelBianco's quit claim deed did not contain several elements required by the town and contained in other deed from landowners in the Grover Development:

--that Tammy agree that the physical layout and construction of Grover Drive and ROW adequately drains the surface of the road, and that as built the road and ditches provide adequate drainage for the road and roadside.

--that Tammy and subsequent owners shall not prevent or interfere with the Town's ability to exercise its rights hereunder

--that Tammy and subsequent owners hold the Town harmless from any claims of injury property damage, etc., arising from the as-build road characteristics and conditions.

JP suggested that Red Grover ask Tammy to limit her quit claim deed to her ownership only, and when she conveyed the property at a later date to in that deed the requested covenants and certifications requested by the town to bind the new owners and subsequent owners. Brownson and Red will pursue this option.

Grover indicated he would be willing to indemnify the town against claims for inadequacies in the road and drainage in the future. Mary wondered what security there would be for this indemnification. JP suggested that we ask for an 18 month letter for credit to secure any claims from any landowners or others, then add an additional 18 month beyond that specifically for any claims arising out of Tammy DelBianco's ownership.

There was discussion about water drainage from DelBianco's lot onto other Grover property. Mary and JP said they would recommend this above approach to the full board and ask Kevin to review this approach as well.

2. Highway Garage:

Byron provided the Highway Committee with spread sheet showing arrays of numbers for the highway garage: [see attached]

Original budget of \$701,678.

New Budget with Sprinkler: \$778,078

Bare Bones Construction Budget: \$741,078.

Byron also showed 5 options at the bottom of the page. He prefers #2: use the figure to show that there is a hardship to install a sprinkler system, and ask for a waiver as originally planned. This would keep the construction on target and in line with what the voters approved.

JP and Mary rejected this approach due to the recent situations with a local business and its lack of sprinkler system and the recent fire at the Randolph FD. Instead, JP and Mary agreed to recommend to the full board that we fully fund the project at \$778,078 and use the timber sale money which had been put aside a number of years ago to cover the extra cost.

3. Winter operations:

Byron presented his proposal to revise the method of paying for winter maintenance to make it more predictable both to the town and to our contractors. [See attached]. His plan is to pay contractors a guaranteed amount of \$2400 per mile for up to 43 call outs this winter. After the minimum 43 call outs, the contacts will be paid \$54 per mile for each call out after that until the end of this season.

Byron's plan also had details concerning when calls outs are made, when payments will be made to the contractors, and requirements for all trucks used for winter maintenance to have current inspection stickers and be in good mechanical condition. There were also some route changes made.

Mary and JP agreed to recommend Byron's plan to the full Select Board for approval for this year's contracted snow plowing work.

There being no further business to discuss, the meeting was adjourned at 9:45AM.

Respectfully submitted: Mary C. Ashcroft, Select Board

October 1, 2015

To Rutland Town Winter Maintenance Contractors

In an effort to stabilize and make the highway winter maintenance budget more predictable, a change in the method of paying for plowing and sanding services is being made this year. Contractors will be paid a guaranteed amount of \$2400 per mile for up to 43 call outs. After the minimum number of call outs have been reached, contractors will be paid \$54 per mile for each call out after that until the end of winter that season. A chart showing a comparison between what was paid the last two years and how it would compare to the new payment method is enclosed for you to look at. The following will apply to the new payment method:

1. Typically one call out per storm with instructions for that storm is all that is needed. Occasionally for a very large storm more than one call out is required such as for drifting. This will be determined by the Road Commissioner.
2. Contractors will receive a pro-rated payment every two weeks until the guaranteed amount is reached. For additional call outs occurring after that, contractors will be paid \$54 per mile times the mileage on their route per call out.
3. All trucks must have current inspection stickers and be in good mechanical condition however, break downs will occur. One break down per winter will be tolerated with no penalty. For each additional break down a penalty equal to the value of one call out (\$55.81 times the mileage of that route) will be deducted from the guaranteed amount allotted to that contractor. A break down is when a truck is down for more than 2 hours. The contractor or contractors called to fill in for the down truck will be paid the \$54 per mile rate for the additional mileage they cover during that storm.
4. Any additional work, such as loader work, requested by the Road Commissioner will be paid for by the hour.

Due to the increase in mileage for the East Pittsford Road route the following route adjustments are made:

The Grove Street route will be increased by Sugarwood Hill Road and Carriage Run for a total route mileage of 9.35 miles.

Don Quirk will move to the Grove Street route along with John Quirk.

The Town truck will do the Post Road route.

The East Pittsford Road route will increase by the addition of the new section on Grover Drive and Amanda Drive for a total route mileage of 9.83 miles.

All other routes remain the same.

As always, call should you have any questions.

Sincerely,

Byron Hathaway, Road Commissioner