

**Minutes of Selectboard Meeting
August 19th, 2015**

Present at Meeting:

Bert Potter, Selectman; Aaron Korzun, Selectman; Steven Nicholson, Selectmen; Linda McGuire, Treasurer; Sharon Winnicki, Lister; Mark Goodwin, Clerk

Mark Youngstrom- OCE
David Rice – EM Coordinator
David Fretz
Alan Shelvey

Call to Order:

The meeting was called to order at 7:01 PM by Selectman Potter

Approval of Agenda:

Steven moved and Aaron seconded to approve the agenda. Modification: The Listers require approval of an Error & Omissions (E&O) submission. Approved with modification

UCRR Slide (PW 2867) Status:

Mark Youngstrom from Otter Creek Engineering briefed the Selectboard on a meeting he, John DiGenova, P.E. of Haley & Aldrich and Alan Shelvey had with Rob Faley, VTrans District Transportation Administrator and Brian Sanderson, VTrans District Project Manager in regard to possible solutions outside the ROW for the Upper Cold River Road and adjacent areas on the Cold River Rd. as well as the 4400 Cold River area erosion site.

VTrans concurs with OCE and Haley & Aldrich that the buttress wall solution to the UCRR Shear is the “right way to go” because it is the most feasible technically and the least expensive solution but VTrans has no jurisdictional influence with FEMA regarding regulations pertaining to funding work outside the ROW, particularly on property that that was not owned by the Town or under easement agreement prior to the Tropical Irene Disaster. With this particular issue in mind, Rob Faley gave Mark Youngstrom the appeal document that was given to FEMA by the State concerning the Richmond School District that has similar issues regarding repair to infrastructure outside the ROW. The document was summarized as having the legal justifications for the appeal as well as the template for technical evidence that is required to be submitted. Mark Youngstrom indicated that this is a possible option that the Town could consider and exercise. OCE is not recommending that this course be taken at this time, but in the long run should be seriously considered by the Town in so far as it really has nothing to lose, if indeed the expense associated with an appeal is eligible for FEMA reimbursement. Any appeal of this kind would require that the submission be made by the State of Vermont to FEMA, and not by a consulting engineering concern nor by a municipality. OCE went on to summarize that Haley & Aldrich had repaired a number of slides after TSI around the State of Vermont, however they were funded through Federal Highway Administration (FHWA) (VT Rte. 107 is an example), and not FEMA, and apparently those funds are not available for a Class 3 Town Highway as is the case for the UCRR.

Haley & Aldrich indicates that the MSE Wall might not be possible within the proscribed 50ft. ROW and it will certainly be expensive because of the scope involved. If that fact is determined,

it might also give credence to an appeal because the only way that FEMA could fulfill its' mandate of repairing infrastructure would be to allow the Town to work outside the ROW.

Mark Youngstrom gave a series of options:

File an appeal with FEMA. Likely that it will be stalled bureaucratically and never resolved.

Move forward with the MSE Wall, approved by FEMA within the ROW.

Apply for and utilize a VTrans Structures Grant. Maximum of ~\$175K with 10% match by the Town, as a possible source of funding for work outside the ROW.

VT ANR/Department of Environmental Conservation (DEC) may have Flood Resiliency funding that could be utilized to address the fluvial erosion issues caused by the change in the Cold River channeling as a result of TSI and causing the toe of the slope in the PW 2867 Shear area to further erode.

Mark Youngstrom has determined with Mary Andes, VT DEMHS that FEMA will pay for all work within the ROW. With this determination Mark is looking to find multiple sources of funding to be responsible for multiple aspects and jurisdictions to a comprehensive solution to the road failure and remediation. Those being; FEMA for the work within the ROW, VTrans for work outside the ROW to the Cold River and DEC for work within the river itself that will stabilize the toe of the shear to abate continued failure of any engineered solution above. Mark will work with Rob Faley, and possibly Ethan Swift of DEC to ascertain the feasibility of this approach. He will also do an analysis of current engineering and design documentation in order to see what the possible cost allocations might be for a three jurisdictional approach to the remediation. This would include determining the validity of the current Army Corp of Engineering stream alteration permit originally obtained for the stone buttress solution.

Simultaneously, OCE recommends that a Geo-Technical analysis be undertaken of the area so that Haley & Aldrich fully understands and can make design recommendations and feasibility determinations for the MSE Wall. This analysis will need to be done regardless of what ever approach or combination of approaches the Town chooses to utilize. This will include getting the FEMA date for completion as indicated in the PW 2867 *Change of Scope and Time Extension Request* of July 8th, 2015 changed from 12/2015 to 12/2016.

Bert moved and Steven seconded to follow the recommendation of OCE to undertake a Geo-Technical analysis of the UCRR site as well as the 4400 Cold River site in order to determine possible options moving forward. Discussion: The equipment used for collecting the data used in making the analysis will be in the immediate neighborhood, so it would be reasonable to utilize it at both of the close proximity sites. Approved

FEMA Administrative Coordinator:

The Selectboard accepts with regrets the resignation of John Wood as the Shrewsbury FEMA Administrative Coordinator and recognizes his efforts in working with VTrans and VT DEMHS / FEMA in order that the Town fulfill its' Grant Obligations in order to be reimbursed for expenses incurred for TSI repairs.

The Town also appreciates the fact that John will continue his efforts be staying on until the end of the year in order to have an orderly transition to a new FEMA Administrative Coordinator. Steven Nicholson will be assuming that role in the interim and act a Co-Coordinator until a replacement for Mr. Wood can be determined.

Dog Issue and Dog Census:

Steven reported that there had been an incident with dog bite recently on Northam Rd. The individual bitten did not make a formal report or a complaint. A cursory investigation

determined that that alleged dog is not currently registered. Bert also reported a similar incident along Lincoln Hill Rd. Bert is trying to obtain the name of the owner so that a report to the Sheriff can be made.

Steven requested that the Town Clerk give the Selectboard a report of all the dogs that are registered. The report will not indicate all the dogs that are in Town, because some have never been registered, but only those dogs that have been registered or have been in the past. Bert commented on the fact that Clarendon conducted a dog census a few years back, and that is something that Shrewsbury might want to undertake.

Listers – Errors and Omissions:

Sharon Winnicki presented eight (8) entities requiring approval as Errors and Omissions. Two of the entities are Utilities and six are changes in Land Use Appraisal (Current Use).

Bert moved and Steven seconded to approve the recommendations of the Listers for the Errors & Omissions. Approved

Excess Weight Permit:

Bert moved and Aaron seconded to approve the Excess Weight Permit for Veilleux & Sons Trucking. Discussion: All necessary fees and insurance have been presented. Approved

Open to the Public:

No members of the Public present

Minutes:

Bert moved and Aaron seconded to approve the minutes of August 5, 2015 with addendum of August 12, 2015 reconvening of recessed meeting. No discussion. Approved

New Business:

The Road Commissioner reported to Bert that the septic system appears to be functioning properly after the recent pumping. The Road Commissioner suggests that the tank be replaced in the coming year. Bert will request that Jamie obtain an estimate for budgeting purposes.

Orders

Steven moved and Bert seconded to approve:

Road Commissioner Orders # 8A of August 19, 2015 for \$20,048.16. Note: \$12,069.50 was for matching funds for Bridge #37 (Lincoln Hill culvert) and Selectboard Orders # 8 of August 5, 2015 for \$9,817.63. No discussion. Approved

Meeting was recessed at 8:50 PM and scheduled to reconvene at 6:00 PM on Wednesday August 27, 2015 in order to approve invoices for the Nursery School renovations so that FEMA Alternate expenditure deadlines are met.

Respectfully submitted,
Mark Goodwin, Town Clerk

These minutes are unofficial until approved by the Selectboard at the next regularly scheduled meeting.