



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street, Suite A
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOICE
802.863.0466 FAX
802.863.0450 TTY
www.burlingtonvt.gov/dpw

Chapin Spencer
DIRECTOR OF PUBLIC WORKS

M E M O R A N D U M

To: Hannah Cormier, Clerks Office
From: Chapin Spencer, Director
Date: January 11, 2018
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

Date: **January 17, 2018**
Time: 6:30 – 9:00 p.m.
Place: **645 Pine St – Main Conference Room**

A G E N D A

ITEM

- 1 Call to Order – Welcome – Chair Comments
- 2 5 Min Agenda
- 3 10 Min Public Forum (3 minute per person time limit)
- 4 5 Min Consent Agenda
 - A Traffic Status Report
 - B 30-Minute Metered Parking Space at 55 Main St
 - C New Accessible Space at 60 Lakeview Terrace
 - D Stop Control on Union St
 - E Stop Sign on Briggs Street & Ferguson Ave

Non-Discrimination

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at 865-7145.

- 5 20 Min Draft Policy on Narrow Streets
 - A Communication, N. Losch
 - B Commissioner Discussion
 - C Public Comment
 - D Action Requested –None
- 6 5 Min Approval of Draft Minutes of 12-20-17
- 7 10 Min Director's Report – Sent Separately
- 8 10 Min Commissioner Communications
- 9 **Adjournment & Next Meeting Date – February 21, 2018**



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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

MEMORANDUM

TO: PUBLIC WORKS COMMISSION
FM: CHAPIN SPENCER, DIRECTOR
DATE: JANUARY 11, 2018
RE: PUBLIC WORKS COMMISSION MEETING

Enclosed is the following information for the meeting on January 17, 2018 at 6:30 PM at **645 Pine St – Main Conference Room**

1. Agenda
2. Consent Agenda
3. Draft Policy on Narrow Streets
4. Approval of Draft Minutes of 12-20-17

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Chapin Spencer
DIRECTOR OF PUBLIC WORKS

M E M O R A N D U M

To: Hannah Cormier, Clerks Office
From: Chapin Spencer, Director
Date: January 11, 2018
Re: Public Works Commission Agenda

Please find information below regarding the next Commission Meeting.

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Time: 6:30 – 9:00 p.m.
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- 9 **Adjournment & Next Meeting Date – February 21, 2018**



MEMORANDUM

January 11, 2018

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineering Technician *PMP 1/11/18*

CC: Nicole Losch PTP, Senior Transportation Planner *N 1/11/18*

RE: Traffic Request Status Report

Number of Requests 12/07/17 =	60
New Requests since 12/07/17 =	0
Requests closed since 12/07/17=	5
Number of Requests 01/11/18 =	55

RFS BREAKDOWN BY TYPE*

		Last Month	Change
Accessible Space:	3		
Resident Only Parking:	4		
Crosswalks:	22	23	-1
Driveway Encroachments:	2		
Signage:	10	12	-2
Loading Zone:	3		
Area/Intersection Study:	2		
Parking Prohibition:	5	6	-1
Bus Stop:	1		
Geometric Issues:	2	3	-1
Parking Meters:	1		
Other:	0		
TOTAL:	55		



MEMORANDUM

January 09, 2018

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PMP 1/9/18*

CC: Nicole Losch PTP, Senior Transportation Planner *N 1/9/18*

RE: Modify Existing Three (3) Hour Metered Parking Space to 30-minute Metered Parking Space on Main Street

Recommendations:

Staff recommends the Commission adopt:

- The modification of the Three (3) hour metered parking space located on the south side of Main Street in the first space west of South Champlain Street to a 30-minute metered parking space.

Background:

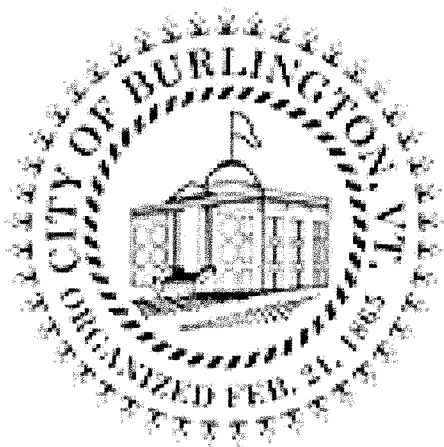
Staff received a request in January 2017 from Peters Liska of the Artisan Culinary Kitchen at 55 Main Street, asking that the existing Three (3) hour metered parking space located on the south side of Main Street in the first space west of South Champlain Street be modified into a 30-minute metered parking space. The 30-minute metered space would promote customer turnover at several local businesses.

Observations:

1. Street Characteristics: Main Street is a 30-foot-wide high volume arterial street with on-street parking on both sides of the street. Main Street between South Champlain Street and Battery Street is designated as a Three (3) hour and Ten (10) hour parking meter zone.
2. Public Outreach: Using the DPW Public Engagement Plan spectrum of engagement, Staff appropriately identified this project as an INVOLVE Project type. Consequently, Staff distributed sixty flyers to the apartment buildings, homes, and businesses on Main Street between South Champlain Street and Battery Street on December 7th, 2017. Staff received three responses from local residents, all of the respondents support the modification of the Three (3) hour metered parking space located on the south side of Main Street in the first space west of South Champlain Street to a 30-minute metered parking space.

Conclusions:

There is one 30-minute metered space approximately 250 feet to the east of 55 Main Street on a separate block, otherwise all other metered spaces on this block of Main Street are Three (3) hour or Ten (10) hour parking meters; there are 17-Ten (10) hour parking meters and 5-Three (3) hour parking meters. Additionally, the feedback from other residents in the area support the modification. Consequently, staff is recommending changing the Three (3) hour metered parking space in front of 55 Main Street to a 30-minute metered space.



CITY OF BURLINGTON

SERVICE REQUEST

Name and Address

Name: Peter Liska

Request Date: 12/04/2017

Due Date: 2/2/2018

Address: 55 Main Street

Phone Number: 8028653354

Email Address:

Request

Location: 55 Main Street

Request Description: Requester is seeking a 15-minute parking space in front of new business at 55 Main Street.

Assign History

Date	Assigned To	Description
12/4/2017 2:00:47 PM	Phillip Peterson	Request Assigned

Work History

Date	Staff Person	Description
12/04/2017	Phillip Peterson	Spoke to Mr. Liska. Due to the existing site conditions a 15-minute space will most likely not work; a 30-minute metered space is a good possibility. Mr. Liska would prefer a free 15-minute space, however he is okay with a 30-minute metered space. (Entered on 12/4/2017 2:14:09 PM by Phillip Peterson)

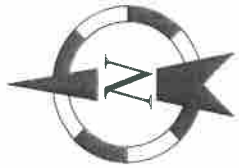
Customer Service

Status: New

Request created by: Phillip Peterson

Print Date: 12/18/2017 12:54:47

S7



**10Hr.
Brown**

3Hr. Blue

17-10Hr.

5-3Hr.

NPTS

S108 - S109

S110 - S111

S112 - S113

S114 - S115

S116 - S117

Main St.

So. Champlain

S183 - S184

S185 - S186

S187 - S188

S188 - S189

S190 - S191

S192 - S193

S194

Battery St.

Phillip Peterson

From: jess ackerman <anjouvt@gmail.com>
Sent: Friday, December 08, 2017 2:23 PM
To: Phillip Peterson
Subject: 30 minute meter

Anjou & the little Pear has No problem with it!

Thanks for asking,
Jess Ackerman
53 Mainstreet BTV

/

Phillip Peterson

From: Adam Bergeron <abergeron@bpflegal.com>
Sent: Tuesday, December 12, 2017 9:31 AM
To: Phillip Peterson
Subject: 30 Minute Meter on Lower Main St

Hi. I saw your memo and I think this is a good idea.

Adam P. Bergeron, Esq.
Bergeron Paradis & Fitzpatrick LLP
27 Main Street
Burlington, VT 05401
Phone: 802-863-1191
Fax: 802-863-5798

ARTISAN CULINARY KITCHEN
55 Main Street
Burlington, Vermont 05401
802-865-3354

RECEIVED

DEC - 4 2017

BURLINGTON PUBLIC
WORKS

November 30, 2017

Phillip Peterson
Department of Public Works
645 Pine Street
Burlington, VT 05401

Dear Mr. Peterson:

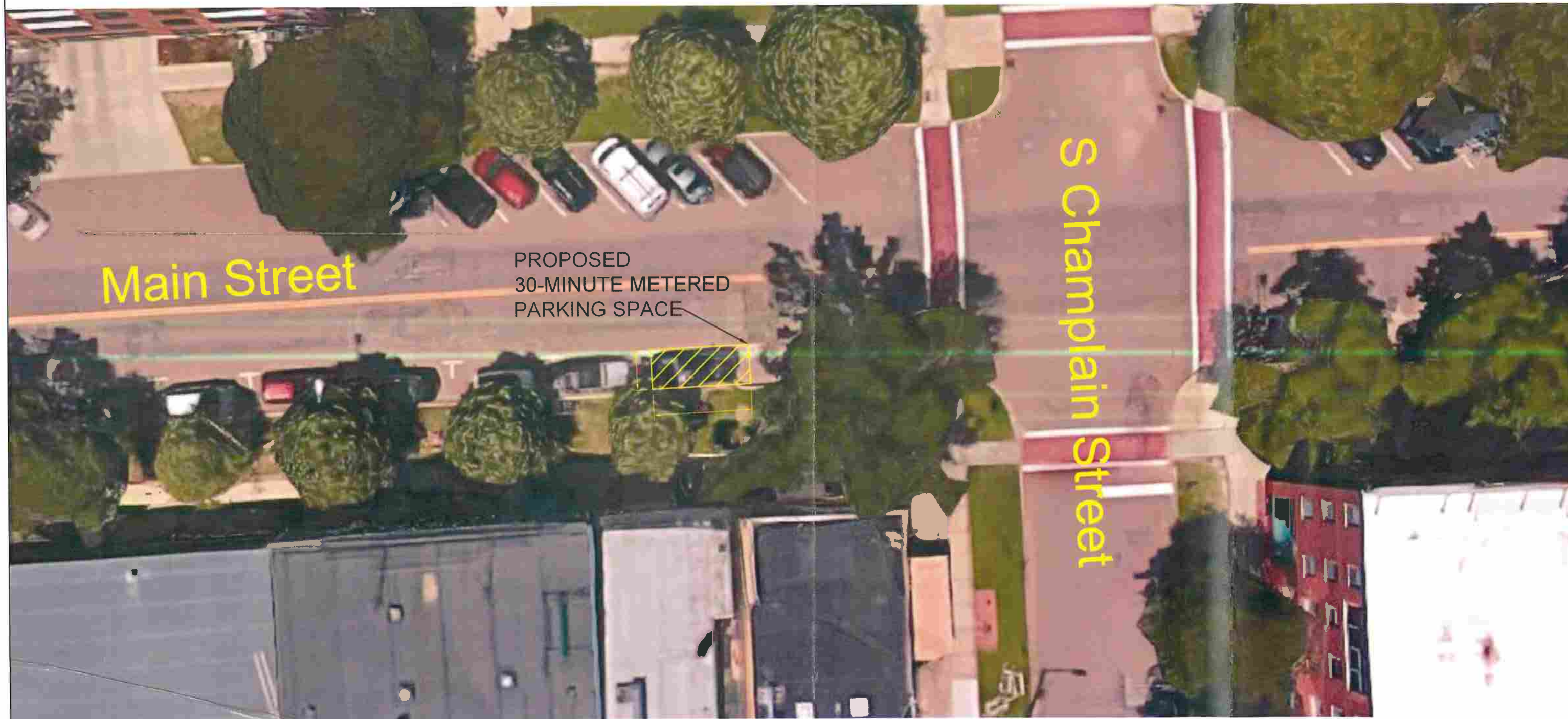
I am writing to you to request your Department to designate a 15 minute parking space in front of our new business at 55 Main Street, Burlington, Vermont. We operate a delicatessen at this location and it would be very convenient to allow our customers who are picking up food orders to pull in this spot for up to 15 minutes.

I understand from the City Enforcement Officers and other business owners in Burlington that such requests are often granted. We ask that you review our request as well. Please feel to call for additional information or stop in to speak with us. Thank you.

Sincerely,



Peter Liska
Co-Owner, Artisan Culinary Kitchen

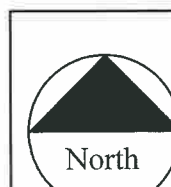


SCALE: 1" = 20'

NOTES:

Staff recommends the Commission adopt:

- The modification of the Three (3) hour metered parking space located on the south side of Main Street in the first space west of South Champlain Street to a 30-minute metered parking space.



55 MAIN STREET
MODIFY EXISTING METERED
PARKING SPACE



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

845 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094
(802) 863-0466 (Fax)

DESIGNED PMP	RFS 198
DRAWN PMP	SCA 1"=
CHECKED NLB	DRAWN
DATE 01/03/18	CHECK



MEMORANDUM

January 11, 2018

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PM 1/11/18*

CC: Nicole Losch PTP, Senior Transportation Planner *u 1/11/18*

RE: New Accessible Space at 60 Lakeview Terrace

Recommendations:

Staff recommends that the Commission adopt:

- The addition of a new Accessible Space on the east side of Lakeview Terrace beginning two hundred thirty-four (234) feet north of Canfield Street and extending north for a distance of twenty (20) feet.

Background:

Staff received a request from Gloria Seidler to install an on-street accessible parking space close to her home at 60 Lakeview Terrace. Ms. Seidler states the space is necessary so she may have reasonable access to her home. During the initial investigation, staff found Ms. Seidler had access to off street parking, which would normally grant someone in need of accommodations reasonable access to their home; however, staff received a letter from two doctors Dr. Heather Zuk (Ms. Seidler's physical therapist) and Dr. Candace Fraser (Ms. Seidler's primary physician), stating that Ms. Seidler is not able to park independently in the off street space. Dr. Zuk and Dr. Fraser both feel an accessible space is necessary so Ms. Seidler may have reasonable access to her home.

Observations:

1. Lakeview Terrace is a 26-foot-wide low volume residential street providing access to North Avenue and North Street. There is no parking permitted on the west side of Lakeview Terrace. Lakeview Terrace has no meters.

2. There is one accessible space along Lakeview Terrace, at 11 Lakeview Terrace; which is approximately 540 feet away from Ms. Seidler's property. There is another accessible space in the area on the south side of Canfield Street in front of 7 Canfield Street, which is approximately 340 feet away from Ms. Seidler's property. Neither of these accessible spaces provide reasonable access to Ms. Seidler's home.
3. Public outreach: Using the DPW Public Engagement Plan spectrum of engagement, Staff appropriately identified this project as an INVOLVE Project type. Consequently, Staff distributed forty (60) flyers to the homes on Lakeview Terrace on October 1st, 2017. Staff received four (4) responses from local residents, all were email; two out of the four responses support the proposed changes.

Conclusions:

Ms. Seidler has off street parking for her home, nevertheless her medical support team has provided enough information which justifies DPW placing an on street accessible space close to her home. Although local resident support is split on this issue the expertise of Ms. Seidler's medical team gives more weight to the placement of the accessible space. Additionally, the proposed accessible space will be close to several homes which would benefit the disabled community in this area.



NOTES:

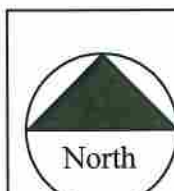
Staff recommends amendment of the following ordinance:

Appendix C: Rules and Regulations of the Traffic Commission

7A Accessible spaces designated. No person shall park an vehicle at any time in the following locations, except automobiles displaying special handicapped license plates issued pursuant to 18 V.S.A. § 1325, or any amendment or renumbering thereof: On the east side of Lakeview Terrace beginning two hundred thirty-four (234) feet north of Canfield Street and extending north for a distance of twenty (20) feet.



SCALE: 1" = 40'



60 LAKEVIEW TERRACE
ACCESSIBLE PARKING SPACE



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094
(802) 863-0486 (Fax)

DESIGNED PMP	RFS 183
DRAWN PMP	SCALE 1"=40'
CHECKED NB	DRAWING
DATE 01/08/18	SHEET

Phillip Peterson

From: Gloria Seidler <glo4477@yahoo.com>
Sent: Wednesday, October 11, 2017 12:33 PM
To: Phillip Peterson
Cc: Gloria Seidler
Subject: Re: 60A Lakeview Terrace Accessible Space

Dear Mr. Peterson,

I have continued to contact other neighbors and I believe you will receive quite another view than apparently the one you had.

FYI: Your messages on my land line phone were not received until yesterday. You made several attempts to reach me and I was not aware of the phone tag we were in.

My phone has been having problems that have been reported a few times. I was without service for much of the evening again and into the early this morning. My phone line is bundled with my computer service..

Further useful info:

There is a warehouse on one side of the building I live in. I have discussed my situation with the owners and it would make sense to place the disabled space in front of 60 where a car can simply glide into the spot from the warehouse side. The driveway accommodating the condo residents is very active as many people work from home, have babies, etc. Trying to navigate into a space on the side when folks are waiting to leave isn't a good idea for anyone. The warehouse side is only active from time to time and they have no problem with my safely easing into a space from that direction.

I am continuing to gather information to sent to you.

Thank you for your attention to this request.

Gloria Seidler
60A Lakeview Terrace

From: Phillip Peterson <ppeterson@burlingtonvt.gov>
To: "glo4477@yahoo.com" <glo4477@yahoo.com>
Sent: Tuesday, October 10, 2017 4:24 PM
Subject: 60A Lakeview Terrace Accessible Space

Ms. Seidler,

My name is Phillip Peterson and I am an engineer with the City of Burlington Department of Public Works (DPW). We spoke on the phone earlier this afternoon. You requested an accessible space

adjacent to your home at 60A Lakeview Terrace. I conducted a site investigation and found you do not have off-street parking. In order to install an accessible space, you must show it is a "reasonable accommodation." A "reasonable accommodation" is an exception or change which (in this case) the City of Burlington can make to rules, policies, services or regulations in order to assist a resident or applicant with a disability. Fair laws require the city to make reasonable accommodations in their rules, policies, practices or services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common area. Accommodations are "reasonable" when they are practical and feasible.

Based on my site analysis and current evidence collected, DPW cannot support the placement of an accessible space in front of your property at 60A Lakeview Terrace, as it is not a reasonable accommodation. There is parking available in the driveway at 60A Lakeview Terrace and it accommodates persons with disabilities. Please feel free to contact me should you have any questions or concerns.

Kind Regards,

Phillip Peterson, Engineering Technician
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5832 (phone)
ppeterson@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

Phillip Peterson

From: Anne MacLeod <anne.macleod@uvm.edu>
Sent: Wednesday, October 11, 2017 10:58 AM
To: Phillip Peterson
Subject: 60 Lakeview disabled parking spot

Dear Philip,

I live at 72 Lakeview Terrace, two doors down from 60 Lakeview, the location being requested for the disabled parking space. I did not receive any notification soliciting my opinion and therefore wanted to get my two cents in to you before a final decision is made.

In short, I have absolutely no objection to a parking space being designated handicapped/disabled in front of 72 Lakeview Terrace.

If you have further questions please contact me directly.

Best,
Anne MacLeod
72 Lakeview Terrace
Burlington, VT 05401
802-999-9687

Anne I. MacLeod
University of Vermont
Microbiology & Molecular Genetics
95 Carrigan Drive, 201 Stafford Hall
Burlington, VT 05405
Phone: 802.656.8292

Phillip Peterson

From: Gloria Seidler <glo4477@yahoo.com>
Sent: Tuesday, October 10, 2017 8:17 PM
To: Phillip Peterson
Cc: Gloria Seidler
Subject: Re: 60A Lakeview Terrace Accessible Space

Dear Mr. Peterson,

Thank you for your time and response.

It seems you are missing some key facts and based upon our conversation today I went up and down my street as well as made some phone calls.

The results thus far:

1) Ms. Heather Zuk, Driver Rehab at Fanny Allen Campus will be sending a letter to you describing why the request is a true need. She also completed a site visit here, has worked (as an able-bodied driver specialist) to navigate out of my designated parking spot, and will explain her position as a licensed medical professional.

2) All of the neighbors I contacted thought they needed to respond only if they DIDN'T AGREE WITH THE NEED FOR A SPACE!! I have passed along to them what I gleaned from our conversation so please expect others to respond favorably to the request.

3) I will be contacting my primary care doctor via email this evening. She has been an advocate for me to do this for years! It would help me to be as independent as I can given my limitations.

4) I will mail to you a copy of my permanent disability tag as we discussed since I cannot drive for it to be copied in your office unless I arrange for a volunteer to pick me up and make a special trip to see you.

My off-street designated parking space isn't handicap accessible. I live in a group of 4 quite old buildings that were turned into 12 condos in the 1980's. The area of my designated space is just a few inches next to another car! Not only can't I get INTO my car, there is zero margin for error when a driver who can actually get into the car (and is not dealing with a physical limitation).

The requested space represents a "reasonable accommodation" that would allow me to drive my handicap-modified vehicle to get food and medication, something I must now rely upon others to do to live alone and have other disabled accommodations within my condo.

I will be in touch with further information. Please do the same and thank you for your help. My hope is that you will soon have gathered enough information to move forward with this space.

Sincerely,

Gloria Seidler
60A LakeviewTerrace

Burlington VT 05401

From: Phillip Peterson <ppeterson@burlingtonvt.gov>
To: "glo4477@yahoo.com" <glo4477@yahoo.com>
Sent: Tuesday, October 10, 2017 4:24 PM
Subject: 60A Lakeview Terrace Accessible Space

Ms. Seidler,

My name is Phillip Peterson and I am an engineer with the City of Burlington Department of Public Works (DPW). We spoke on the phone earlier this afternoon. You requested an accessible space adjacent to your home at 60A Lakeview Terrace. I conducted a site investigation and found you do not have off-street parking. In order to install an accessible space, you must show it is a "reasonable accommodation." A "reasonable accommodation" is an exception or change which (in this case) the City of Burlington can make to rules, policies, services or regulations in order to assist a resident or applicant with a disability. Fair laws require the city to make reasonable accommodations in their rules, policies, practices or services to give a person with a disability an equal opportunity to use and enjoy a dwelling unit or common area. Accommodations are "reasonable" when they are practical and feasible.

Based on my site analysis and current evidence collected, DPW cannot support the placement of an accessible space in front of your property at 60A Lakeview Terrace, as it is not a reasonable accommodation. There is parking available in the driveway at 60A Lakeview Terrace and it accommodates persons with disabilities. Please feel free to contact me should you have any questions or concerns.

Kind Regards,

Phillip Peterson, Engineering Technician
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5832 (phone)
ppeterson@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

Phillip Peterson

From: Cinse Bonino <cinse.bonino@gmail.com>
Sent: Tuesday, October 10, 2017 6:51 PM
To: Phillip Peterson
Subject: handicapped space in front of 60 Lakeview Terrace 05401

Dear Mr. Peterson,

I support the handicapped space in front of 60 Lakeview Terrace in Burlington. I see no reason to not provide space that will make someone's live more accessible.

Best,
Cinse

Cinse Bonino

facilitator, presenter, & guide

seechoosedo.com

cinse.bonino@gmail.com

802 355 7203



Phillip Peterson

From: barbara zucker <bzucker@uvm.edu>
Sent: Monday, October 09, 2017 10:54 AM
To: Phillip Peterson
Subject: re acessible parking space on Lakeview Terrace

I am not in favor of this. It is very difficult at times to park on our street. The individual who is asking for the sign is ve
capable of walking back and forth to the parking lot behind the apartment building and also is able to walk the same
length and more to do gardening.

Phillip Peterson

From: Kevin Pearce <kevin@loveyourbrain.com>
Sent: Tuesday, October 03, 2017 1:13 PM
To: Phillip Peterson
Subject: disabled parking space lakeview terrace

Dear Phillip,

I am the owner of 27 lakeview terrace. I received your note on my door.

That condominium complex has a private parking lot for its owners therefore I do not support a designated street space.

-Kevin



KEVIN PEARCE

kevin@loveyourbrain.com
LOVEYOURBRAIN.COM

Phillip Peterson

From: Julie <julie@justshowup.com>
Sent: Tuesday, October 03, 2017 12:20 PM
To: Phillip Peterson
Subject: request for an accessible parking space near 60 LVT

Dear Mr. Peterson,

I received your letter re. the request for an accessible parking space near 60 Lakeview Terrace. We own the home at 60 Lakeview Terrace and 17b Lakeview Terrace.

I object to this installation for the following reasons.

1. If the request is coming from the owner of 60a LVT, you should ask her if she owns a car. To my knowledge, she does not. Her boyfriend is known to occupy her parking space.
2. 60 LVT is a condominium building and has a private parking lot for which the owners have designated parking spaces. The owner of 60a Lakeview Terrace, has a designated parking space just outside her back door. That space is approximately 3 steps away from her back door, far closer than any street space could offer.
3. We have growing parking issues on Lakeview Terrace and street parking spaces are difficult to find and I do not support someone using a handicapped parking sticker to guarantee them a street space when they have a private parking space assigned to them by their condominium.
4. The owner of 60a Lakeview Terrace has health issues. However, she is not handicapped in a way that prevents her from walking to a car parked on the street because I see her walking Lakeview Terrace for exercise.

Thank you,
Julie Perlmutter and Alan Newman
23 Lakeview Terrace
Burlington VT 05401

UVM Medical Center Family Medicine -
Colchester
883 Blakely Rd
Colchester VT 05446
802-847-2055 Dept Fax: 802-847-1688

October 23, 2017

Gloria S Seidler
60a Lakeview Terrace
Burlington VT 05401

Patient: **Gloria S Seidler**
Date of Birth: **8/7/1957**
Date of Visit: **10/23/2017**

To Whom It May Concern:

It is my medical opinion that Gloria Seidler medically needs access to Handicap Parking on the street for all the issues detailed in the letter you have from Heather Zuk, Certified Driver Rehab Specialist.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,



Candace Fraser, MD



**UVM Medical Center Driver Rehabilitation - Medical
Office Building
792 College Parkway
Suite 102
Colchester VT 05446
Dept Phone: 802-847-3140
Dept Fax: 802-847-5151**

October 11, 2017

Dear Phillip Peterson,

I was contacted by Gloria Seidler, who resides at 60a Lakeview Terrace Burlington VT 05401 with a request for a letter to you regarding her application for a handicap parking space allowance outside her current address. Gloria S Seidler attended occupational therapy at the Driver Rehabilitation Program for a period of 2 years from 10/2014-10/2016 to address challenges she has regarding physical disability and driving. Gloria has very limited neck range of motion due to spinal injury and surgery/fixation. She also is limited in her physical ability to walk distances, bend, and twist her body due to back, shoulder, and leg pain and weakness. She participated in training and adaptations to her car to allow for more visibility (including customized adaptive mirrors and back up camera) and strategies to compensate for her disability. She also had multiple training sessions with navigating her current parking area behind her building to work on being able to access her parking space and walk to/from her home. Due to the small size of the parking lot and having 9 or more vehicles in there at a time, it is very difficult to navigate for any driver, nevertheless one with limitations in neck range of motion and physical ability. Unfortunately, despite training at our program for two years, she has not been able to independently park/move her vehicle in this parking area consistently due to difficult access/her disability and she is requesting to have handicap parking available on the street to allow for more independent access to her vehicle.

I fully support this request and feel that it will help Gloria Seidler to be able to be more independent with accessing her vehicle, parking, and getting to/from her home so that she can use her vehicle to access the community for doctor's appointments, grocery shopping, etc. This would allow her to be more independent and not rely on others for transportation. If you have any questions or concerns, please don't hesitate to call me at 847-7234.

Sincerely,  Heather C. Zuk, OTR/L, CDRES, CDI

Heather C. Zuk, OTR/L
Certified Driver Rehab Specialist
Vermont Driving School Instructor

CC: Phillip Peterson, Dept of Public Works, 645 Pine Street, Burlington, VT 05402
CC: Gloria Seidler, 60a Lakeview Terrace, Burlington VT 05401

Primary and secondary
permeability
a large volume
of water

La Bavière

a storage warehouse

This is another copy
Christina's family bus
and the rest of the
Bridgetown car

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PROPOSED SIGN allows easier
and safer
access to
end of
of speed

Handwritten notes on the aerial view of Lakeview Terrace include "1000 ft" and "1000 ft" written vertically on the left side, and "1000 ft" written horizontally at the bottom left.



827-8

P78901

**NO
EXPIRATION**

*Gloria Seidler
60A Lakeview
Denville
Burlington, VT
05401
(802) 658-332*



City of Burlington
Department of Public Works

Technical Services Engineering Division
645 Pine Street, Suite A
Burlington, VT 05402
P 802-863-9094 / F 802-863-0466 / TTY 802-863-0450
www.burlingtonvt.gov/DPW

Dear Lakeview Terrace Residents,

The Department of Public Works (DPW) has received a request from a disabled resident asking to install a signed Accessible Parking Space near 60 Lakeview Terrace.

DPW would like to ask for your feedback regarding the possibility of this designation.

Please respond via email or phone by October 11th so that your feedback may be considered during our evaluation.

Thank you!

Phillip Peterson, Engineering Technician
Desk: 802.865.5832
Email: ppeterson@burlingtonvt.gov

Dear Philip,
I have rec'd copies from
of two Atlas sent from
here. There are photos. There are photos
if you need them. I have one photo
my handicap tag. I find copy of
your offer. No photo. I find copy of
Please look at drawing. (The wheel house
to the south side of 60 has a curb cut
and makes it easier to get to
softer pulling out of my
modified vehicle.
Please help me to use my
tag. I don't have a
tag.



MEMORANDUM

January 11, 2018

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PMP 1/11/18*

CC: Nicole Losch PTP, Senior Transportation Planner *N 1/11/18*

RE: Stop Control on Union Street

Recommendations:

Staff recommends the Commission adopt:

- Stop control at the intersection of Beech Street and Union Street causing westbound traffic on Beech Street to stop.
- Stop control at the intersection of Bayview Street and Union Street causing westbound traffic on Bayview Street to stop.
- Stop control at the intersection of Kingsland Terrace and Union Street causing westbound traffic on Kingsland Terrace to stop.
- Stop control at the intersection of Hickok Place and Union Street causing westbound traffic on Hickok Place to stop.
- Stop control at the intersection of Grant Street and Union Street causing eastbound traffic on Grant Street to stop.
- Stop control at the intersection of Loomis Street and Union Street causing westbound traffic on Loomis Street to stop.
- Stop control at the intersection of College Street and Union Street causing all traffic to stop.

Background:

Staff received a request in October, 2015 from Max Fedeli, a student at the University of Vermont and local resident on Union Street requesting stop control at streets intersecting Union Street, causing traffic to stop on lower volume streets. Mr. Fedeli's believes bikers traveling along North Union are constantly faced with cars pulling out and nearly hitting them. Additionally, staff received a request in April, 2016 from Ben Fowler a local resident on Grant Street, requesting stop control at Grant Street and N Union Street causing traffic on Grant and Loomis Street to stop.

Observations:

1. There are nineteen intersections along Union Street from Saint Paul Street to North Winooski Avenue. Out of the nineteen, there is stop control at eleven intersections along Union Street. Seven Union Street stop control intersections are all-way stops; those intersections are at Howard Street, Spruce Street, Maple Street, College Street, Buell Street, North Street, and North Winooski Avenue. There are two intersections along Union Street with traffic light controls; those intersections are Main Street and Pearl Street. There are four intersections along Union Street that cause traffic to stop on lower volume side streets; and those streets are Cliff Street, Adams Street, King Street, and Bradley Street. That leaves Union Street with six intersections without stop control; those intersections are Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street. Of these streets that also intersect Willard Street, stop control is located on the eastbound side street intersections with Willard Street.
2. Union Street is a minor arterial street; Union Street is designated as a one-way street northerly from King Street to North Winooski Avenue. There is a one-way northerly bike lane on the east side of Union Street from Main Street to North Winooski Avenue. Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street are all minor residential streets. Beech Street, Bayview Street, and Kingsland Terrace have stop bars at their respective Union Street intersections without stop signs.
3. Public Outreach: Using the DPW Public Engagement Plans spectrum of engagement, Staff appropriately identified this project as an INVOLVE Project type. Consequently, Staff distributed flyers to the homes, apartments, and businesses on Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street on October 19, 2017. Staff received two telephone responses from local residents, both respondents support the proposal. Staff received seven emails, three in support of the proposal with four not in favor of the stop control.

Conclusions:

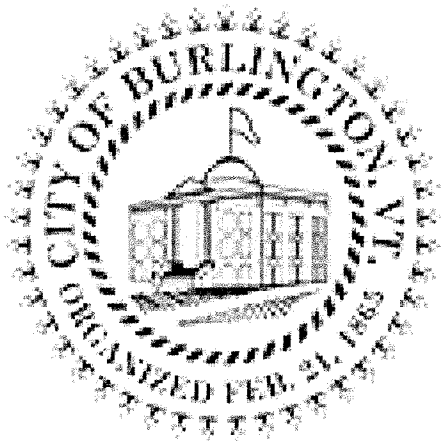
According to the Manual on Uniform Traffic Control Devices (MUTCD):

When two vehicles approach an intersection from different streets or highways at approximately the same time, the right-of-way rule requires the driver of the vehicle on the left to yield the right-of-way to the vehicle on the right. The right-of-way can be modified at through streets or highways by placing YIELD signs or STOP (R1-1) signs on one or more approaches. When establishing intersection control, the following factors are considered: multi-modal traffic volumes, number of / angle of approach, approach speeds, sight distance, and reported crash experience. YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
- B. A street entering a designated through highway or street; and/or
- C. An unsignalized intersection in a signalized area.

The MUTCD further explains that when a minor street intersects a major street there is an implied yield condition where the vehicle on the minor street yields the right-of-way to the vehicles traveling down the major street. According to the MUTCD, staff have properly identified Union Street as the major street with Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street as the minor streets.

The lack of consistency with stop control conditions for side streets along the Union Street can lead to confusion for drivers; therefore, application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law. Consequently, staff recommend the Commission adopt stop control at the Union Street intersections with Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street; causing traffic to stop at Beech Street, Bayview Street, Kingsland Terrace, Hickok Place, Grant Street, and Loomis Street. Additionally, staff found the all way stop at College Street and Union Street was not officially adopted as a traffic regulation. Due to existing site conditions, staff recommends the Commission officially adopt all way stop control at the College Street and Union Street intersection.



CITY OF BURLINGTON

SERVICE REQUEST

Name and Address

Name: Max Fedeli

Request Date: 10/29/2015 3

Due Date: 12/28/2

Address:

Phone Number:

Email Address: maxfedeli7@gmail.com

Request

Location: Union Street - various locations

Request Description: From Max's email: My name is Max Fedeli, a student at the University of Vermont and one of the many residents here in Burlington. I would like to notify you about an issue that I find very pressing and in dire need of attention. I, like many others in this city commute via bicycle on a daily basis. For the most part, I see Burlington as a city that is quite biker friendly and easy to get around safely. However, as someone who has lived here for over two years now, I have noticed a flaw in Burlington's roadways that does not take its cyclists into consideration. North Union street is a route that I and many others frequently travel on bike. I am glad that there is a bike lane provided on this road but I am becoming increasingly frustrated with the lack of stop signs on the streets that intersect North Union. Neither the Hickok nor Loomis intersections have stop signs, therefore many cars traveling west on these roads pull into the intersection at will without looking for bikers. This has been very dangerous for not only myself but many others I know. Bikers traveling along North Union are constantly faced with cars pulling out and nearly hitting them. This is especially a problem during the evening. Bike lights and reflectors can only do so much. I ask that you place stop signs at these intersections so that this problem is mitigated.

Assign History

Date	Assigned To	Description
1/5/2017 9:54:58 AM	Phillip Peterson	,
10/19/2016 9:39:12 AM	David Allerton	Request reassigned from Damian Roy - lon
8/23/2016 5:22:59 PM	Damian Roy	This is old and may be worth closing...,
2/8/2016 4:08:33 PM	Nicole Losch	I feel this is in your court, let me know if you disagree.,
10/29/2015 3:37:37 PM	Damian Roy	Request Assigned

Work History

Date	Staff Person	Description
12/28/2017	Phillip Peterson	Spoke to Peter Thwaite on the phone. He is supportive the change now that he understands the process. (Entered on 12/28/2017 11:45:20 AM by Phillip Peterson)
12/08/2017	Valerie Ducharme	Ben Fowler bjfowler@gmail.com (Entered on 12/8/2017 11:54:05 AM by Valerie Ducharme)
04/28/2017	Phillip Peterson	Initial site visit (Entered on 5/18/2017 2:53:26 PM by Phillip Peterson)

Customer Service

Status: New
Request created by: Nicole Losch

Print Date: 12/28/2017 11:45:23

Phillip Peterson

From: Janet Stambolian <jbs1048@comcast.net>
Sent: Tuesday, October 24, 2017 1:10 PM
To: Phillip Peterson
Cc: Karen Paul
Subject: South Union/Beech Street traffic control

Hi, Pete,

I live at 11 Beech Street and received the notice about proposed traffic mitigation plans for this neighborhood. Thank you for sending the notice, and I do hope that DPW will consider making some changes that will help everyone who lives or passes through our neighborhood.

Here are my thoughts.

1. People use Beech as a thoroughfare from S. Willard to Beech and SPEED down Beech toward S. Union quite frequently. Putting a stop sign at Beech/S. Union will not eliminate that, but it can't hurt. I just don't know whether anyone will pay attention to the stop sign, but I've always thought it odd that there wasn't one there at all.
2. Beech Street, by all rights, should be a 1-way street. It's so narrow that when cars are parked on the South side of the street, two opposing vehicles cannot pass one another. It's treacherous if you're going East on Beech to turn onto S. Willard and someone attempts to turn from S. Willard onto Beech. Accidents have happened in this scenario and I'm surprised that more have not.
3. The most glaring problem is **speeding on South Union**. Cars routinely drive 30-40 MPH in both directions, and I think if you really want to do something to help, installing speed bumps along S. Union would be the best thing DPW could do. I am 100% positive that if you polled the residents who live on or near S. Union, they would confirm that speeding on that street is a HUGE PROBLEM and would be reduced dramatically with speed bumps. Obviously, no one pays attention to the posted speed limit.

I am cc'ing our City Counselor, Karen Paul, on this email, as she is thoroughly responsive and supportive of our neighborhood and I'm sure would lend her support to your efforts.

Thanks in advance for all you do and are trying to do to enhance the quality and safety of our neighborhood,
Janet Stambolian

Phillip Peterson

From: george.long <george.long@burlingtontelecom.net>
Sent: Tuesday, October 24, 2017 8:28 PM
To: Phillip Peterson
Subject: stop sign

I reside on Beech Street and support the placement of a stop sign at the lower end of the street (dead-ending on South Union). I have lived on Beech Street for 25 years and always considered traffic on South Union to have the right-of-way. Please make it official.

George Long
18 Beech St.

Phillip Peterson

From: Andy Arp <permacoatings@gmail.com>
Sent: Tuesday, October 24, 2017 8:37 PM
To: Phillip Peterson
Subject: Bayview Street Stop Sign

Hi Phillip,

Thank you for considering us in your evaluation regarding a Stop sign on Bayview Street.

Our household does not feel a Stop sign is particularly necessary.

If traffic is on Union Street, then obviously it dictates that a vehicle entering from Bayview is required to stop until there is a break in the flow of traffic.

Having been residents on Bayview for almost 10 years now, we have not been aware of any issues, conflicts or accidents caused by the existing non-signage.

I would like to offer that it would be slightly more useful to put a Stop sign on the Union Street side to halt traffic travelling north and south on Union at the intersection of Bayview. Most traffic gets up a full run of speed between the existing stops at Howard and Spruce Streets which can make it difficult to enter Union from Bayview during the few minutes of "rush hour" on weekday mornings.

Thanks,

Andy + Liz
45 Bayview Street

Andrew Arp
president, Marketing World Pool Products, Inc.
Tel:(802) 655-8941
Fax:(802) 655-0439

Phillip Peterson

From: Larry Meier <LMeier@drm.com>
Sent: Thursday, November 02, 2017 11:58 AM
To: Phillip Peterson
Subject: No stop sign, please, on Bayview

Phillip,

I'm responding to the flier left at our house. I am NOT in favor of adding a stop sign at the lower end of Bayview. There is a clear view, and I don't believe a stop sign will do much to reduce traffic volume or speed. If the latter is an objective, then I would prefer adding a speed hump or two. It is nice to have a few intersections in which stop lights or stop signs are not present.

Thanks,

Larry Meier
29 Bayview Street

Lawrence H. Meier | Director | Intellectual Property Law Group

Downs Rachlin Martin PLLC | Business Sense • Legal Ingenuity

199 Main Street, PO Box 190 | Burlington, VT 05402-0190

Main: 802-863-2375 | Fax: 802-862-7512

lmeier@drm.com | www.drm.com

Admitted to practice before the U.S. Patent and Trademark Office.

Downs Rachlin Martin PLLC is the exclusive member firm for Vermont of Lex Mundi, the world's leading association of independent law firms with in-depth experience in 100+ countries worldwide.

Phillip Peterson

From: Barbera Kester <barbkester@gmail.com>
Sent: Friday, November 03, 2017 12:50 PM
To: Phillip Peterson
Subject: Grant Street stop sign

Dear Mr. Peterson:

Thank you for your letter to Grant Street residents. I think that a stop sign at the intersection of Grant Street and Union Street is a good idea. That is a very dangerous intersection. I would like to tell you more about it. First, it is very difficult for people turning left onto Union Street from Grant Street to see oncoming traffic heading north on Union Street. It is difficult in the best of circumstances when Union Street is not fully parked up. We have to inch into the intersection and then gun it. When a vehicle is parked in the no parking spot from the sign that says "no parking here to corner" to the corner (the spot on the west side of Union before the turn onto Grant Street), it is extremely difficult to see oncoming traffic. Construction workers, utility trucks, etc. park there on a regular basis. A resident on Grant Street pointed out this issue several years ago, wondering if a mirror system would work. In any case, I support the stop sign and ask that you look into the issue of how hard it is to see oncoming traffic. Thank you.

Sincerely,

Barb Kester

82 Grant Street

316-9086

Phillip Peterson

From: Shayne Lynn <shayne.lynn@gmail.com>
Sent: Sunday, November 12, 2017 4:50 PM
To: Phillip Peterson
Subject: bayview st

Hello Phillip -

I received your letter regarding a stop sign at the bottom of Bayview St. I have lived here nearly 20 years and would say no sign is needed as I have never seen an accident there.

I was traveling, so this is late but I wanted to express my view.

Thank you,
Shayne Lynn
32 Bayview St

Phillip Peterson

From: Phillip Peterson
Sent: Wednesday, November 29, 2017 3:03 PM
To: Peter Thwaite
Subject: RE: Request for a Stop Sign on Beech Street

Peter,

There have been no decisions as of yet. There is no documentation to share yet. The flyer is simply seeking your opinion should we move forward. Once we decide what our recommendation is I will let you know what the next step will be. Feel free to call with questions.

Best,

Phillip Peterson, Engineering Technician
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5832 (phone)
ppeterson@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: Peter Thwaite [mailto:pthwaite@gmail.com]
Sent: Wednesday, November 29, 2017 2:56 PM
To: Phillip Peterson <ppeterson@burlingtonvt.gov>
Subject: Re: Request for a Stop Sign on Beech Street

Hi Phillip,

Could you tell me how I can find out what the decision was on this matter? Is there documentation of the reasoning behind the decision?

Thanks,
Peter.

On Sun, Nov 5, 2017 at 3:33 PM, Peter Thwaite <pthwaite@gmail.com> wrote:

Hello Phililip,

I know this is a couple of days late. I lost the sheet on my kitchen counter and just found it again while tidying up. If there is still time to consider my input I'd appreciate it.

My thoughts are that a stop sign is unnecessary because:

- 1) Traffic has to slow significantly anyway to make sure it is safe. Forcing it to stop doesn't seem to add any value.
- 2) I have never seen an accident there in the 15 years I've lived in Beech Street. Perhaps you have better data on that.
- 3) There is already a crosswalk, so pedestrians can cross safely.

Thanks for taking the time to solicit my input.

Peter.

14 Beech Street.



"STOP" SIGN
MUTCD R1-1

~21'

Beech Street

S Union Street



SCALE: 1" = 20'



BEECH STREET & S UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9084

DESIGNED PMP	RFS 037
DRAWN PMP	SCA 1"=20'
CHECKED NLB	DRAWN
DATE	



SCALE: 1" = 20'



BAYVIEW STREET & S UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 883-9094

DESIGNED PMP	RFS 937
DRAWN PMP	SCAL 1"=20'
CHECKED NLB	DRAWING
DATE	



KINGSLAND TERRACE & S UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9084

DESIGNED PMP	RFS 937
DRAWN PMP	SCALE 1"=20'
CHECKED NLB	DRAWING
DATE	



SCALE: 1" = 20'



HICKOK PLACE & N UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9094

DESIGNED PMP	RFS N 9375
DRAWN PMP	SCALE 1"=20'
CHECKED NLB	DRAWING
DATE	



SCALE: 1" = 20'



GRANT STREET & N UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**
645 PINE STREET
BURLINGTON, VT 05401
(802) 863-9084

DESIGNED PMP	RFS 937
DRAWN NLB	SCALE 1"=20'
CHECKED DKA	DRAWN
DATE	



SCALE: 1" = 20'



LOOMIS STREET & N UNION STREET
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

845 PINE STREET
BURLINGTON, VT 05401
(802) 863-9084

DESIGNED PMP	RFS 937
DRAWN PMP	SCALE 1"=20'
CHECKED MLB	DRAWN
DATE	



MEMORANDUM

January 11, 2018

TO: Public Works Commission

FROM: Phillip Peterson, DPW Engineer Technician *PMF 1/11/18*

CC: Nicole Losch PTP, Senior Transportation Planner *u 1/11/18*

RE: Stop Sign on Ferguson Avenue at Briggs Street

Recommendations:

Staff recommends the Commission adopt:

- A stop sign at the intersection of Briggs Street and Ferguson Avenue causing traffic on Ferguson Avenue to stop.

Background:

Staff received a request in November 2017 from Sam Lednický, a resident in Burlington's south end, requesting DPW put a stop signs at the intersections along Briggs Street from Morse Place to Flynn Avenue. Ms. Lednický avoided a potential accident at the Briggs Street and Ferguson Avenue intersection, and she believes stop control would have prevented it, so we are evaluating the Ferguson Avenue and Briggs Street intersection. Ms. Lednický believes this is an issue due to the increase of traffic from the new City Market on Flynn Avenue. Ms. Lednický is concerned that drivers on Ferguson and Briggs do not know who has the right of way at the intersection, and there may be a potential for future accidents at this intersection.

Observations:

1. **Street Characteristics:** Briggs Street is an approximately 30-foot-wide unpaved low volume local roadway with parking allowed on both sides of the street. Briggs Street is also within the Champlain Parkway project area; the future Champlain Parkway project would make any side streets intersecting Briggs into a Cul-de-sac, which includes Ferguson Avenue. The new City Market opened at the end of Briggs Avenue in November 2017. Ferguson Avenue is an approximately 30-foot-wide low volume residential street. There are no meters on Briggs Street and Ferguson Avenue.
2. **Public Outreach:** Using the DPW Public Engagement Plan spectrum of engagement, Staff appropriately identified this project as an INVOLVE Project type. Consequently, Staff

distributed flyers to the homes and businesses on Ferguson Avenue at Briggs Street on December 22, 2017. Staff received one email responses from a local resident, the respondent supports the proposal.

Conclusions:

According to the Manual on Uniform Traffic Control Devices (MUTCD):

When two vehicles approach an intersection from different streets or highways at approximately the same time, the right-of-way rule requires the driver of the vehicle on the left to yield the right-of-way to the vehicle on the right. The right-of-way can be modified at through streets or highways by placing YIELD signs or STOP (R1-1) signs on one or more approaches. When establishing intersection control, the following factors are considered: multi-modal traffic volumes, number of / angle of approach, approach speeds, sight distance, and reported crash experience. YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;
- B. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway;
- C. An unsignalized intersection in a signalized area.

The on street parking demand has increased on Briggs Street, this is most likely due to the new City Market. Staff initially found the Briggs Street and Fergusson Avenue intersection was not in line with our code of ordinance in terms of sightline issues. In the Burlington Code of Ordinances: “Chapter 20 MOTOR VEHICLES AND TRAFFIC, 20-55 General prohibitions. (b) No person shall park any vehicle at any time: (1) On any street within fifty (50) feet of the curbline of another street, or within such other distance as the traffic commission shall, based upon existing traffic conditions and sight lines at intersections, determine and cause to be indicated as provided in section 20-53.”

Obviously, cars parking within the 50-foot intersection buffer block sight lines for cars turning onto Briggs from Fergusson, and vice versa. This was due to a lack of appropriate signage, see the attached photo (Image-1) of vehicles parking within the 50-foot buffer at the Briggs Street and Fergusson Avenue intersection. Staff coordinated with our streets crew and the correct signage was installed. Even with the 50-foot buffer in place the excess parked vehicles create a restricted view, see (Image-2) the attached photo. Although Briggs Street is a low volume street, further analysis was deemed appropriate. Staff examined the Lyman Avenue and Briggs Street intersection to see if there is a restricted view due to an excess amount of vehicles as well, and there is not; therefore, application of the normal right-of-way rule would be expected to provide reasonable compliance with the law, and stop control at the Lyman Avenue and Briggs Street intersection is unnecessary. Ultimately, staff recommend the DPW Commission adopt a stop sign at the intersection of Briggs Street and Ferguson Avenue causing traffic on Ferguson Avenue to stop.



CITY OF BURLINGTON

SERVICE REQUEST

Name and Address

Name: Sam Lednicky

Request Date: 11/29/2017 3:11 PM

Due Date: 11/30/2017 11:59 PM

Address:

Phone Number:

Email Address: slednicky@drm.com

Request

Location: Briggs St

Request Description: Mr. Lednicky is looking for Stop Signs to be added to the end of all streets ending their western travel on Briggs. He is specifically looking for this to be done via 20-3(c) of City Code - DPW Director's temporary special authorities.

Assign History

Date	Assigned To	Description
11/29/2017 5:11:01 PM	Phillip Peterson	Does it meet warrant?,
11/29/2017 3:33:44 PM	Chapin Spencer	Request Assigned

Work History

Date	Staff Person	Description
12/01/2017	Phillip Peterson	Evaluation conducted. For more information please see attachments. (Entered on 12/1/2017 10:18:52 AM by Phillip Peterson)
11/29/2017	Chapin Spencer	I understand the request but need to know if the locations warrant stop signs. Phillip, can you evaluate? (Entered on 11/29/2017 4:57:09 PM by Chapin Spencer)
11/29/2017	Chapin Spencer	I understand the request but need to know if the locations warrant stop signs. Phillip, can you evaluate? (Entered on 11/29/2017 4:56:56 PM by Chapin Spencer)
11/29/2017	Steve Cormier	Email and attached map are uploaded in attachment. (Entered on 11/29/2017 3:34:02 PM by Steve Cormier)

Phillip Peterson

From: Allison Hope <AHope@citymarket.coop>
Sent: Friday, January 05, 2018 3:22 PM
To: Phillip Peterson
Subject: Stop sign at Briggs and Feguson

Hi Phillip – I received your flyer about DPW considering a stop sign at the corner of Ferguson and Briggs. City Market is certainly in favor of this addition and agree that it would make the intersection safer for cars, bicycles and pedestrians.

Best,
Allison

Allison Hope (formerly Weinhausen)
Director of Community Engagement
City Market, Onion River Co-op
82 South Winooski Ave
Burlington, VT 05401
802-777-2667 (cell)
www.citymarket.coop

We're growing in Burlington; find out more at www.citymarket.coop/expansion!

Phillip Peterson

From: Phillip Peterson
Sent: Friday, December 01, 2017 2:08 PM
To: 'Samantha VH. Lednický'; Chapin Spencer; DPW-Pine Customer Service
Cc: Tiki-Jon Archambeau; Christopher Gillman; Norm Baldwin; William Burns
Subject: RE: Immediate Action Needed--Briggs St [DRM-ID.FID921648]

Sam,

A STOP sign is still a possibility, just not immediately. A multi-way STOP application is not a possibility according to standard; nevertheless a STOP sign application may be what this situation calls for. In particular, a STOP sign at the intersection of Ferguson and Briggs causing traffic on Ferguson to stop. Based on the Manual on Uniform Traffic Control Devices (MUTCD), the use of a STOP sign on the minor street (Ferguson) could be considered if a restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street (Briggs). I have not finished a full analysis of the existing site conditions, but I had to get the ball rolling for the 50-foot buffer and I wanted to give you some kind of update. Feel free to call with any questions.

Best,

Phillip Peterson, Engineering Technician
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5832 (phone)
ppeterson@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: Samantha VH. Lednický [mailto:SLednický@drm.com]
Sent: Friday, December 01, 2017 10:48 AM
To: Phillip Peterson <ppeterson@burlingtonvt.gov>; Chapin Spencer <cspencer@burlingtonvt.gov>; DPW-Pine Customer Service <dpw-pinecustomerservice@burlingtonvt.gov>
Cc: Tiki-Jon Archambeau <tarchambeau@burlingtonvt.gov>; Christopher Gillman <cgillman@burlingtonvt.gov>; Norm Baldwin <nbaldwin@burlingtonvt.gov>; William Burns <WBurns@burlingtonvt.gov>
Subject: RE: Immediate Action Needed--Briggs St [DRM-ID.FID921648]

Phillip,

Thank you for your prompt response and evaluation. The no parking signs are a good first step to solving this problem. However it concerns me that drivers on both Ferguson and Briggs still do not know who has the right of way at that intersection. Since "A STOP sign is intended to help drivers and pedestrians at an intersection decide who has the right of-way" this would seem like the most logical, cost effective, and practical action to take.

It also concerns me that only the number of actual crashes is used as the measure of whether or not to install a stop sign. From a simple liability stand point, the fact that I have complained of the unsafe conditions and that an accident almost occurred, it is now foreseeable that accident are likely at this location. Unless stop signs are installed (or the road is barricaded or dead ended) drivers will continue not to know who has the right of way. As you have admitted, this area is only going to increase in the volume of traffic it sees as City Market only just opened.

I hope that you will reconsider your refusal to install temporary stop signs and not wait until 5 actual accidents occur. I hoped that by raising my concern the City could proactively prevent its citizens from personal injury and property damage.

Thank you again for considering my concerns and promptly responding.

Best,
Sam

Samantha VH Lednicky | Associate | Litigation Group
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SLednicky@drm.com | www.drm.com

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From: Phillip Peterson [<mailto:ppeterson@burlingtonvt.gov>]
Sent: Friday, December 01, 2017 10:15 AM
To: Chapin Spencer; Samantha VH. Lednicky; DPW-Pine Customer Service
Cc: Tiki-Jon Archambeau; Christopher Gillman; Norm Baldwin; William Burns
Subject: RE: Immediate Action Needed--Briggs St

Ms. Lednicky,

I conducted a site visit yesterday, and have designed action items we can take now. As it turns out the Briggs Street and Fergusson Avenue intersection is not in line with our code of ordinance in terms of sightline issues. In the Burlington Code of Ordinances: "Chapter 20 MOTOR VEHICLES AND TRAFFIC, 20-55 General prohibitions. (b) No person shall park a vehicle at any time: (1) On any street within fifty (50) feet of the curbline of another street, or within such other distance as the traffic commission shall, based upon existing traffic conditions and sight lines at intersections, determine and cause to be indicated as provided in section 20-53."

Obviously, cars parking within the 50-foot intersection buffer block sight lines for cars turning onto Briggs from Fergusson and vice versa. This is due to a lack of appropriate signage, I attached a photo of vehicles parking within the 50-foot buffer at the Briggs Street and Fergusson Avenue intersection. We have coordinated with our Traffic foreman and streets crew to install the correct signage as soon as they have an opportunity. I have attached a drawing which shows where the signage will go.

Under the current traffic conditions, the Briggs Street and Ferguson Avenue intersection does not meet the warrant analysis for STOP control. Consequently, DPW will not recommend placing STOP control at this intersection. Given the dynamic nature of traffic and growth in the area, traffic conditions can change and the Briggs/Ferguson intersection could meet the warrant analysis in the future.

Based on the Manual on Uniform Traffic Control Devices (MUTCD), multi-way STOP control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. MUTCD multi-way STOP application requires five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way STOP installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions. Based on VTrans data I collected, here is a link <http://apps.vtrans.vermont.gov/CrashPublicQueryTool/>, I found zero reported accidents at the Briggs Street and Ferguson Ave intersection in the past five years; consequently, we do not meet the requirements based on off accident data.

You had mentioned your concern due to a lack of STOP control along Briggs Street. That Briggs Street is open to traffic and contains no STOP signs between Morse Place and Flynn Avenue. A STOP sign is one of our most valuable and effective control devices when used at the right place and under the right conditions. A STOP sign is intended to help drivers and pedestrians at an intersection decide who has the right-of-way. However, a STOP sign is not good for speed control. A STOP sign is a good traffic calming device.

The traffic calming process has been initiated in the Briggs Street and Ferguson Avenue neighborhood, however it is still in the project queue and staff have not developed any designs. The DPW manages an average of four traffic calming projects at any one time and new projects are advanced in the order they are received. The process generally takes a minimum of 2 years and up to 4 years to complete, while the City balances staff to manage projects and budgets to install traffic calming.

Lastly, I would suggest that if you feel unsafe at any time please call the police department. I have a good contact with the Burlington Police Department (BPD); his name is John King and he is the BPD Parking Enforcement Manager. Here is Mr. King's contact information jking@bpdvt.org, (802)540-2185.

Kind Regards,

Phillip Peterson, Engineering Technician
Burlington Department of Public Works
645 Pine Street
Burlington, VT 05402
802-865-5832 (phone)
ppeterson@burlingtonvt.gov

"Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act."

From: Chapin Spencer

Sent: Wednesday, November 29, 2017 5:10 PM

To: Samantha VH. Lednický <SLednický@drm.com>; DPW-Pine Customer Service <dpw-pinecustomerservice@burlingtonvt.gov>

Cc: Tiki-Jon Archambeau <tarchambeau@burlingtonvt.gov>; Christopher Gillman <cgillman@burlingtonvt.gov>; Norman Baldwin <nbaldwin@burlingtonvt.gov>; Phillip Peterson <ppeterson@burlingtonvt.gov>

Subject: RE: Immediate Action Needed--Briggs St

Hello Sam,

Please call me Chapin. Thank you for your correspondence. Sorry to hear of your close call. Glad you are OK.

I will have our Technical Services Division review this and determine whether it meets a warrant for a stop sign. There are standards we must follow. Before we consider an installation, whether temporary or permanent, we need to do the due diligence. Once this evaluation is complete, we can then determine the best path to implementation.

Customer Service has put this service request into our system (#19595) and I will follow up with our Tech Services team to do this review.

Extra credit to you for your thorough review of City ordinance. Have a good evening.

Best,
Chapin

Chapin Spencer, Director
Department of Public Works
645 Pine Street, Burlington, VT
www.burlingtonvt.gov/DPW
802-863-9094

Our Mission: To steward Burlington's infrastructure and environment by delivering efficient, effective, and equitable public services.

From: Samantha VH. Lednický [<mailto:SLednický@drm.com>]
Sent: Wednesday, November 29, 2017 3:17 PM
To: Chapin Spencer <cspencer@burlingtonvt.gov>; DPW-Pine Customer Service <dpw-pinecustomerservice@burlingtonvt.gov>
Cc: Tiki-Jon Archambeau <tarchambeau@burlingtonvt.gov>; Christopher Gillman <cgillman@burlingtonvt.gov>
Subject: Immediate Action Needed--Briggs St

Mr. Spencer,

I would like to make a formal complaint and request for immediate action by the public works director. I was driving on Briggs Street, right in front of the new City Market location. Briggs Street is open to traffic and contains no stop signs between Morse Place and Flynn Avenue. I live off of Austin Drive and I was driving to the new city market for the first time and had a near death experience. It was last Wednesday night before thanksgiving just after sundown, around 5PM. As I drove north on Briggs St a gray Jeep traveling very fast west on Ferguson Avenue was inches from t-boning me. They noticed me at the last second and we avoided a potentially catastrophic collision.

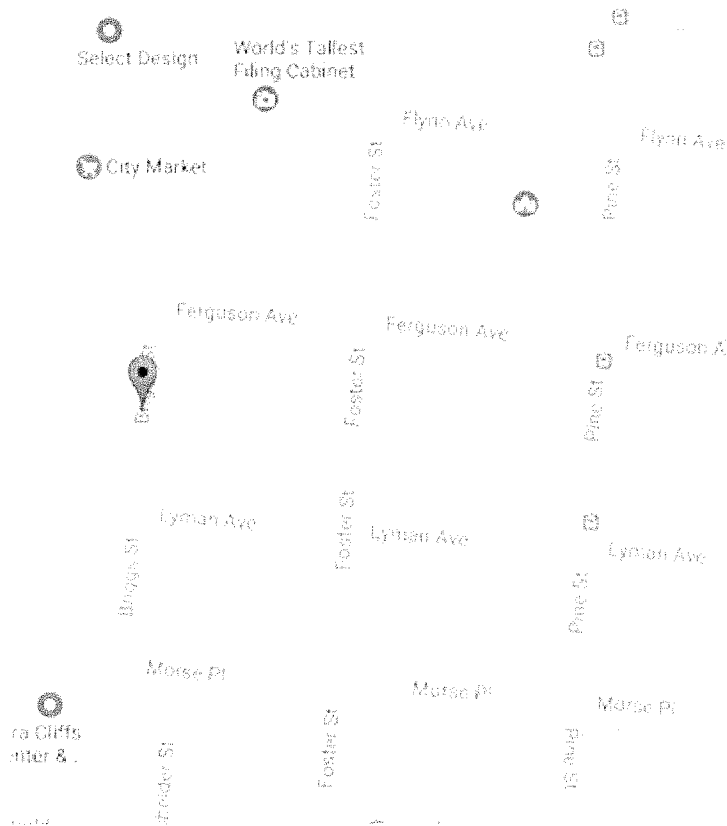
After this traumatizing event, I investigated both Lyman Avenue and Ferguson Avenue and discovered that neither streets have stop signs where they intersect with Briggs Street. This is extremely dangerous, especially given the increased traffic to and from the new City Market location. I would ask that you accept this email as a complaint and a request for immediate action.

Pursuant to Burlington City ordinances, "The public works director shall have authority to adopt temporary vehicular traffic and parking regulations on all public streets. This authority is given for the exclusive purpose of establishing parking and transportation pilot programs and evaluating the merits of such programs. A parking or transportation pilot program shall be limited to no more than thirty (30) calendar days." 20-3(c). I urge you to consider at your very next meeting to start an emergency pilot project and install two temporary stop signs at the end of the Lyman and Ferguson avenues.

I understand that the eventual plan is to barricade or dead end those two street, however, more immediate action must be taken to ensure that we do not have any accidents like the one I almost endured. I am happy to appear at your next meeting and describe my experience. Please let me know when your next meeting is and if there is anything else you need from me so that this issue is addressed promptly and put on your next meeting agenda.

Best,
Sam Lednický

Map below of the intersections described above.



Samantha VH Lednický | Associate | Litigation Group

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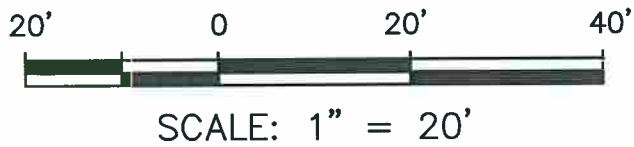
Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.



NOTES:

Staff recommends the following

- A stop sign is authorized at the intersection of Briggs Street and Ferguson Avenue causing traffic on Ferguson Avenue to stop.



BRIGGS STREET
&
FERGUSON AVENUE
PROPOSED "STOP" SIGN



**BURLINGTON
PUBLIC WORKS
ENGINEERING DIV.**

845 PINE STREET
BURLINGTON, VT 05401
(802) 883-9084
(802) 883-0486 (Fax)

DESIGNED PMP	RFS 195
DRAWN PMP	SCALE 1"=
CHECKED NLB	DRAWING
DATE	



January 11, 2018

TO: Public Works Commission

FROM: Nicole Losch, Senior Planner
Elizabeth Gohringer, Associate Planner
Phillip Peterson, Engineering Technician

RE: Establishing Policies for Narrow Street Conditions

Recommendations

No action is required by the Commission.

Future actions related to potential parking revisions may be informed by these draft policies, so Commission feedback on the guidelines and standards is appreciated.

Purpose & Need

Narrow Streets with On-Street Parking

The purpose of this policy is to establish guidelines and standards for emergency access and snow removal on narrow streets with on-street parking. The need for this policy is to ensure equitable consideration of parking needs and public safety.

Yield Streets

The purpose of this policy is to define Yield Streets and establish guidelines and standards for their consideration as a traffic calming technique. The need for this policy is to expand the options for traffic calming techniques without negatively impacting public safety in the roadway.

Introduction

Both DPW staff and the Commission have been challenged to consistently apply parking standards on narrow streets. As a result, two policies have been drafted that identify procedures to guide on-street parking considerations as it relates to 1) traffic calming and 2) emergency access and snow removal operations in winter months. These policies were drafted after consultation with the Burlington Fire Department and the Assistant Director of Street Maintenance at DPW. The intent of these policies are to outline procedures that can be considered when specific issues are presented; not to issue new citywide parking standards.

	POLICY & PROCEDURE MANUAL Title: Narrow Streets with On-Street Parking
Effective Date:	Approved by:
Number:	Signature:

Purpose

This policy and procedure is intended to codify the City's use of on-street parking on narrow streets as it relates to emergency service access and snow removal operations, as per the City Engineer's directive. Additionally, this policy should be considered in parallel with the City's use of Yield Streets when traffic calming is considered.

Background

The American Association of State Highway and Transportation Officials (AASHTO) is an organization which sets standards for protocols and guidelines on highway construction and design, air, rail, water, and public transportation.

In the AASHTO *A Policy on Geometric Design of Highways and Streets*:

- Page 4-74, Section 4.20 On-Street Parking:
 - On-street parking is generally permitted on local streets. A 26-foot-wide roadway is the typical cross-section used in many urban residential areas. This width assures one through-lane, even where parking occurs on both sides. Specific parking lanes are not usually designated on such local streets. The lack of two moving lanes may be inconvenient to the user in some cases; however, the frequency of such concern has been found to be remarkably low. Random intermittent parking on both sides of the street usually results in areas where two-way movement can be accommodated.

A narrow street offers a place for better human interaction; where neighbors can meet, children can play, and residents can safely use bicycles for transportation. Narrow streets are less expensive to maintain, they reduce runoff and improve water quality, and slow travel speeds. However, street width affects the capability of emergency service vehicles to rapidly reach a fire or medical emergency and for emergency personnel to efficiently set up and use their equipment. The access requirements for emergency response vehicles are driven, in part, by National Fire Protection Codes. Similarly, street width affects the capability of snow removal operations. Narrow streets may limit access by plow trucks and may increase the risk of damage to vehicles and to plow drivers' driving records.

Guidance

Within Burlington, narrow streets with parking on one or both sides may be considered for parking restrictions – either seasonally or permanently – when sufficient space may not be available for emergency services or for snow removal operations. Every potential change as it relates to emergency services and snow removal operations must be evaluated based on existing

site conditions, and the standards described herein are not meant to provide a definitive list of all possible relevant conditions.

Standards

1. In this context, a narrow street is defined as a street which:
 - a. Is 28 feet wide or less;
 - b. Has on-street parking on one or both sides;
 - c. Has one-way or two-way traffic;
 - d. Is not typically a transit route; and
 - e. Is categorized as a local or neighborhood street.
2. When snow presents challenges on narrow roads and on-street parking utilization is greater than 40%, seasonal parking restrictions on one side of the street may be considered during winter months (December 1 – March 31) to allow adequate width for plowing, emergency vehicle access, and trash / recycling service.
 - a. Parking restrictions seeking to address a perceived issue of safety or appropriate serviceability of a street can be proposed by either staff or members of the public. A process of vetting of the proposed restriction through meetings with affected residents, emergency service providers, and City Staff responsible for street maintenance will be part of the fact finding and consideration in rendering a recommendation to the Public Works Commission for their deliberations.
3. It is preferred that 14' of clear travel width is retained, however travel widths may be narrower depending on site conditions.

	POLICY & PROCEDURE MANUAL Title: Yield Streets
Effective Date:	Approved by:
Number:	Signature:

Purpose

This policy and procedure is intended to codify the City’s use of Yield Streets, as per the City Engineer’s directive. A yield street is typically a two-way local road with parking on both sides and a shared travel lane. In some situations, a two-way local road with parking on only one side can also create a Yield Street. The narrow width of the travel lane may force opposing vehicles to slow down and yield to one another while passing, causing a traffic calming effect.

Background

The National Association of City Transportation Officials (NACTO) is one of the leading organizations representing cities on transportation issues. It is one of the guiding voices for cities regarding urban planning and design best practices.

In the NACTO *Urban Street Design Guide*:

- Page 17, Yield Street indicates:
 - 2-way yield streets are appropriate in residential environments where drivers are expected to travel at low speeds. Many yield streets have significant off-street parking provisions and on-street parking utilization of 40–60% or less.
 - A yield street with parking on both sides functions most effectively at 24–28 feet.
 - Parking utilization on yield streets should be monitored closely. Before and after conversion, cities should consult with local residents to see whether or not a “checkered” parking scheme should be striped or remain unofficial.

The American Association of State Highway and Transportation Officials (AASHTO) is an organization which sets standards for protocols and guidelines on highway construction and design, air, rail, water, and public transportation.

In the AASHTO *A Policy on Geometric Design of Highways and Streets*:

- Page 4-74, Section 4.20 On-Street Parking:
 - On-street parking is generally permitted on local streets. A 26-foot-wide roadway is the typical cross-section used in many urban residential areas. This width assures one through-lane, even where parking occurs on both sides. Specific parking lanes are not usually designated on such local streets. The lack of two moving lanes may be inconvenient to the user in some cases; however, the frequency of such concern has been found to be remarkably low. Random intermittent parking on both sides of the street usually results in areas where two-way movement can be accommodated.

Guidance

Within Burlington, a Yield Street may be created, through the addition of parking on one or both sides of the street. Every potential creation of a yield street must be evaluated based on existing site conditions, and the standards described herein are not meant to provide a definitive list of all possible relevant conditions.

Standards

1. Yield streets are narrow local streets (typically between 24'-28' wide).
 - a. Note: Given the challenges that snow presents on narrow roads, 24' wide streets would only be considered for yield street conditions if the street has very low automobile volume and low levels of parking utilization.
2. On-street parking utilization on both sides of the street should be less than 60%.
3. Yield streets are not typically part of the transit network.
4. Yield streets should be created only on roads which have the functional classification of local roads. The Federal Highway Administration (FHWA) considers local roads to have between 80-700 AADT.
5. Emergency response vehicles must be able to travel the through lane at reasonable speeds.
6. Yield streets may not interfere with trash and recycling collection, snow plowing, and emergency response operations. Depending on the width of the street, parking may be limited to one side of the street during winter months (December 1 – March 31) to allow adequate width for plowing and emergency vehicle access.
7. It is preferred that 14' of clear travel width is retained, however travel widths may be narrower depending on site conditions.
8. Representatives of DPW's Traffic Division and Engineering Division shall review any and all proposals for Yield Streets.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

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www.burlingtonvt.gov/dpw

To: DPW Commissioners
Fr: Chapin Spencer, Director
Re: **Director's Report**
Date: January 11, 2018

WATER/WASTEWATER BILLING ERROR

The update on the UVM water/wastewater billing error is attached. This is a follow up from my previous memo and briefing to the Commission in December.

INTERVALE ROAD SCOPING STUDY UNDERWAY

The CCRPC, City of Burlington and Intervale Center, along with consultant VHB, are partnering on a study to identify walk/bike improvements along Intervale Road. The corridor is increasingly busy with a mix of autos, farm vehicles, large trucks, and pedestrians and cyclists. The study will analyze existing conditions, consider future developments and make recommendations on ways to improve safety for all travelers. The initial public meeting was January 10, 2018. The presentation and more information can be found here: <https://www.ccrpcvt.org/our-work/transportation/current-projects/scoping/intervale-road-pedestrian-bicycle-access-feasibility-study/>.

PLOWING UPDATES

The early January deep freeze and high winds made ice and snow management on our roads and sidewalks challenging. To provide context to the public, we provided this update that can be found under Press Releases on our website: <https://www.burlingtonvt.gov/Press/With-Warmer-Temps-Public-Works-to-Redouble-Efforts-to-Clear-City-of-Snow-and-Ice>. If any member of the public identifies a problem area with ice and snow in the public ROW, they are encouraged to report it to us – either through calling our Customer Service team or by reporting it on SeeClickFix.

GREAT STREETS STANDARDS

Thank you for the DPW Commission support last month. The BED Commission supported the lighting components of the standards at their January meeting. The standards are already being used to design the new section of St Paul Street between Main and Maple and the new street sections adjacent to City Place Burlington (formerly Burlington Town Center).

THANK YOU BILLY BURNS!

After 33+ years of dedicated service to our department, most as the Traffic Forman, Billy Burns has decided to retire. He has excellently managed our traffic and parking operations including painting, signs, meters, parking lots and crossing guards and it will be a real loss to have him go. Billy's frequent self-effacing jokes and his instant rapport with people have only been outmatched by his dedication to our City.

Feel free to reach out with any questions prior to Wednesday's Commission meeting.



City of Burlington
Department of Public Works
Water Resources Division
235 Penny Lane
Burlington, VT 05401
802.863.4501 P
www.burlingtonvt.gov/DPW

Chapin Spencer
PUBLIC WORKS DEPARTMENT DIRECTOR

Megan Moir
WATER RESOURCES DIVISION HEAD

To: City Council
Public Works Commission
Mayor Miro Weinberger
Fr: Chapin Spencer, Director
Megan Moir, Assistant Director – Water Resources
Re: Water & Wastewater Billing Issue – Update and Next Steps
Date: December 29, 2017

In our December 1, 2018 communication on the Water & Wastewater Billing Issue to the Board of Finance, we pledged to provide a “full update report on our findings and progress resolving any outstanding issues prior to the end of 2017”. This communication provides the end-of-year update. Previously provided information is reiterated in the “Background” section following the update.

Recent Progress and Next Steps:

1. Revising Policies and Procedures
 - a. The updated Billing Standard Operating Procedures and Policies document has been provided to KPMG for their review.
2. Third Party Assessment
 - a. A letter of engagement was executed with KPMG (see “Letter of Engagement”)
 - b. An initial kickoff work session was held December 11 – 13 with Water Resources and KPMG. Outcomes included: Training for KPMG on compound meter technology, Flexibill Billing system, review of existing SOPs, development of electronic form for inspection of meters, development of data comparison process, visit of a compound meter in the field to test inspection protocols. (See “Workshop Notes”)
 - c. To date, 26 of the 99 compound meters have been inspected, including 13 at UVM.
 - d. Additional UVM meter inspections are scheduled for the week of January 2.
 - e. An additional 31 meter inspections have been scheduled.
 - f. Next Steps: Continue completing and scheduling meter inspections. Select 10 sites for validation inspection by KPMG and complete validation inspection. KPMG to compare field data with billing data export.
3. Delivering Timely & Comprehensive Reports
 - a. We will deliver our next report on/before February 28. It is expected that the Compound Meter Assessment will be substantially complete by that date.

An Equal Opportunity Employer
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Our current goal is to complete the Third Party Assessment by the end of January. However, scheduling challenges related to the holiday season may push the completion of the assessment into the first part of February. That being said, we have benefitted from substantial cooperation by our compound meter customers in scheduling the meter inspections.

Please do not hesitate to contact us with any questions. Thank you.

Background:

In mid-November, in the course of investigating UVM's request to review the compound meter at University Heights – South Complex, DPW staff identified a likely billing error. For explanation, compound meters have two meter heads to handle the continuum of flows (ranging from small to large) typical of larger buildings and commercial customers. Based on our current understanding, it seems that when the University Heights – South Complex account was established in 2006, the radio box identification numbers for the small and large meters were transposed when entered into our billing system. As a result, account #70053600, set up for the large meter head, was recording and billing the readings from the small meter head resulting in overcharge on that account. Account #70053590, set up for the small meter head, was recording and billing the readings from the large meter head resulting in an undercharge on that account.

It appears that this error has resulted in a substantial net overcharge of over \$2 million to UVM for these metered accounts for Water and Wastewater. We have notified UVM of this issue, as well as the City's auditor and Moody's – our credit rating agency. While a significant issue, the total overbilling accumulated over a number of years and the City's credit rating agency upgraded the City's credit rating to A2 even after being alerted to this issue.

A billing issue of this significance demands a full and timely response. DPW management immediately alerted the City Attorney's Office, Chief Administrative Officer, and Mayor's Office after uncovering the 2006 error. At the direction of the Mayor, DPW has moved quickly to procure an independent third-party assessment of our compound meter system, conducted an intensive investigation into this issue, and reviewed and improved internal operational procedures. This comprehensive review by a third party as well as DPW staff will determine whether any additional compound meter issues exist and implement enhanced controls moving forward to protect against these errors.

After completing the preliminary investigation, DPW notified UVM Physical Plant on November 22 of this billing anomaly. We also told them that we would hold the upcoming bills on the University Heights accounts until the issue was better understood. We said we would be back in touch by December 15, 2017 with more information.

Additional Information on the Compound Meter System

There are 99 compound meters in the City's water distribution system. These meters represent a small percentage of the approximate 10,000 accounts city wide, but the compound meters represent a substantial portion of our community's water usage and resulting revenue to the Water and Wastewater enterprise funds. Given that the compound meters each have two meter heads and two radio communication boxes, there is more complexity in the installation and billing set-up for these accounts.

This error was the second issue we uncovered this year related to the installation of a compound meter. In October 2017, we made a presentation to the Board of Finance outlining a City refund to a commercial customer (Zero Gravity) when we discovered an installation documentation error in the compound meter serving that business. In this case, the error was different than that which caused the overbilling for UVM in that the radio box identification numbers were transposed on the installation documentation – resulting

in a similar situation of overcharging the customer. As a result of this error, DPW Water Resources initiated an internal policy regarding compound meter installations that require two meter technicians to be present for the meter installation and radio box wiring – and for both meter technicians to confirm and sign off on the installation paperwork to ensure the radio box identification numbers are correctly listed.

Assessing Weaknesses and Finding Opportunities

The UVM billing initiation error, while separate and distinct from the Zero Gravity installation issue, shared some common attributes that indicate the need for an in-depth review to ensure there are no additional issues. As described at the December 4, 2018 presentation at the Board of Finance, our full system review includes three main steps:

1. **Revising Policies & Procedures:** Earlier this year, in response to a FY2015 Audit Management Letter item (#3), DPW Water Resources worked with the Clerk/Treasurers office and auditing firm Sullivan & Powers to complete an internal audit of our Billing Standard Operating Policies and Procedures (SOPs). Our written policies and procedures have been enhanced to further codify distinct procedural improvements and strengthen internal controls particularly around compound meters. Additional controls may be recommended and incorporated through the third-party assessment below.
2. **Hiring an Auditing Firm to Conduct an Independent Third-party Assessment:** We sought three assessment proposals, received two and brought KPMG's proposal forward for the Board of Finance's approval on December 4th to undertake the scope of work summarized below. The executed letter of engagement is attached. We will utilize fund balance from Water and Wastewater funds to pay for this assessment. The scope includes:
 - 1) Reviewing the installation and proper billing account set-up for our 99 existing compound meters – with an initial priority on UVM's 25 compound meters.
 - 2) Reviewing the meter-to-bill process, providing findings on any material weaknesses, and recommending further revisions to our policies and procedures that we will then implement.
3. **Delivering Timely and Comprehensive Reports:** We pledged to provide the Mayor, City Council, the Public Works Commission and our customers a full update report prior to the end of 2017 on our findings and progress resolving outstanding issues. Furthermore, we pledged to report every 60 days thereafter until we close out any remaining items on our punch list.

As mentioned in our initial memo, the customer is at the core of all we do at DPW. Team DPW remains fully resolved to find the problems, address all identified issues, and work diligently to not let them happen again. We do want to commend DPW Water Resources staff for their effort to uncover and report these issues and quickly move to implement additional controls to strengthen our metering and billing systems.



KPMG LLP
Two Financial Center
60 South Street
Boston, MA 02111
(617) 988-1278

December 8, 2017

Mr. Chapin Spencer
Director of Department of Public Works
645 Pine Street
Burlington, VT 05401

Dear Mr. Spencer:

On behalf of KPMG LLP ("KPMG"), we appreciate the opportunity to provide the City of Burlington, Department of Public Works ("BDPW") with professional services to assess compound meters to help ensure that meters are correctly configured and assigned to customer accounts. This letter, which serves as our engagement letter, and the Standard Terms and Conditions (as defined below), set forth the terms of our engagement.

Background, Objectives, and Scope

BDPW has requested a review of their compound metering by an independent party to help ensure that compound meters are correctly configured and mapped to their radio transmitters, customer accounts, and meter multipliers. Compound meters are complex meter configurations used in the delivery of water to large consumption accounts where there are 2 sub-meters to measure high and low pressure water. BDPW has approximately 94 compound meters and they have identified an instance where one compound meter is incorrectly setup in the billing system resulting in potential inaccurate customer billing.

The objectives of this engagement are to inspect the configuration of each meter through photographs and geo-coding, document its settings based on a form provided by BDPW, compare the documented settings to the billing configuration in order to verify that the field meter configurations and billing configurations match. Further, KPMG will review BDPW's new procedures for compound meter setup (field setup and billing configuration) and provide recommendations for potential improvements.

The scope for the engagement includes reviews of approximately 99 compound meters in and around the City of Burlington, VT, the review of the billing configuration of the meters in the billing system, and review of existing procedures. KPMG will physically visit a random sample of 10 meters and BDPW will visit and document the remaining meters.



Project Approach and Deliverables

We plan to achieve these objectives using the following approach:

Phase	Activities	Deliverables
1. Mobilize Team and Initiate Project (3 days)	• Mobilize team • Submit data requests • Identify and map the compound meters and work with BDPW to develop a site visit schedule starting with the University of Vermont • Work with BDPW to develop an electronic form with specific items to review on each compound meter configuration • Receive safety training, as appropriate • Receive training from Neptune on how to review meters and verify settings • Work with BDPW to schedule site visits • Develop draft deliverable templates and progress trackers	• Data requests • Review of BDPW's compound meter inventory and site visit schedule • Standard compound meter review form • Draft deliverables templates • Project charter, schedule, and communications plan
2. Conduct Compound Meter Assessment (9 days)	• Review documentation including processes, procedures, and policies for meter setup and billing setup including controls and governance • Provide potential risks and recommendations on policies, procedures, and governance over meter setup procedures in the field, meter system, and billing system • Conduct compound meter site assessments and document the findings including pictures for 10 sample meters • Review and compile site assessment documentation gathered by BDPW • Review billing configurations and compare to meter site assessments • Document results and findings • Identify potential issues and risks • Provide updates to BDPW	• Findings report with risks and recommendations based on a review of processes, policies, procedures, and governance for meter and billing configuration setup • Completed compound meter site assessment forms and pictures • Compound meter configuration comparison matrix between observed site information and billing configurations • Findings and recommendations • Status reports including progress, risks, and issues
3. Develop Report (3 days)	• Develop a final report documenting the procedures we performed, risks, findings, and recommendations with supporting documentation • Finalize and close out project	• Final report documenting the procedures we performed, risks, recommendations, and findings with supporting documentation



Client Participation and Responsibilities

During the development of this engagement letter, we have been guided by certain assumptions about the project scope and level of BDPW's involvement and support.

BDPW's management will designate a Project Sponsor, a senior member of management who has the requisite skills and competencies for overseeing the services being provided. The Project Sponsor is responsible for establishing the objectives and scope and determine the nature, timing, and extent of testing procedures; for approving the delivery plan; and for maintaining appropriate day-to-day oversight of the KPMG team. In addition, the Project Sponsor will have responsibility for reviewing and approving the engagement documentation and/or deliverables prepared during the engagement that document the results; for reporting the results within BDPW's reporting structure; for evaluating the observations and recommendations that arise from the services; and for monitoring corrective action taken.

BDPW will provide adequate training on safety, meter configurations, and billing configurations. Furthermore, BDPW will schedule our site visits and provide an appropriate and qualified metering resource to escort KPMG resources to each compound metering site.

BDPW represents to KPMG that BDPW has the authority to award this contract to KPMG outside of a formal competitive process, and that award of this contract is made in accordance with all applicable law, regulations, rules, policies, and requirements.

BDPW will inspect and document each of the compound meters in the field including electronic photographs with geocoding, clear images of the meters and identifying information, configuration and so forth.

Other Matters

KPMG will provide our services in accordance with the terms and conditions of this letter. Our services as outlined in this letter constitute an Advisory Engagement conducted under the American Institute of Certified Public Accounts ("AICPA") Standards for Consulting Services. Such services are not intended to be an audit, examination, attestation, special report, or agreed-upon procedures engagement as those services are defined in AICPA literature applicable to such engagements conducted by independent auditors. Accordingly, these services will not result in the issuances of a written communication to third parties by KPMG directly reporting on financial data or internal control or expressing a conclusion or any other form of assurance. In providing these services, KPMG will undertake no role or view that could be considered public policy advocacy or lobbying.

Key KPMG Resources

Engagement Partner. I will be responsible for the overall engagement quality of service BDPW receives during the conduct of this engagement.

Engagement Director. Brian Benton will be the primary resource for coordinating our services, including all work procedures and deliverables.

Engagement Staff. We will also assign professionals with the necessary skills and experience to assist with on-site fieldwork as appropriate. We anticipate the use of a core team of resources to assist with project and site assessments, and one or more subject matter professionals to offer insights throughout the engagement, if needed.



Timing and Professional Fees

We are prepared to begin work upon client and engagement acceptance as well as receipt of a signed copy of this engagement letter at a time mutually determined by BDPW and KPMG.

KPMG professional fees are based upon the specified skill level of the professionals providing the Services and the amount of time and materials required to complete the SOW. KPMG will invoice on a Time & Materials basis monthly at the conclusion of each month.

Resource	Level	Rate/Hour	Estimated Hours	Estimated Cost
Todd Durocher	Partner	\$350	20	\$7,000
Brian Benton	Manager	\$300	60	\$18,000
Mariana Souza	Senior Associate	\$250	120	\$30,000
TBD	Associate	\$170	0	\$0
Estimated Hours & Fees			200	\$55,000
Estimated Expenses (15%)				\$8,250
Estimated Total				\$63,250

In addition to professional fees, KPMG will be reimbursed for out-of-pocket expense. Out-of-pocket expenses include but are not limited to airfare, meals, accommodations, and administrative expenses. Expenses are estimated to be 15% of fees. Throughout the engagement, we will submit monthly invoices for expenses incurred and professional fees based on the table above, with payment due upon receipt. You will be billed \$20,000 upon commencement of our services, which will be credited against future invoices.

The engagement is anticipated to start on December 11, 2017 and complete before January 31, 2018 including field meter documentation by BDWP. This timeline is dependent on the completion of field work by BDWP by January 19, 2018.

Scope changes or circumstances encountered during the engagement that warrant additional time and expense may cause us to adjust the above amounts. We will notify you of any such circumstances as they arise and obtain your approval and agreement before proceeding. Should management require additional hours, more professionals, or a change in the anticipated staffing complement for this engagement, fees for such additional professionals or hours will be commensurate with the experience levels requested and utilized.

Terms and Conditions

This engagement is subject to the KPMG LLP Standard Terms and Conditions (Government) for Advisory and Tax Services subject to the following:

Governing Law; Severability. *All disputes between the parties (whether based in contract, tort, statute, rule, regulation or otherwise and whether pending in court or in an arbitral forum) shall be governed by and construed in accordance with the substantive and procedural laws of the State of Vermont, including without limitation its statutes of limitations, without regard to the conflict of laws provisions of New York or any other state or jurisdiction. In the event that any term or provision of the Engagement Letter or these terms shall be held to be invalid, void or unenforceable, then the remainder of the Engagement Letter and these terms shall not be affected, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.*

* * * * *



If the terms of this engagement letter as set forth above are acceptable to you, please indicate your acceptance and authorization for KPMG to proceed with the related work by signing this letter in the appropriate space and returning a copy to me.

We look forward to working with Burlington Department of Public Works. If we can provide you with any additional information, please feel free to contact me at 978-360-5837.

Very truly yours,

KPMG LLP

A handwritten signature in black ink, appearing to read "Todd J. Durocher".

Todd J. Durocher
Principal

Enclosure:

KPMG LLP Standard Terms and Conditions (Government) for Advisory and Tax Services
Livable Wage Certification KPMG

ACCEPTED BY:

City of Burlington Department of Public Works

A handwritten signature in blue ink, appearing to be a stylized name.

Authorized Signature

Director - DPW

Title

KPMG LLP
Standard Terms and Conditions (Government) for Advisory and Tax Services

1. Services; Client Responsibilities.

- (a) References herein to Client shall refer to the addressee of the Proposal or Engagement Letter to which these Standard Terms and Conditions are attached or incorporated (the "Engagement Letter") and references herein to KPMG shall refer to KPMG LLP, a Delaware registered limited liability partnership and the United States member firm of the KPMG network of independent firms (the "KPMG Network"). Client, its parent company and their affiliates, and their respective directors, officers, employees, and agents are collectively referred to herein as the "Client Parties." KPMG, the other member firms of the KPMG Network and firms and entities controlled by, or under common control with, one or more such member firms (collectively, the "Member Firms"), and their affiliates, and their respective partners, principals, employees, and agents are collectively referred to herein as the "KPMG Parties." Any work performed in connection with the engagement described in the Engagement Letter before its execution is also governed thereby and by these Standard Terms and Conditions.
- (b) It is understood and agreed that KPMG's services may include advice and recommendations; but all decisions in connection with the implementation of such advice and recommendations shall be the responsibility of, and made by, Client. KPMG will not perform management functions or make management decisions for Client.
- (c) If KPMG audits the financial statements of Client or provides any other attestation services to Client, the rules of the American Institute of Certified Public Accountants ("AICPA") require Client to agree to the following provisions of this Paragraph 1(c). In connection with KPMG's provision of services under the Engagement Letter, Client agrees that Client, and not KPMG, shall perform the following functions: (i) assume all management responsibilities and perform all management functions; (ii) oversee such services, by designating an individual, preferably within senior management, who possesses suitable skill, knowledge and/or experience; (iii) evaluate the adequacy and results of such services; (iv) accept responsibility for the results of such services; and (v) establish and maintain internal controls over the processes with which such services are concerned, including performing ongoing evaluations of Client's internal control as part of its monitoring activities.
- (d) Subsequent to the completion of this engagement, KPMG will not update its Advice (as defined below) for changes or modifications to the law and regulations, or to the judicial and administrative interpretations thereof, or for subsequent events or transactions, unless Client separately engages KPMG to do so in writing after such changes or modifications, interpretations, events or transactions.

2. **Tax on Services.** All fees, charges and other amounts payable to KPMG under the Engagement Letter do not include any sales, use, excise, value added, income or other applicable taxes, tariffs or duties, payment of which shall be Client's sole responsibility, excluding any applicable taxes based on KPMG's net income or taxes arising from the employment or independent contractor relationship between KPMG and its personnel.

3. **Termination.** Either party may terminate the Engagement Letter at any time by giving written notice to the other party not less than 30 calendar days before the effective date of termination, provided that either party may terminate the Engagement Letter upon written notice

to the other party if laws, rules, regulations or professional standards applicable to a party preclude it from continuing to perform or receive the Services thereunder.

4. Ownership and Use of Deliverables.

- (a) Upon full and final payment to KPMG under the Engagement Letter, KPMG assigns and grants to Client, title in the tangible items specified as deliverables or work product in the Engagement Letter (the "Deliverables") and any copyright interest in the Deliverables provided that if and to the extent that any KPMG property is contained in any of the Deliverables ("KPMG Property"), KPMG hereby grants Client, under KPMG's intellectual property rights in such KPMG Property, a royalty-free, non-exclusive, non-transferable, perpetual license to use such KPMG Property solely in connection with Client's use of the Deliverables. KPMG acknowledges that it shall obtain no ownership right in Confidential Information (as defined below) of Client.
- (b) Should Client make a Deliverable bearing the "KPMG" name or logo available to a third party, it must be made available only in its entirety. KPMG may retain for its files copies of each of the Deliverables subject to the provisions of Paragraph 11 below.
- (c) Client acknowledges and agrees that notwithstanding Paragraph 4(a), any advice, recommendations, information, Deliverables or other work product ("Advice") provided by KPMG in connection with the services under the Engagement Letter is intended for Client's sole benefit and KPMG does not authorize any party other than Client to benefit from or rely upon such Advice, or make any claims against KPMG relating thereto. Any such benefit or reliance by another party shall be at such party's sole risk. KPMG may, in its sole discretion, mark such Advice to reflect the foregoing. Except for disclosures that are required by law or that are expressly permitted by this Agreement, Client will not disclose, or permit access to such Advice to any third party without KPMG's prior written consent.
5. **Warranties.** KPMG's services under the Engagement Letter are subject to and will be performed in accordance with AICPA and other professional standards applicable to the services provided by KPMG under the Engagement Letter and in accordance with the terms thereof. KPMG disclaims all other warranties, either express or implied.

6. **Limitation on Damages.** Except for the respective indemnification obligations of Client and KPMG set forth herein, the liability of Client Parties and the KPMG Parties to one another, on account of any actions, damages, claims, liabilities, costs, expenses or losses in any way arising out of or relating to the services performed under the Engagement Letter shall be limited to the amount of fees paid or owing to KPMG under the Engagement Letter. In no event shall any of the Client Parties or any of the KPMG Parties be liable for consequential, special, indirect, incidental, punitive or exemplary damages, costs, expenses, or losses (including, without limitation, lost profits and opportunity costs). The provisions of this Paragraph shall apply regardless of the form of action, damage, claim, liability, cost, expense, or loss asserted, whether in contract, statute, regulation or tort (including but not limited to negligence) or otherwise.

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7. Infringement.

- (a) KPMG hereby agrees to indemnify, hold harmless and defend the Client Parties from and against any and all claims, liabilities, losses, expenses (including reasonable attorneys' fees), fines, penalties, taxes or damages (collectively "Liabilities") asserted by a third party against any of the Client Parties to the extent such Liabilities result from the infringement by the Deliverables (including any KPMG Property contained therein) of such third party's patents issued in the United States as of the date the Deliverables are delivered to Client, trademarks or copyrights. Such KPMG obligations shall not apply to any infringement to the extent arising out of (i) use of the Deliverables other than in accordance with applicable documentation or instructions supplied by KPMG or other than for Client's internal business purposes; (ii) any alteration, modification or revision of the Deliverables not expressly agreed to in writing by KPMG; or (iii) the combination or operation of the Deliverables with materials not supplied or approved by KPMG.
- (b) In case any of the Deliverables (including any KPMG Property contained therein) or any portion thereof is held, or in KPMG's reasonable opinion is likely to be held, to constitute infringement, KPMG may, within a reasonable time, at its option either: (i) secure for Client the right to continue the use of such infringing item; or (ii) replace, at KPMG's sole expense, such item with a substantially equivalent non-infringing item or modify such item so that it becomes non-infringing. In the event KPMG is, in its reasonable discretion, unable to perform either of the options described in clauses (i) or (ii) above, Client shall return the allegedly infringing item to KPMG, and KPMG's sole liability shall be to refund to Client the amount paid to KPMG for such item; provided that the foregoing shall not be construed to limit KPMG's indemnification obligation set forth in Paragraph 7(a) above.
- (c) The provisions of this Paragraph 7 state KPMG's entire liability and Client's sole and exclusive remedy with respect to any infringement or claim of infringement.

8. Reserved.

9. Cooperation; Use of Information.

- (a) Client agrees to cooperate with KPMG in the performance of the services under the Engagement Letter and shall provide or arrange to provide KPMG with timely access to and use of the personnel, facilities, systems, equipment, data and information necessary for KPMG to perform the services under the Engagement Letter. The Engagement Letter may set forth additional details regarding KPMG's access to and use of personnel, facilities, equipment, data and information.
- (b) The Engagement Letter may set forth additional obligations of Client in connection with the services under the Engagement Letter necessary for KPMG to perform its obligations under the Engagement Letter. Client acknowledges that its failure to satisfy these obligations could adversely affect KPMG's ability to provide the services under the Engagement Letter.
- (c) Client acknowledges and agrees that KPMG will, in performing the services under the Engagement Letter, base its conclusions on the facts and assumptions that Client furnishes and that KPMG may use data, material, and other information furnished by or at the request or direction of Client without any independent investigation or

verification and that KPMG shall be entitled to rely upon the accuracy and completeness of such data, material and other information. Inaccuracy or incompleteness of such data, material and other information furnished to KPMG could have a material adverse effect on KPMG's conclusions.

- 10. **Independent Contractor.** It is understood and agreed that each of the parties hereto is an independent contractor and that neither party is or shall be considered an agent, distributor or representative of the other. Neither party shall act or represent itself, directly or by implication, as an agent of the other or in any manner assume or create any obligation on behalf of, or in the name of, the other.

11. Confidentiality.

- (a) "Confidential Information" means all documents, software, reports, data, records, forms and other materials obtained by one party (the "Receiving Party") from the other party (the "Disclosing Party") or at the request or direction of the Disclosing Party in the course of performing the services under the Engagement Letter: (i) that have been marked as confidential; (ii) whose confidential nature has been made known by the Disclosing Party to the Receiving Party; or (iii) that due to their character and nature, a reasonable person under like circumstances would treat as confidential. Notwithstanding the foregoing, Confidential Information does not include information which: (1) is already known to the Receiving Party at the time of disclosure by the Disclosing Party; (2) is or becomes publicly known through no wrongful act of the Receiving Party; (3) is independently developed by the Receiving Party without benefit of the Disclosing Party's Confidential Information; (4) is permitted to be disclosed by Paragraphs 18(a) or (b); or (5) is received by the Receiving Party from a third party without restriction and without a breach of an obligation of confidentiality.
- (b) The Receiving Party will deliver to the Disclosing Party or destroy all Confidential Information of the Disclosing Party and all copies thereof when the Disclosing Party requests the same, except for copies retained in work paper files or records, anything that may be stored in back up media or other electronic data storage systems, latent data and metadata. Except as otherwise set forth in this Paragraph 11 or Paragraph 15 below, the Receiving Party shall not disclose to any person, firm or entity any Confidential Information of the Disclosing Party without the Disclosing Party's express, prior written permission; provided, however, that notwithstanding the foregoing, the Receiving Party may disclose Confidential Information to the extent that it is required or necessary to be disclosed pursuant to a statutory or regulatory provision or court or administrative order, or, subject to appropriate conditions of confidentiality, to fulfill professional obligations and standards (including quality and peer review) or to submit and process an insurance claim.
- (c) **Reserved.**
- (d) Each party shall exercise the same level of care to protect the other's information as it exercises to protect its own confidential information but in no event less than reasonable care, except to the extent that Client identifies applicable law, policies, or standards or KPMG identifies professional standards that impose a higher requirement.
- (e) If the Receiving Party receives a subpoena or other validly issued administrative, judicial, government or investigative regulatory

KPMG LLP
Standard Terms and Conditions (Government) for Advisory and Tax Services

- demand or request or other legal process ("Legal Demand") requiring it to disclose the Disclosing Party's Confidential Information, the Receiving Party shall, unless prohibited by law or such Legal Demand, provide prompt written notice to the Disclosing Party of such Legal Demand in order to permit it to seek a protective order. So long as the Receiving Party gives notice as provided herein, the Receiving Party shall be entitled to comply with such Legal Demand to the extent required by law, subject to any protective order or the like that may have been entered in the matter. In the event that KPMG is requested or authorized by Client, or is required by law, rule, regulation or Legal Demand in a proceeding or investigation to which KPMG is not a named party or respondent, to produce KPMG's documents or personnel as witnesses or for interviews, or otherwise to make information relating to the services under the Engagement Letter available to a third party, or Client, Client shall reimburse KPMG for its professional time, at its then-current standard hourly rates, and expenses, including reasonable attorneys' fees and expenses, incurred in responding to such requests, authorizations or requirements.
12. **Assignment.** Subject to Paragraph 15 below, neither party may assign, transfer or delegate any of its rights or obligations, claims or proceeds from claims arising under or relating to this Engagement Letter (including by operation of law, in which case the assigning party will, to the extent legally permissible, give as much advance written notice as is reasonably practicable thereof) without the prior written consent of the other party, such consent not to be unreasonably withheld. Any assignment, transfer or delegation in violation hereof shall be null and void.
13. **Governing Law; Severability.** All disputes between the parties (whether based in contract, tort, statute, rule, regulation or otherwise and whether pending in court or in an arbitral forum) shall be governed by and construed in accordance with the substantive and procedural laws of the State of , including without limitation its statutes of limitations, without regard to the conflict of laws provisions of New York or any other state or jurisdiction. In the event that any term or provision of the Engagement Letter or these terms shall be held to be invalid, void or unenforceable, then the remainder of the Engagement Letter and these terms shall not be affected, and each such term and provision shall be valid and enforceable to the fullest extent permitted by law.
14. **Alternative Dispute Resolution.**
- (a) Any dispute or claim between the parties shall be submitted first to non-binding mediation and, if mediation is not successful within 90 days after the issuance by one of the parties of a request for mediation then to a court of competent jurisdiction.
- (b) Mediation shall take place at a location to be designated by the parties using the Mediation Procedures of the IICPR, with the exception of paragraph 2 (Selecting the Mediator).
- (c) Damages that are inconsistent with any applicable agreement between the parties (including Paragraph 6 above), that are punitive in nature, or that are not measured by the prevailing party's actual damages shall be unavailable in any forum. In no event, even if any other portion of these provisions is held to be invalid or unenforceable, shall a mediator make an award or impose a remedy that could not be made or imposed by a court deciding the matter in the same jurisdiction.
- (d) Either party may seek to enforce any written agreement reached by the parties during mediation in any court of competent jurisdiction, provided that any party moving to enforce, confirm or vacate such agreement or award, as the case may be, will file such motion under seal unless prohibited under applicable court rules.
- (e) Notwithstanding the agreement to such procedures, either party may seek equitable relief to enforce its rights in any court of competent jurisdiction. Nothing herein shall preclude KPMG from filing a timely formal claim in accordance with applicable state law provided, however, that KPMG shall, if permitted, seek a stay of said claim during the pendency of any mediation.
15. **Use of Member Firms and Third Parties.**
- (a) Client acknowledges and agrees that the services under the Engagement Letter, including any applicable tax advice, may be performed by a Member Firm located outside of the United States. Client understands that each Member Firm is a separate, distinct independent legal entity and is not a partner, principal, agent or affiliate of KPMG and KPMG is not a partner, principal, agent or affiliate of any other Member Firm.
- (b) Client further acknowledges and agrees that in connection with performance of services under the Engagement Letter, KPMG and its Member Firms, in their discretion or at Client's direction, may utilize the services of third parties ("Vendors") within and outside of the United States to complete the services under the Engagement Letter.
- (c) Client further acknowledges and agrees that KPMG Parties may have access to Confidential Information from offshore locations, and that KPMG uses Vendors within and outside of the United States to provide at KPMG's direction administrative, clerical or analytical services to KPMG. These Vendors may in the performance of such services have access to Client's Confidential Information. KPMG represents to Client that with respect to each Member Firm or Vendor, KPMG has technical, legal and/or other safeguards, measures and controls in place to protect Confidential Information from unauthorized disclosure or use. KPMG shall remain responsible to Client for their failure to comply.
- (d) Accordingly, Client's agreement above extends to disclosure, access to access, and use of its Confidential Information by the parties and Vendors for the purposes set forth in Paragraph 11 and this Paragraph 15.
- (e) Any services performed by a Member Firm or Vendor shall be performed in accordance with the terms of the Agreement and these Standard Terms and Conditions (Government), including Paragraph 11 (Confidentiality), but KPMG shall remain responsible to Client for the performance of such services. Client agrees that any claim relating to the services under the Agreement may only be made against KPMG and not any other Member Firm or Vendor referred to above.
16. **Miscellaneous.**
- (a) **Reserved.**
- (b) **Electronic Communications.** KPMG and Client may communicate with one another by electronic mail or otherwise transmit documents

KPMG LLP

Standard Terms and Conditions (Government) for Advisory and Tax Services

in electronic form during the course of this engagement. Each party accepts the inherent risks of these forms of communication (including the security risks of interception of or unauthorized access to such communications, the risks of corruption of such communications and the risks of viruses or other harmful devices). Client agrees that the final hardcopy or electronic version of a document, including a Deliverable, or other written communication that KPMG transmits to Client shall supersede any previous versions transmitted by KPMG to Client.

- (c) **California Accountancy Act.** For engagements where services will be provided by KPMG through offices located in California, Client acknowledges that certain of KPMG's personnel who may be considered "owners" under the California Accountancy Act and implementing regulations (California Business and Professions Code section 5079(a); 16 Cal. Code Regs. sections 51 and 51.1) and who may provide services in connection with this engagement, may not be licensed as certified public accountants under the laws of any of the various states.
- (d) **Volume Rebates.** Where KPMG is reimbursed for expenses, it is KPMG's policy to bill clients the amount incurred at the time the good or service is purchased. If KPMG subsequently receives a volume rebate or other incentive payment from a vendor relating to such expenses, KPMG does not credit such payment to Client. Instead, KPMG applies such payments to reduce its overhead costs, which costs are taken into account in determining KPMG's standard billing rates and certain transaction charges that may be charged to clients.
- (e) **Use of Names and Logos.** Except as permitted by law or as set forth in the Engagement Letter or this Paragraph 16(e), neither party shall acquire hereunder any right to use the name or logo of the other party or any part thereof, and any such use shall require the express written consent of the owner party. Client agrees that KPMG may list Client as a customer in KPMG's internal and external marketing materials, including KPMG websites and social media, indicating the general services rendered. In addition, Client gives KPMG the right to use Client's logo on the Deliverables and documents prepared for Client internally (e.g., internal presentations, etc.) or for internal KPMG presentations and intranet sites.
- (f) **Export Control.** KPMG and Client acknowledge and agree that each shall comply with all applicable United States export control laws and regulations in the performance of each party's respective activities under the Engagement Letter. Client shall not provide KPMG, or grant KPMG access to, (a) information (including technical data or technology), verbally, electronically, or in hardcopy, (b) software or (c) hardware, that is controlled for export by the United States government under the Arms Export Control Act of 1976, Export Administration Act of 1979, the International Traffic in Arms Regulations ("ITAR"), Export Administration Regulations ("EAR"), Department of Energy Part 810 Regulations or Nuclear Regulatory Commission Part 110 Regulations, except information, software or hardware that is classified as EAR99 under the EAR.
- (g) **Active Spreadsheets and Electronic Files.** KPMG may use models, electronic files and spreadsheets with embedded macros created by KPMG to assist KPMG in providing the services under the Engagement Letter. If Client requests a working copy of any such model, electronic file or spreadsheet, KPMG may, at its discretion, make such item available to Client for its internal use only on an as-is basis and such item shall be considered a Deliverable subject to

Paragraph 4 above; provided that Client is responsible for obtaining the right to use any third party products necessary to use or operate such item.

- (h) **Non-Solicitation.** During the term of the Engagement Letter and for one year thereafter, neither party shall solicit for hire as an employee, consultant or otherwise any of the other party's personnel who have had direct involvement with the services under the Engagement Letter, without such other party's express written consent. This prohibition shall not apply to any offers of employment which result from a general solicitation for employment, including without limitation, through the Internet, newspapers, magazines and radio.
- 17. **Entire Agreement.** The Engagement Letter and these Standard Terms and Conditions, and any exhibits, attachments, addenda and appendices hereto and thereto, and amendments to any of the foregoing that are agreed in writing between the parties, shall constitute the final, complete and exclusive agreement between the parties with respect to the subject matter of the foregoing, and supersede all other previous and contemporaneous oral and written representations, understandings or agreements relating to that subject matter.
- 18. **Additional Terms for Engagements Involving Tax Services.**
 - (a) Notwithstanding anything to the contrary set forth herein, no provision in the Engagement Letter or these Standard Terms and Conditions is or is intended to be construed as a condition of confidentiality within the scope of the Internal Revenue Code of 1986 (the "IRC") section 6011 as implemented through Treasury Regulation 1.6011-4(b)(iii)(ii) (without regard to references to payment or receipt of a minimum fee) or under any similar or analogous provisions of the laws of a state or other jurisdiction. In particular, Client, its directors, officers, employees and agents may disclose to any and all persons, without limitation of any kind, tax information KPMG provides to Client, including all materials such as tax opinions, memoranda, or other written tax advice that describes or otherwise relates to, either or both of the tax treatment and tax structure of any transaction on which KPMG's services are provided. Client agrees to use commercially reasonable efforts to inform KPMG of any conditions of confidentiality imposed by third party advisors with respect to any transaction on which KPMG's services are requested. Such notification must occur prior to KPMG providing any advice with respect to the transaction.
 - (b) Treasury regulations under IRC section 6011 require taxpayers to disclose to the IRS their participation in reportable transactions and IRC section 6707A imposes strict penalties for noncompliance with IRC section 6011. IRC section 6111 and the laws of various states require a material advisor with respect to a reportable transaction to make a return containing specified information concerning the transaction to the IRS or a designated state tax authority by a prescribed date, and IRC section 6707 imposes penalties for noncompliance with IRC section 6111. IRC section 6112 and the laws of various states require the material advisor to maintain, and make available to the IRS or designated state tax authority upon request, a list containing prescribed information with respect to persons advised and other information with respect to the reportable transaction, and IRC section 6708 imposes penalties for noncompliance with IRC section 6112. Client agrees to use commercially reasonable efforts to inform KPMG if Client is required to disclose any transaction covered by the Engagement

KPMG LLP
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Letter as a reportable transaction to the IRS or to any state or other jurisdiction adopting similar or analogous provisions to IRC section 6011. KPMG will use commercially reasonable efforts to inform Client if KPMG provides Client's identifying information to the IRS under IRC section 6111 or 6112, or to any state tax authority or other jurisdiction adopting similar or analogous provisions thereto.

- (c) Unless expressly provided for, KPMG's services do not include representing Client in the event of a challenge by the IRS or other tax or revenue authorities.
- (d) In rendering tax advice, KPMG may consider, for example, the applicable provisions of the IRC, and the Employee Retirement Income Security Act of 1974, each as amended, and the relevant state, local and foreign statutes, the regulations thereunder, income tax treaties, and judicial and administrative interpretations, thereof. These authorities are subject to change, retroactively or prospectively, and any such changes could affect the validity of KPMG's advice

Certification of Compliance with the City of Burlington's Livable Wage Ordinance

I, Todd Durocher, on behalf of KPMG LLP ("the Contractor") in connection with a contract for Advisory services that we provide to the City, hereby certify under oath that the Contractor (and any subcontractors under this contract) is and will remain in compliance with the City of Burlington's Livable Wage Ordinance, B.C.O. 21-80 et seq., and

(1) as a condition of entering into this contract or grant, we confirm that all covered employees as defined by Burlington's Livable Wage Ordinance (including the covered employees of subcontractors) shall be paid a livable wage (as determined, or adjusted, annually by the City of Burlington's chief administrative officer) and provided appropriate time off for the term of the contract;

(2) a notice regarding the applicability of the Livable Wage Ordinance shall be posted in the workplace(s) or other location(s) where covered employees work;

(3) we will provide verification of an employee's compensation, produce payroll or health insurance enrollment records or provide other relevant documentation (including that of any subcontractor), as deemed necessary by the chief administrative officer, within ten (10) business days from receipt of a request by the City;

(4) we will reasonably cooperate in any investigation conducted by the City of Burlington's City Attorney's office pursuant to this ordinance; and

(5) we will not retaliate (nor allow any subcontractor to retaliate) against an employee or other person because an employee has exercised rights or the person has cooperated in an investigation conducted pursuant to this ordinance.

Date: 12/19/2017

By: Todd Durocher

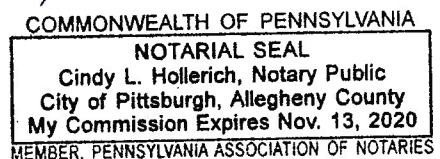
Contractor

Subscribed and sworn to before me: Todd Durocher

Date: 12/19/2017

Cindy L. Hollerich

Notary



Burlington Department of Public Works Commission Meeting
Draft Minutes, 20 December 2017
645 Pine Street

Commissioners Present: Robert Alberry (*via phone*); Tiki Archambeau (Chair); Jim Barr; Chris Gillman (Clerk); Solveig Overby; Jeff Padgett; Justine Sears (Vice Chair). **Commissioners Absent:** None.

Item 1 – Call to Order – Welcome – Chair Comments

Chair Archambeau calls meeting to order at 6:29pm and makes opening comments.

Item 2 – Agenda

Commissioner Barr makes motion to accept agenda and is seconded by Commissioner Padgett.

Action taken: motion approved;

“Ayes” are unanimous.

Item 3 – Public Forum (3 minute per person time limit)

Matthew Vaughan, Ward 2, speaks on Agenda Item 5.

Chris Bullard, Ward 1, speaks on Agenda Item 5.

Daniel Scheidt, Ward 6, speaks on Agenda Item 5.

Patrick Hanley speaks on parking fine rates.

Kevin Bouchard speaks on Agenda Item 5.

Robert Tanneberger speaks on crosswalk at 246 North Winooski Ave.

Item 4 – Consent Agenda

A. Traffic Status Report

B. Burlington Free Press Parking Agreement

Clerk Gillman makes motion to accept Consent Agenda and is seconded by Commissioner Barr.

Action taken: motion approved.

“Ayes” are unanimous.

Item 5 – FY’18 Bike Projects & Willard Parking Flip

A) Communication by DPW Senior Transportation Planner Nicole Losch and DPW Associate Planner Elizabeth Gohringer who speak on FY’18 bike projects, including the parking “flip” on Willard St., introducing “Willard St Parking Lane/Bike Lane Switch Feedback received post 12.13.17” document for the record.

B) Commission Questions

Chair Archambeau, Vice Chair Sears, and Commissioners Alberry, Barr, Overby, and Padgett ask questions on Item 5 with DPW Director Chapin Spencer, City Engineer and DPW Assistant Director for Technical Services Norm Baldwin, and Planner Losch answering.

C) Public Comment

Daniel Scheidt, Ward 6, speaks on Item 5.

John Ware, Ward 3, speaks on Item 5.

Chris Bullard, Ward 1, speaks on Item 5.

Kevin Bouchard speaks on Item 5.

D) Commissioner Discussion

Vice Chair Sears, Clerk Gillman, and Commissioners Alberry and Padgett engaged in a discussion over Item 5.

E) Motion made by Commissioner Padgett to accept staff’s recommendation: repeal “No Parking” on east side of Willard Street between Maple Street and North Street; no parking on the west side of Willard Street between Maple Street and North Street; motorcycle parking in the first parking

space north of Maple Street, in the first parking space north of Main Street, and in the first parking space north of Brookes Avenue.

Seconded by Commissioner Barr.

Discussion

Clerk Gillman and Commissioner Padgett talked of Item 5.

Action taken: motion approved;

Commissioner Alberry: nay

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: aye

Item 6 – Great Streets Standards Approval

A) Presentation by DPW Engineer Laura Wheelock and Planning & Zoning Principle Planner for Comprehensive Planning Meagan Tuttle who speak on Great Streets Standards.

B) Commission Questions

Chair Archambeau and Commissioner Overby ask questions on Item 6 with Director Spencer, City Engineer Baldwin, Engineer Wheelock, and Planner Tuttle answering.

C) Public Comment

Daniel Scheidt, Ward 6, speaks on Item 6.

D) Commissioner Discussion

E) Motion made by Commissioner Barr to accept staff's recommendation: approve and recommend the City Council adopt Great Streets Standards.

Seconded by Commissioner Padgett.

Discussion

Commissioners Overby and Padgett and City Engineer Baldwin, Engineer Wheelock, and Planner Tuttle talked of Item 6.

Action taken: motion approved;

"Ayes" are unanimous.

Item 7 – Plumbing Code Revisions

A) Communication by City Engineer Baldwin who speaks on the revised Plumbing Code.

B) Commission Questions

Chair Archambeau asks questions on Item 7 with City Engineer Baldwin answering.

C) Public Comment

D) Commissioner Discussion

E) Action Requested – None.

Item 8 – Traffic Calming/Traffic Requests Presentation

A) Communication by Director Spencer and City Engineer Baldwin who speak on the process improvement effort for Traffic Calming and Traffic Requests and wanting to get Commission input on an initial concept of delegating authority to DPW staff for adjusting certain traffic and parking regulations listed in Appendix C of City Ordinance.

B) Commission Questions

Chair Archambeau, Vice Chair Sears, Clerk Gillman, and Commissioners Barr, Overby, and Padgett ask questions on Item 8 with Director Spencer and City Engineer answering.

C) Public Comment

D) Commissioner Discussion

E) Action Requested – None.

Item 9 – Approval of Draft Minutes of 11-15-17

Commissioner Barr makes motion to approve draft minutes of 11-15-17 and is seconded by Commissioner Padgett.

Action take: motion approved;
Commissioner Alberry: aye
Chair Archambeau: aye
Commissioner Barr: aye
Clerk Gillman: *abstains*
Commissioner Overby: aye
Commissioner Padgett: aye
Vice Chair Sears: aye

Item 10 – Director’s Report

Director Spencer reports on UVM water billing anomaly and updates the Commission on addressing the issue.

Item 11 – Commissioner Communications

Commissioner Overby comments on narrow streets widths and snow removal and the ICV Encumbrance Permit at College St & Pine St with Director Spencer and City Engineer Baldwin answering; Chair Archambeau comments on Germain St parking, the Snow Ban car-drop on Pomeroy St, the Willard Parking Flip, Permit Reform, the addition of a guardrail at Manhattan Dr & Oak St, and Commission meeting minutes with Director Spencer and City Engineer Baldwin answering.

Item 12 – Adjournment & Next Meeting Date – January 17, 2018

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;
“Ayes” are unanimous.

Meeting adjourned at 9:54pm.

Date: 17 January 2018

NAME - (PRINTED)

ITEM #

EMAIL ADDRESS

PHONE #

WARE

Amanda Young
Cathy Austin

amanda.young91@gmail.com
cathyaustin@gmail.com

407-921-7841

324-1270

Please note that this sign-in sheet and any information provided on it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.



handed over
to Comm.
by R. Goul

Public Works Statement on Winter Road Conditions

The mission of Burlington's Department of Public Works is to steward Burlington's infrastructure and environment by delivering efficient, effective, and equitable public services. Along with our residents and community partners, we always strive to help keep Burlington a great place to live, work and recreate.

Recently, the near-record cold weather in late December and January followed by a spring-like thaw has contributed to the significant deterioration of sections of Pine Street - between Main and Home – as well as segments of Colchester Avenue and Maple Street and other roads. These are vital residential, transportation and commercial corridors and we have deployed crews on multiple days, as weather has allowed, to fill some of the more significant potholes. We will continue to do so to create safer conditions. In the meantime, we continue to evaluate all remedial scenarios, factoring in weather, temperature and the right mix of material. Improving these roads is a priority of Public Works.

Background on Pine St and Future Infrastructure Improvements

Pine St was last paved nearly a decade ago, and while paving jobs may last up to 25 years, there are a variety of factors that can affect the lifecycle of a street. Paving techniques, available material, soil and drainage conditions, plowing and weather may all affect a road's condition over time. To take advantage of federal grant funding and relieve taxpayers of most of the expense, Pine St is scheduled to be repaved in conjunction with the Champlain Parkway project (in 1-2 years) occurring after significant upgrades to subsurface drinking water infrastructure this year.

Additionally, Colchester Ave (between Barrett St and Nash Pl) is scheduled to be repaved during the 2018 construction season after subsurface drinking water infrastructure upgrades; Maple St, between Battery St and Saint Paul St, is scheduled to be repaved this year and the segment between Saint Paul and Prospect St is scheduled for 2019.

This past construction season, as part of the Sustainable Infrastructure Plan and thanks to voter approved bonds in November 2016, was the first in which the City was able to expand its infrastructure reinvestment and also to systematically apply preventative maintenance remedies to many of its roads (and sidewalks). Over time, these once-in-a-generation reinvestment **projects and preventative maintenance routines should lead to better performing and longer lasting infrastructure for us and future generations of Burlingtonians.** Upcoming construction projects can be viewed here: www.burlingtonvt.gov/construction.

In the meantime, we will continue to pursue the best medium-term maintenance options for our roads and evaluate longer-term construction schedules, available resources and our workplan. We have also placed signage along Pine St advising drivers and bikers about the conditions and continue to monitor weather forecasts. If you encounter non-emergency maintenance concerns, we encourage you to report this on www.SeeClickFix.com – monitored by the City Monday-Friday during business hours. As always, please travel safely.

Burlington Department of Public Works Commission Meeting
Draft Minutes, 17 January 2018
645 Pine Street

Commissioners Present: Robert Alberry (*via phone*); Tiki Archambeau (Chair); Jim Barr; Chris Gillman (Clerk); Jeff Padgett; Solveig Overby (*via phone*). **Commissioners Absent:** Justine Sears (Vice Chair).

Item 1 – Call to Order – Welcome – Chair Comments

Chair Archambeau calls meeting to order at 6:31pm and makes opening comments.

Item 2 – Agenda

Commissioner Barr makes motion to accept agenda. Chair Archambeau offers friendly amendment to accept agenda while moving Consent Agenda Item C to Agenda Item 4.1. Commissioner Barr accepts friendly amendment.

Action taken: motion approved;

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 3 – Public Forum (3 minute per person time limit)

Amanda Young, Ward 1, speaks on Agenda Item 5.

Item 4 – Consent Agenda

A. Traffic Status Report

B. 30-Minute Metered Parking Space on Pine St

D. Stop Control on Union St

E. Stop Sign on Briggs Street & Ferguson Ave

Commissioner Barr makes motion to accept altered Consent Agenda and is seconded by Clerk Gillman.

Action taken: motion approved.

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 4.1 – New Accessible Space at 60 Lakeview Terr

A) Communication by Engineer Technician Phillip Peterson who speaks on proposed new accessible space.

B) Commission Questions

Chair Archambeau asks questions on Item 4.1 with City Engineer and DPW Assistant Director for Technical Services Norm Baldwin and Technician Peterson answering.

C) Public Comment

D) Commissioner Discussion

Clerk Gillman and Commissioner Barr engaged in a discussion over Item 4.1.

E) Motion made by Commissioner Padgett to accept staff's recommendation: the addition of a new Accessible Space on the east side of Lakeview Terrace beginning two hundred thirty-four (234) feet north of Canfield Street and extending north for a distance of twenty (20) feet.

Seconded by Clerk Gillman.

Discussion

Action taken: motion approved;

Commissioner Alberly: aye

Chair Archambeau: nay

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 5 – Draft Policies on Narrow Streets

A) Communication by DPW Director Chapin Spencer and Senior Transportation Planner Nicole Losch who speak on developing narrow street policies.

B) Commission Questions

Chair Archambeau, Clerk Gillman, and Commissioners Barr, Overby, and Padgett ask questions on Item 5 with Director Spencer, City Engineer Baldwin, and Planner Losch answering.

C) Public Comment

Amanda Young, Ward 1, speaks on Item 5.

Cathy Austrian, Ward 1, speaks on Item 5.

D) Commissioner Discussion

Chair Archambeau, Director Spencer, and Technician Peterson engaged in a discussion over Item 5.

E) Action Requested – None.

Item 6 – Approval of Draft Minutes of 12-20-17

Commissioner Barr makes motion to delay approval of draft minutes of 12-20-17 to the February Commission Meeting and is seconded by Commissioner Alberly.

Action take: motion approved;

Commissioner Alberly: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 7 – Director's Report

Director Spencer reports on the Water/Wasterwater billing error update, the now-underway Intervale Road scoping study, plowing updates, and thanking Billy Burns in advance of his impending retirement from the city. City Engineer Baldwin reports on the Technical Services Division's efforts to fill 4 vacancies.

Item 8 – Commissioner Communications

Commissioner Overby comments on Intervale Road Scoping study and the vacancies in the Technical Services Division; Commissioner Padgett comments on the good plowing job being done; Commissioner Barr comments on residents complementing staff on addressing narrow streets and the snow removal effort.

Item 9 – Adjournment & Next Meeting Date – February 21, 2018

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Meeting adjourned at 7:41pm.

Burlington Department of Public Works Commission Meeting
Final Minutes, 17 January 2018
645 Pine Street

Commissioners Present: Robert Alberry (*via phone*); Tiki Archambeau (Chair); Jim Barr; Chris Gillman (Clerk); Jeff Padgett; Solveig Overby (*via phone*). **Commissioners Absent:** Justine Sears (Vice Chair).

Item 1 – Call to Order – Welcome – Chair Comments

Chair Archambeau calls meeting to order at 6:31pm and makes opening comments.

Item 2 – Agenda

Commissioner Barr makes motion to accept agenda. Chair Archambeau offers friendly amendment to accept agenda while moving Consent Agenda Item C to Agenda Item 4.1. Commissioner Barr accepts friendly amendment.

Action taken: motion approved;

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 3 – Public Forum (3 minute per person time limit)

Amanda Young, Ward 1, speaks on Agenda Item 5.

Item 4 – Consent Agenda

A. Traffic Status Report

B. 30-Minute Metered Parking Space on Pine St

D. Stop Control on Union St

E. Stop Sign on Briggs Street & Ferguson Ave

Commissioner Barr makes motion to accept altered Consent Agenda and is seconded by Clerk Gillman.

Action taken: motion approved.

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 4.1 – New Accessible Space at 60 Lakeview Terr

A) Communication by Engineer Technician Phillip Peterson who speaks on proposed new accessible space.

B) Commission Questions

Chair Archambeau asks questions on Item 4.1 with City Engineer and DPW Assistant Director for Technical Services Norm Baldwin and Technician Peterson answering.

C) Public Comment

D) Commissioner Discussion

Clerk Gillman and Commissioner Barr engaged in a discussion over Item 4.1.

E) Motion made by Commissioner Padgett to accept staff's recommendation: the addition of a new Accessible Space on the east side of Lakeview Terrace beginning two hundred thirty-four (234) feet north of Canfield Street and extending north for a distance of twenty (20) feet.

Seconded by Clerk Gillman.

Discussion

Action taken: motion approved;

Commissioner Alberly: aye

Chair Archambeau: nay

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 5 – Draft Policies on Narrow Streets

A) Communication by DPW Director Chapin Spencer and Senior Transportation Planner Nicole Losch who speak on developing narrow street policies.

B) Commission Questions

Chair Archambeau, Clerk Gillman, and Commissioners Barr, Overby, and Padgett ask questions on Item 5 with Director Spencer, City Engineer Baldwin, and Planner Losch answering.

C) Public Comment

Amanda Young, Ward 1, speaks on Item 5.

Cathy Austrian, Ward 1, speaks on Item 5.

D) Commissioner Discussion

Chair Archambeau, Director Spencer, and Technician Peterson engaged in a discussion over Item 5.

E) Action Requested – None.

Item 6 – Approval of Draft Minutes of 12-20-17

Commissioner Barr makes motion to delay approval of draft minutes of 12-20-17 to the February Commission Meeting and is seconded by Commissioner Alberly.

Action take: motion approved;

Commissioner Alberly: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Item 7 – Director's Report

Director Spencer reports on the Water/Wasterwater billing error update, the now-underway Intervale Road scoping study, plowing updates, and thanking Billy Burns in advance of his impending retirement from the city. City Engineer Baldwin reports on the Technical Services Division's efforts to fill 4 vacancies.

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Commissioner Overby comments on Intervale Road Scoping study and the vacancies in the Technical Services Division; Commissioner Padgett comments on the good plowing job being done; Commissioner Barr comments on residents complementing staff on addressing narrow streets and the snow removal effort.

Item 9 – Adjournment & Next Meeting Date – February 21, 2018

Motion to adjourn made by Commissioner Barr and seconded by Clerk Gillman.

Action taken: motion approved;

Commissioner Alberry: aye

Chair Archambeau: aye

Commissioner Barr: aye

Clerk Gillman: aye

Commissioner Overby: aye

Commissioner Padgett: aye

Vice Chair Sears: *not present*

Meeting adjourned at 7:41pm.