

# Board of Aldermen Committee Minutes

Date: August 16, 2016    Chair: Alderman Edward Larson    Convened: 5:30 P.M.    Adjourned: 6:15 P.M.

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|-----------|--|--|
| Committee | <input type="checkbox"/> Charter & Ordinance   | <input type="checkbox"/> Marketing               |
|           | <input type="checkbox"/> Community Development | <input type="checkbox"/> Pension Deficit         |
|           | <input type="checkbox"/> Finance               | <input type="checkbox"/> Public Safety           |
|           | <input type="checkbox"/> General               | <input checked="" type="checkbox"/> Public Works |
|           | <input type="checkbox"/> Human Resources       | <input type="checkbox"/> Recreation              |
|           | <input type="checkbox"/> Intermunicipal        | <input type="checkbox"/> Special Liquor          |

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|---------------------------|---|--|
| Committee Members Present | <input type="checkbox"/> Dave Allaire     | <input type="checkbox"/> Vanessa Robertson                     |
|                           | <input type="checkbox"/> Chris Etori      | <input checked="" type="checkbox"/> Ed Larson                  |
|                           | <input type="checkbox"/> Gary Donahue     | <input checked="" type="checkbox"/> William Notte (FOR QUORUM) |
|                           | <input type="checkbox"/> Sharon Davis     | <input checked="" type="checkbox"/> Scott Tommola              |
|                           | <input type="checkbox"/> Tom Depoy        | <input type="checkbox"/> Matt Bloomer                          |
|                           | <input type="checkbox"/> Melinda Humphrey |  |

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|----------------|--|---|---|
| Others Present | <input checked="" type="checkbox"/> Dave Allaire     | <input type="checkbox"/> Gary Donahue             | <input type="checkbox"/> Mayor Louras                           |
|                | <input type="checkbox"/> Chris Etori                 | <input checked="" type="checkbox"/> William Notte | <input type="checkbox"/> Treasurer Wilton                       |
|                | <input checked="" type="checkbox"/> Sharon Davis     | <input type="checkbox"/> Ed Larson                | <input type="checkbox"/> Attorney Romeo                         |
|                | <input type="checkbox"/> Tom DePoy                   | <input type="checkbox"/> Matt Bloomer             | <input checked="" type="checkbox"/> Other <u>Comm. Wennberg</u> |
|                | <input checked="" type="checkbox"/> Melinda Humphrey | <input type="checkbox"/> Scott Tommola            | <input checked="" type="checkbox"/> Other <u>C.F. Rotundo</u>   |
|                | <input type="checkbox"/> Vanessa Robertson           |   | <input checked="" type="checkbox"/> Other <u>ENR. PRUTY RPD</u> |

## Motions/Discussion

The Aldermanic Public Works Committee met in the downstairs Conference Room of Rutland City Hall. Topic of discussion is future action to be taken with VTRANS relative to the delamination of pavement on South Main Street (U.S. 4 & U.S. 7) in the City of Rutland.

The Chair opened the discussion by reading an email from the City Attorney who at the Chair's request reviewed whether the City could take any legal claims against VTRANS for its refusal to fix the pavement on South Main Street. The City Attorney had stated in an email to the Chair that the roadway is part of a State Class 1 Roads project, whereby the state improves and the municipality maintains state highways with a municipality's boarders, with cost sharing with the state. This arrangement is governed by a Finance and Maintenance Agreement for the project. The City Attorney indicated his office was not sure if the City has much recourse against the state, at least in a legal claim, and the goal at this point would be a budgetary fix whereby the City would lobby the state to include funds in next years budget.

Commissioner Wennberg outlined the history of the project which took place in 2008. The State classifies highways in Cities and Incorporated villages as Class A roadways, which in Towns, etc. as State Highway. Therefore the State would take full responsibility for maintenance in towns and unincorporated areas, but not so in urban or incorporated areas. The problem being for Rutland City in that there is only a one year warranty by the contractor for the work done, after that the City is on it's own. Commissioner Wennberg stated that in the 1990's Vermont Agency of Transportation had the same area of South Main Street paved; however the contractor at that time (Pike Industries) had A.O.T. sign a waiver of liability as Pike had issues with the asphalt grade to be utilized in the City, stating it would not hold up under urban type traffic.

The State then compelled Pike to utilize the state mandated asphalt, and within two months delamination occurred. The State was then forced to take up the pavement and repave.

There has been numerous communications between the City, VTRANS, and members of the Rutland Legislative Delegation relative to the matter. However, VTRANS officials have stated their testing of the mix, and core samples stated there was no problem.

City Engineer James Rotundo provided the Committee with concerns about the VTRANS Test results, stating that he felt additional tests should have been and need to be conducted. Pointing out the following points:

- a. The mix design was received by the City on 08/15/16 and several calls to VTRANS have yet to be returned to discuss the appropriateness of the design (high loads, high traffic volume and high start and stop).
- b. Achieving a higher level of density (compaction) is the single most important Factor influencing long term performance of pavement, stating that VTRANS own tables showed density below 95%, some reading as low as 87.1%) which is below nominal.
- c. That additives (polyphosphoric acid and recycled engine oil bottoms) were utilized to soften asphalt. These were later determined to be harmful and in 2015 were banned.
- d. That VTRANS own investigation suggested that another test to determine the presence of an anti-striping agent, called a Fourier Transform Spectroscopy might indicate if the liquid antistrip used at the time of production was effective. VTRANS is obtaining such a test machine and Engineer Rotundo strongly recommended that the test be conducted.

Commissioner Wennberg indicated that the City receives only \$67,000.00 in highway grant for City Class 1 roads to handle sine 24 lane miles of Class 1 roads.

VTRANS Commissioner Christopher Cole, in an email to Rutland County Senator Peg Flory on July 15, 2016 stated the VTRANS does not have any plans to treat the roadway this construction season. Saying the state had insufficient funds to do so. Cole added "We will need to live with some of our roads in sub-optimal condition.

Commander Matthew Prouty of the Rutland City Police indicated that pretty much everyone, including officers, have complained about the condition of the roadway. Prouty added there is special concern for motorcycles travelling on South Main Street.

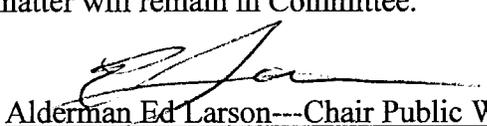
Questions ranged from impact on winter road maintenance, which will prove more costly. There was a concern over vehicles hydroplaning when water accumulates on the road surface, as well as the slow response from VTRANS to the City's concerns.

Commissioner Wennberg was asked if his office could contact the contractor for the 2008 paving on South Main to determine if the contractor (Whitcomb Construction) had expressed concern over the asphalt that was being utilized in the urban area in Rutland. Wennberg indicated they had not approached that aspect, but felt it was a very good idea to do so.

Commissioner Wennberg further stated that other VTRANS project have been very well monitored (ie; bridge construction, Woodstock Avenue and Business 4 repavement) and There has been excellent cooperation. South Main Street has been different and difficult in dealing with VTRANS.

The Committee agreed that a letter or another resolution may be in order after more facts are developed, and extending an invitation to the City Legislative Delegation to attend a future Public Works Committee Meeting to hear the concerns and facts developed.

Therefore the matter will remain in Committee.

Respectfully  Alderman Ed Larson---Chair Public Works Committee.