

Agenda Summary
August 30, 2010

Agenda Item No. **3A**
Helen Day Porch Renovation Bid Award

Summary: The Town received the following bids for the Helen Day Porch Renovations:

Millbrook Building & Remodeling	\$59,200
J.A. Morrissey, Inc.	\$64,700
J & B Construction	\$74,000

Town Plan Impact: N/A

Fiscal: The voters approved \$80,000 for this project.

Recommendation: Move to award the bid for the Helen Day Porch Renovations to Millbrook Building & Remodeling for a lump sum bid of \$59,200.

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Agenda Item No. 3B
Accounts Receivable Collections

Summary: In April 2009, approximately \$20,000 was identified in past due accounts in Parks & Recreation, some going back to 2007. While the written policy had been "full payment is required at the time of registration," that had not always been the practice.

A Recreation Fees Policy was adopted by the Selectboard in April 2009, stating in part that "Fees for Recreation Programs shall be paid in full prior to participation in programs". As of August 17, 2010 there are seven households with unpaid balances totaling \$6,969.00 that are not in a current payment plan.

Since the adoption of the Policy, staff has researched collection options and found that credit bureau reporting, which can be an incentive to pay, can be accomplished via the use of a collection agency. Agencies identified operate on a commission basis that varies from 35% to 50% of amounts collected. If authorized, the collection agency could represent the Town for action taken in small claims court, with the Town being responsible for associated fees. An example of a collection agency agreement is attached.

For your consideration, staff has amended the Recreation Fee Policy to authorize the Town Manager to send delinquent accounts to a collection agency and pursue collection in small claims court.

Town Plan Impact: n/a

Fiscal Impact: With a 35% commission agreement, \$4,899.70 revenue if 100% of accounts are collected without resorting to small claims court and associated fees.

Recommendation: Move to approve the amendments to the Recreation Fee Policy.

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Agenda Item No 3C
Bond Refunding

Summary: Enclosed is a copy of a memo from Paul Giuliani, Bond Council, stating, "...the Vermont Municipal Bond Bank issued and sold \$40,750,000 of 2010 Series 4 refunding bonds for the purpose of providing debt service reductions to a number of Vermont municipalities whose bonds had been sold to the Bond Bank in 2000 and 2001."

In 2000 and 2001 the Town issued debt for Corse (Dave's Mobil), Bingham (Land Conservation), and the Ski Museum.

Town Plan Impact: N/A

Fiscal Impact: There is no immediate savings in the current or upcoming fiscal year, but the revised debt service schedule shows the savings to the Town over the life of the bonds is \$30,000.

Recommendation: Move to approve the enclosed "Municipality Certificate as to Municipal Bond."

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Agenda Item No. 3D
Sidewalk Cooperative Agreement Amendment

Agenda Summary: Enclosed is a cover letter and “Amendment #1 to Cooperative Agreement for Advancement of Municipal Project Stowe STP STSW (1).” This pertains to the Rte. 100 sidewalk extensions to Maple Street and the Lower Village.

The main change is the elimination of phasing the funding by time and work product. For your reference, enclosed is a copy of Attachment B of the Agreement that shows the phasing by time and work product. The Amendment just breaks down the funding by source (Federal, State and Local).

The Amendment also makes it clear that if state or federal funds “supporting this Agreement become unavailable or are reduced, the State may reduce its financial obligation, or suspend or cancel this Agreement at the end of the fiscal year, or have not obligation to pay Municipality from State revenues to make up for the loss of federal funds.”

Town Plan Impact: N/A

Fiscal Impact: N/A

Recommendation: Move to approve the enclosed “Amendment #1 to Cooperative Agreement for Advancement of Municipal Project Stowe STP STSW (1).”

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budget

Agenda Item No. **3E**
Moscow Flags

Summary: Enclosed is a letter from John Black stating, "...residents of Moscow have been erecting and removing flags along Moscow Road for the 4th of July celebrations and parade for many years. Unfortunately, the manpower and the condition of our flags have both deteriorated with age over the years... We respectfully request that the town take on the task of providing the 15 flags and poles as needed, as well as providing the labor to hang them, and remove them, as is done in Stowe Village. We would gladly donate the holders, flags and poles we still have to the Town."

Town Plan Impact: N/A

Fiscal Impact: Stowe Electric has agreed to put up and take down the flags. The Town would need to budget to maintain the flags. The cost of a flags and poles for Moscow is \$870.

Recommendation: Move to approve the Town taking over the responsibility of flags in Moscow Village and instruct the Manager to include money in the proposed FY'12 General Fund Budget for this purpose.

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AGENDA ITEM NO Special Events 3F

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Event Summary:

British Invasion 9/17-9/19 Special Event and Street Dance application attached.

The applications have been reviewed by Stowe PD and department heads.

Town Plan Impact: N/A

Fiscal Impact: N/A

Recommendation: Motion to approve the application(s) as presented.

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Agenda Item No. 3G
Amendment to Water/Sewer Allocation (504 Mtn Rd)

Summary: A Water/Sewer Service Application has been received and reviewed by DPW for an increase in water and sewer allocations for the 504 Mountain Road – Partridge Inn and Fish Market Property. This application increases the allocation for the property in connection with a proposed change in uses for the existing structures and a new Retail/Office/Apartment building recently approved by the DRB.

The property owner and perspective buyer, who is the developer of the proposed building, have accepted our allocation proposal (see enclosed). Conditioned upon the pending sale being closed, the current Owner will pay the allocation fees associated with the amendment to the allocation approved in June to reconcile the existing uses and, the perspective buyer will make the required down payment and enter into Deferred Payment and Connection Lien Agreements to finance the allocation fees associated with the new building and proposed changes of use of the existing buildings. If the pending sale does not occur, the current Owner proposes to enter into Deferred Payment and Connection Lien Agreements to finance the assessments associated with the previously approved allocations.

Town Plan Impact: N/A

Fiscal Impact:

Previously approved allocation fee income: \$10,142 for water and \$17,220 for sewer.
Proposed additional allocation fee income: \$13,068 for water and \$23,016 for sewer.

Recommendation:

Move to approve the proposed increase in flow allocations for 504 Mountain Road by 1188 GPD for water and 1096 GPD for sewer to provide a total allocation of 5373 GPD for water and 4776 GPD for sewer, conditioned upon the following:

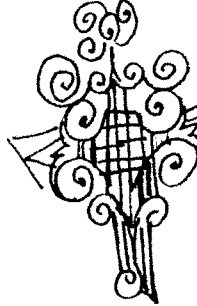
1. Payment of \$27,362 for the allocation assessments approved in June.
2. Payment of a \$3,608.40 down payment and recording of the Deferred Payment and Connection Lien Agreements with the Town Clerk for the additional water and sewer allocation assessments proposed herein.
3. Prior to connection of the proposed building to the municipal systems, water and sewer utility plans, details and technical specifications, prepared and certified by a licensed professional engineer, must be submitted, reviewed and approved by this office.

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Liquor Consent Item(s) 4

Summary: The following item(s) for your review:

- A. Catering permit – Kneale Family Enterprises – 9/17/10; C & L Francis Corp. 9/16-9/20
- B. Special Event – Boyden Valley Winery, Neshobe River Winery & VT Spirits Distilling 10/8-10/10
- C. First Class Hotel License – Mansfield Inn Management Inc. dba Mountain Road Resort



Town Plan Impact: N/A

Fiscal Impact: N/A

Recommendation: Motion to approve as presented.

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Agenda Item No. 5
SED Bond Vote Request

Summary: Enclosed is a memo from Pat Householder, SED Comptroller, explaining the Stowe Electric Department's request for a public vote on 11/2/10 to issue long term debt in an amount not to exceed \$910,000 to purchase VT Transco equity.

The proposed article reads, "Shall the Town of Stowe borrow or issue general obligation bonds, in an amount not to exceed Nine Hundred Ten Thousand Dollars (\$910,000), payable out of Electric Department revenues and subject to Public Service Board approval, for the purpose of acquiring additional equity ownership interests in Vermont Transco, LLC?"

Town Plan Impact: N/A

Fiscal Impact: The memo states, "...there will be no cost to rate payers or tax payers from this debt and in fact it will contribute income to mitigate other cost increases."

Recommendation: Move to approve the enclosed "Resolution Certificate" and "Warning Special Town Meeting" for a vote on 11/2/10 from 7am to 7pm at the Akeley Memorial Building.

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Agenda Item No. 6
Events Field Master Plan

Summary: In order to meet state and federal regulatory requirements to make drainage improvement on Field A of the Community Events Zone on Mayo Farm, the Town hired Lamoureux & Dickinson (L&D) to prepare a Natural Resource Assessment. This was completed and accepted by the Selectboard.

The next step was to prepare a Field Improvements Master Plan, so that the regulatory agencies could understand what the town is proposing in the foreseeable future. The proposed Master Plan includes improving the events fields, an expansion of the River Bank Cemetery, a shelter at the Polo Fields, the Quiet Path bridge and an additional playing field in Field K (see enclosed site plan).

The consultant / staff met with the Army Corps of Engineers to discuss the draft Master Plan and what other information they need in order to consider issuing a General Wetlands Permit. The Corps indicated they would require a grading and construction plan, so they could understand what, if any, impacts there might be on the floodplain in addition to the proposed impact on the wetlands.

Town Plan Impact: Economic Development Task #5: *Upgrade the Mayo Farm Community Events Field, as necessary, to be a viable location for special events.*

Fiscal Impact: L&D has submitted the enclosed cost proposal in the amount of \$9,980 to prepare a grading / construction plan and assist with permitting. If approved, it will be paid out of the capital fund from the \$18,362 remaining in the Field K Improvements Project.

Recommendation: Move to approve the Mayo Farm Field Improvements Master Plan and the L&D proposal of \$9,980, with the understanding it will be paid out of the capital fund Field K Improvements Project.

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Agenda Item No. 7
Park Master Planning – Schematic Next Steps

Summary: A Schematic Master Plan for Memorial Park has been developed based on an actual survey of the property allowing for a more precise layout of facilities which will aid in obtaining the necessary permits for the park. The land survey was completed by Little River Survey and the schematic by Broadreach Planning & Design (BRPD).

Very few modifications were required to fit the Master Plan onto the new survey. They included additional space around the basketball court, pedestrian walkway refinements and the maintenance area/tennis court sites in the rear of the park.

The Master Plan called for a four way stop at the Park / School entrance. Resource Systems Group is planning on conducting a warrant analysis this fall once school is in session.

The Schematic Master Plan reinforces the recommendation that the replacement of the Jackson Arena be the first step in implementation. It states, "As part of the refinement of the plans for the updated arena, there is the potential that the size of the new arena may be reduced." And, "If the new skateboard park could be relocated to the plateau (near the arena), then it would be possible to leave the tennis courts in their current location. This would eliminate the need to reposition one of the recreational facilities [tennis courts] to the rear area of the park."

As a next step, staff is preparing a capital project to be considered for incorporation into the capital plan to refine the skating rink design. The intent is to set aside money to address the redesign of the façade, to see if any value engineering can be done to reduce project cost, and to explore modifications to transfer some of the square footage to future indoor recreation center. The proposed capital project will also include the cost to amend the Jackson Arena permit to reflect these modifications and overall approval for the Memorial Park Master Plan.

Town Plan Impact: Complete Memorial Park Master Plan. Renovate or replace the Jackson Ice Arena.

Fiscal Impact: N/A

Recommendation: Move to accept the Memorial Park Schematic Master Plan with the understanding that it may be modified, subject to the four way stop warrant analysis and refinement of the ice arena design.

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Agenda Item No. 8
Communications Tower

Summary: The Town currently owns a communications tower at the Public Safety Facility that is used for emergency management communications purposes. It leases space to AT&T and Sprint/Nextel on that tower.

Verizon Wireless is proposing to remove this tower and “consolidate the existing users of the public safety communications tower to a new [85’] tower to be built on the grounds of the Municipal Wastewater Treatment Facility. Verizon will place all users’ antennas on the new tower, including a microwave dish for Town emergency services communications. Verizon is working to submit permit applications to the Town and the District 5 Environmental Commission (Act 250). We hope to have those applications completed in September. Assuming that permitting is successful, Verizon Wireless would construct this project in the 2011 construction season.”

For your reference, enclosed is a copy of the proposed “Tower Lease Agreement,” which includes exhibits showing the proposed tower and site plan. Copies of the lease amendments for AT&T and Sprint/Nextel are in my office. They are not included due to the size of the documents, but are available for public inspection.

Town Plan Impact: Communications Policy #1: *Support the extension of state of the art communications infrastructure throughout Stowe, especially within Stowe Village and along the Mountain Road.*

Fiscal Impact: The cost of permitting and construction of the new tower along with disposal of the existing tower will be paid for by Verizon. Once constructed, the tower will belong to the Town. In accordance with the enclosed “Tower Lease Agreement with Verizon, “the Town shall retain the sole and exclusive right to lease the remaining space on the new tower and at the compound to third parties, including the current tenants, and to charge rent or other fees related to such occupancy and to retain the revenue received.”

In recognition of the capital cost to Verizon, the “Tower Lease Agreement” stipulates that they won’t pay rent for two years. On the third year, they will start paying monthly rent of \$1,273.08 with an annual 3% rent adjustment.

Sprint currently pays the Town \$1,728.12 per month and would continue paying the same rent on the new tower with an annual adjustment based on the CPI.

AT&T currently pays the Town \$1,217.71 per month to lease space on the existing tower. AT&T desires to “install new equipment and a larger concrete pad.” In exchange, they will increase their rent by \$350.00 per month. The new rent will be \$1,567.71 with an annual adjustment based on the CPI.

Recommendation: Move the approve the enclosed “Tower Lease Agreement” between the Town and Verizon, The “First Amendment to Lease Agreement” and “Memorandum of First Amendment to Lease Agreement” between the Town and AT&T, and “First Amendment to Lease Agreement” and “Notice of Lease” between the Town and Sprint.”