

**Regular Meeting of the Barre City Council  
Held March 12, 2013**

The Regular Meeting of the Barre City Council was called to order at 6:00 PM by Mayor Thomas Lauzon. In attendance were: From Ward I, Councilors Charles Dindo and Paul Poirier (arrived 6:08 PM); Ward II, Councilors Michael Boutin (arrived 6:05 PM) and Michael Smith (arrived 6:05 PM); and from Ward III, Councilors Anita Chadderton and Lucas Herring. Also in attendance were City Manager Steven Mackenzie and Clerk/Treasurer Carolyn Dawes.

**Approval of Consent Agenda:** Council approved the following consent agenda items as presented on motion of Councilor Herring, seconded by Councilor Chadderton. **Motion carried.**

- Minutes of the following meeting:
  - Regular Meeting of March 4, 2013
  - Special Meeting of March 6, 2013
- Approval of the City Warrants as presented.
- 2013 Licenses & Permits issued through the clerk's office: NONE

**The City Clerk and Treasurer Report** – Clerk Dawes made the following announcements:

- Results from the March 5<sup>th</sup> Annual (Town) meeting elections are posted on the City website and included in the Council packets.
- Dog licenses are now available in the Clerk's office.
- Water & sewer bills are due by April 1<sup>st</sup>.

**Approval of Building Permits** –

Council approved the following building permits on motion of Councilor Chadderton, seconded by Councilor Dindo. **Motion carried.**

<u>Applicant</u>	<u>Address</u>
VT Housing Finance Agency	15 Liberty Street
Frank & Caroline Scott	133 Maple Avenue

**Liquor Control Board** – NONE

**Visitors & Communications** – NONE

**City Manager's Report** – NONE

**Old Business** –

**A) Purchase of Turn-Out Gear.**

Council discussed asbestos contamination of firefighter turn-out gear and equipment with a consulting panel consisting of Chief Tim Bombardier, Todd Hobson (Clay Point Associates), Fred Satink (VLCT Loss Control Specialist), and Scott Meyer (VOSHA Project Worksafe Project Manager). Also in attendance were City attorney Oliver Twombly and Chuck & Eileen Houle, representatives of Houle Brothers Granite.

Chief Bombardier reviewed the circumstances surrounding the response to a fire at Houle Brothers Granite in December, 2012, and contamination of turn-out gear and hoses from asbestos later found at the site. There was discussion about cleaning options for the turn-out gear, costs for cleaning vs. replacement of gear, age and life expectancy of current gear, testing options for gear, the station and vehicles. Chief Bombardier said the cost to replace all the gear, including hoses, is approximately \$225,000. The Chief said there are 7 coat/pants pairs that could possibly be cleaned instead of replaced, based on their age, and the savings for the cleaning option instead of replacement would be approximately \$9,000.

There was discussion about testing standards for buildings and clothing, efficacy of testing methods, a lack of industry standards or testing protocols for returning gear to service, cost of testing per garment and per test,

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destruction of contaminated gear, cleaning of the fire house and vehicles.

Mr. Houle asked if air tests have been conducted at the fire house. Mr. Hobson said yes, and there are no asbestos detected. He said however there has been no accounting of the asbestos that came into the station on clothing and equipment following the fire response. Chief Bombardier said the fire house should be cleaned. Mr. Meyer said the City has an obligation to make sure the station is as clean as practicable.

Mrs. Houle said there have been other times when the fire department has dealt with asbestos, or with other contaminants. Mr. Houle said asbestos is in many buildings in Barre City of the same vintage as his building. Chief Bombardier said the City has inspected nearly all of the other commercial buildings in the City and has found only one other asbestos application similar to what was found at Houle Brothers. The Chief said the concerns with this application are for the type and quantity of asbestos used.

There was discussion about the practicability of testing the gear before replacing or cleaning, what actions the state or firefighters' union might take if the City did nothing, current gear washing protocols, and the cost of cleaning the station.

Mayor Lauzon called a brief recess in this discussion to take up another agenda item.

#### **New Business –**

##### **A) 2013 Barre Farmer's Market Request to Use City Hall Park.**

Scott Ackerman appeared before the Council to request permission to use City Hall Park for this year's Farmers' Market, Wednesdays from May 15 – October 9, 3:00 – 6:30 PM. Mr. Ackerman also said they are requesting that the annual vendor permit fees be waived. Council approved the request as presented on motion of Councilor Poirier, seconded by Councilor Boutin. **Motion carried.**

Mayor Lauzon asked Mr. Ackerman to have vendors utilize the sidewalks instead of the grass should the grass be soft following rain.

#### **Replacement of Turn-Out Gear – continued**

Mayor Lauzon returned the discussion to the turn-out gear. The Mayor asked for recommendations and opinions from the panel. Mr. Meyer said he would go with the recommendation of Mr. Hobson with regards to cleaning the station, and have the City perform a cost-benefit analysis of cleaning vs. replacing the turn-out garments. He said VOSHA would likely mandate cleaning and/or replacing the gear.

Mr. Satink said there is no choice but to clean the building, and he defers to Mr. Hobson. With regards to the gear, he said it is not cost effective to clean gear that is near the end of its useful life, and he recommended not pursuing cleaning.

Mr. Hobson said for the record that he would defer to a cost benefit analysis to determine whether cleaning or replacement is the best course for the gear. He said he would replace the smaller items such as boots and gloves, and there is no choice but to clean the building to the standards of occupancy established by the health department.

There was discussion about ways to address possible contamination hazards in the future, replacement of smaller items and hoses, and cleaning of rubber hoses.

Manager Mackenzie said the cost to replace everything is approximately \$226,000, and the cost to clean the station and vehicles is approximately \$52,000. There will be a \$5,000 grant from VLCT, and there is a possibility of a \$25,000 grant from EPA to help offset the expenses. Mayor Lauzon said the City is looking at up-front spending of approximately \$273,000, and said the money would come out of the Capital Fund. The Mayor said the City would work through Mr. Twombly to seek recovery through various sources.

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Councilor Herring made the motion to authorize the Manager to go out to bid to replace the contaminated Barre City firefighter and first responder equipment, seconded by Councilor Dindo.

Councilor Poirier said he has heard that the Houles will be paying for the replacement equipment. Mayor Lauzon said the Houles have been doing business in Barre City for over 80 years, and the City will have appropriate communications with the Houles' representatives. The Mayor thanked the Houles for doing business in Barre City.

Councilor Boutin said he is not convinced new gear is necessary.

Council voted on the motion as presented. **Motion carried.**

Councilor Boutin said he would like to discuss legal matters associated with this issue in executive session at the end of the meeting.

**B) Civic Center Digital Sign Discussion.**

Facilities Director Jeff Bergeron and City Planner Michael Miller addressed the Council on the proposed digital sign. Mr. Bergeron talked about the annual cost of man hours to change the current sign. Mr. Miller talked about local and state regulations regarding digital signage, and said City ordinances were challenged in court several years ago by the American Legion, which sued to be able to install a changeable letter sign similar to the current Civic Center sign. Other similar signs have gone up at since that time. Councilor Poirier said he has heard that the Elks Club and American Legion are interested in installing digital signs should the City install one for the Civic Center. Mayor Lauzon said he is not interested in having multiple digital signs in downtown Barre City. Councilor Herring said digital signs are not necessarily a bad thing, and cited similar signs in Chittenden County. Mayor Lauzon asked Mr. Miller to do some additional research to see if there might be a possibility through new legislation or ordinance that would allow the City to place limits on digital signs.

Mr. Miller gave a brief update on the Depot Square North project. Mayor Lauzon asked Mr. Miller to give Council a more comprehensive update in six weeks.

Mr. Miller said the Development Review Board is preparing to hear an appeal of its decision re. the Budget Inn. He said the appellant has retained counsel, and said that the City should have an attorney also. There is a possible conflict of interest for City Attorney Oliver Twombly, and so Mr. Miller asked for authorization to engage other counsel. Mayor Lauzon said Mr. Miller and Manager Mackenzie have the full faith of the Council to engage counsel as necessary.

Mr. Miller announced that the Planning Commission is hosting a series of neighborhood walk & talks, and the next one is scheduled for March 14<sup>th</sup>, in the neighborhood around Spaulding High School.

**New Business –**

**B) Annual Appointment of Town Service Officer.**

Council appointed Chief Tim Bombardier to continue as Town Service Office on motion of Councilor Herring, seconded by Councilor Dindo. **Motion carried.**

**C) Appointment of S.H.S. Students for Safe Environment (S.A.F.E.) as 2013 Green up Coordinators.**

Council appointed Spaulding High School SAFE, with Doug LaPointe as the contact person, as the Barre City 2013 Green Up coordinators on motion of Councilor Poirier, seconded by Councilor Smith. **Motion carried.**

**D) Appointment of Replacement Public Safety Committee Council Representatives.**

Council appointed Mayor Lauzon and Councilor Poirier as the City representatives to the regional public safety committee on motion of Councilor Boutin, seconded by Councilor Herring. **Motion carried.**

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**E) Potash Brook Storm Culvert Replacement Authorization.**

Mayor Lauzon reviewed Manager Mackenzie's replacement alternatives summary for a proposed replacement culvert between the City Place site and the Studio Place Arts building. Manager Mackenzie recommended Council approve the aluminized corrugated metal culvert option, of which the City's share will be approximately \$125,000, with the City Place developer picking up the balance of the cost. The Mayor said the City's share will come out of the Capital Budget.

Councilor Dindo made the motion to approve the Manager's recommendation, seconded by Councilor Herring.

There was discussion about the proposed route for the culvert, the life expectancy and possible future options for relining the culvert.

Council voted on the motion as presented. **Motion carried.**

**Round Table –**

Councilor Poirier said he would like to discuss personnel issues in executive session.

Councilor Smith thanked the voters for coming out for last week's Annual (Town) Meeting elections.

Councilor Dindo said there is a bike path committee meeting tomorrow.

Councilor Chadderton said there are great kids at the City school, and read off the names of those who participated in the recent 2013 Snowshoeing Tournament and relay race. She said the City should recognize some of the great things the kids are doing.

Mayor Lauzon asked the Manager about the Hilltop Avenue properties. The Manager said he needs to review and finalize the process necessary to purchase and demolish the houses damaged in the May 2011 flooding and heavy rains.

Council went into executive session at 8:53 PM to discuss legal and personnel issues on motion of Councilor Herring, seconded by Councilor Boutin. **Motion carried.**

Manager Mackenzie was invited into the executive session. Councilor Smith left the meeting at 8:53 PM before the executive session began.

Council came out of executive session at 9:20 PM on motion of Councilor Herring, seconded by Councilor Chadderton. **Motion carried.**

Council adjourned at 9:21 PM on motion of Councilor Herring, seconded by Councilor Chadderton. **Motion carried.**

An audio transcript of the meeting is available through the Clerk's Office.

Respectfully submitted,

Carolyn S. Dawes, City Clerk