
DELIBERATIVE AGENDA

LOCAL CONTROL COMMISSION

BURLINGTON HIGH SCHOOL AUDITORIUM, BURLINGTON HIGH SCHOOL

MONDAY, MARCH 18, 2013

7:00 P.M.

1. AGENDA
2. CONSENT AGENDA
 - 2.01. OUTSIDE CONSUMPTION PERMIT (one day only): Akes' Place, March 17th
*waive the reading, accept the communication, place it on file and ratify the one day only outside consumption permit for Akes' Place, March 17th
 - 2.02. OUTSIDE CONSUMPTION PERMIT (one day only): RiRa Irish Pub, 3/17/13
*waive the reading, accept the communication, place it on file and ratify the one day only outside consumption permit for RiRa Irish Pub, 3/17/13
 - 2.03. OUTSIDE CONSUMPTION PERMIT RENEWAL (2013-2014): East Shore Vineyard
*waive the reading, accept the communication, place it on file and approve the 2013-2014 Outside Consumption Permit Renewal for East Shore Vineyard
3. FIRST CLASS RESTAURANT LIQUOR LICENSE APPLICATION (2013-2014):
Balance Team, Inc., d/b/a Burlington Bay Market and Café, 125 Battery Street
 - 3.01. OUTSIDE CONSUMPTION PERMIT APPLICATION (2013-2014):
Balance Team, Inc., d/b/a Burlington Bay Market and Café, 125 Battery Street

4. ADJOURNMENT

ADJOURNED MEETING, CITY COUNCIL

MONDAY, MARCH 18, 2013

1. AGENDA
2. PUBLIC FORUM (Time Certain: 7:30 p.m. – 8:00 p.m. unless extended by the Council President per Council Rules)
3. CONSENT AGENDA
4. PRESENTATION: Patrick Standen and Ralph Montefusco, Co-chairs, Committee on Accessibility and Kesha Ram, Staff, re: Committee on Accessibility Strategy Plan
 - 4.01. COMMUNICATION: Kesha Ram, Staffperson, Committee on Accessibility, re: Burlington Committee on Accessibility Strategy and Plan

Members of the public may speak when recognized by the Chair, during the Public Forum (time certain: 7:30 p.m.) or during a Public Hearing. This agenda is available in alternative formats upon request. Persons with disabilities, who require assistance or special arrangements to participate in programs and activities of the Clerk/Treasurer's Office, are encouraged to contact us at 865-7000 (voice) or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made. This meeting will air live on the night of the meeting on Burlington Telecom, Channel 317. This meeting will also air on Channel 17 on March 20, 2013 at 8:00 p.m., repeating at 1 a.m., 7 a.m. and 1 p.m. the following day. For information on access, call Scott Schrader, Assistant CAO for Administration and Management (865-7140) or Lori Olberg, Licensing, Voting and Records Coordinator (865-7136) (TTY 865-7142).

5. RESOLUTION: Urban Reserve Planning and Site Management (Councilors Paul, Brennan, Aubin)
5. PRESENTATION: Lindsey Cox, Partnership for Change Project Manager, "What are we Doing here? Why City Council is meeting at BHS: an overview of the Partnership for Change" (10 mins.)
 - 6.01. COMMUNICATION: Lindsey Cox, Partnership for Change Project Manager, Partnership Update for the Burlington City Council Meeting March 18, 2013
7. DEPARTING REMARKS FOR OUTGOING COUNCILORS
8. COMMITTEE REPORTS (5 mins.)
9. COMMUNICATION: City Councilors, re: General City Affairs (oral)(10 mins.)
10. COMMUNICATION: Mayor Weinberger, re: General City Affairs (oral)(5 mins.)
11. ADJOURNMENT

BOARD OF ABATEMENT OF TAXES
MONDAY, MARCH 18, 2013

1. AGENDA
2. CONSENT AGENDA
 - 2.01. COMMUNICATION: Clerk/Treasurer's Office, re: Notice City of Burlington Board Of Abatement of Taxes
*waive the reading, accept the communication and place it on file
 - 2.02. REQUEST FOR ABATEMENT OF TAXES: Jane Berlin
81 South Williams Street Unit 207
045-2-030-023
*waive the reading and deny the request for abatement of taxes
 - 2.03. REQUEST FOR ABATEMENT OF TAXES: TD Bank, N.A and Joanna Will
Co-trustees of the Christopher A. Hall
Revocable Trust
13 George Street
044-2-119-000
*waive the reading and deny the request for abatement of taxes
 - 2.04. REQUEST FOR ABATEMENT OF TAXES: Hall Communications
255 South Champlain Street
PPP237140
*waive the reading and abate 11/12 taxes, penalties and interest
 - 2.05. REQUEST FOR ABATEMENT OF TAXES: City of Burlington
Clerk/Treasurer's Office
Unknown
ID 999-#-###-###
*waive the reading and grant the request for abatement of taxes

2.06. REQUEST FOR ABATEMENT OF TAXES: City of Burlington
Clerk/Treasurer's Office
DSL.NET
999-9-999-111

*waive the reading and grant the request for abatement of taxes

2.07. REQUEST FOR ABATEMENT OF TAXES: Molly Farrell
Clerk/Treasurer's Office
48 Pomeroy Street
045-1-144-000

*waive the reading and grant the request for abatement of taxes

2.08. REQUEST FOR ABATEMENT OF TAXES: Tri C Tool and Die
Clerk/Treasurer's Office
228 Elmwood Avenue
PPP206075

*waive the reading and grant the request for abatement of taxes

2.09. REQUEST FOR ABATEMENT OF TAXES: Bruno Trahan
Clerk/Treasurer's Office
63 King Street
049-1-063-000

*waive the reading and grant the request for abatement of taxes

2.10. REQUEST FOR ABATEMENT OF TAXES: John P. Larkin
Clerk/Treasurer's Office
Unknown
999-1-995-001

*waive the reading and grant the request for abatement of taxes

2.11. REQUEST FOR ABATEMENT OF TAXES: City of Burlington
Clerk/Treasurer's Office
22 Sherman Street, 044-2-031-000
287 No. Winooski Ave., 040-2-112-000
300 Lake Street, 043-3-208-000

*waive the reading and grant the request for abatement of taxes

2.12. REQUEST FOR ABATEMENT OF TAXES: City of Burlington
Clerk/Treasurer's Office
Unknown
029-2-052-###

*waive the reading and grant the request for abatement of taxes

2.13. REQUEST FOR ABATEMENT OF TAXES: City of Burlington
Clerk/Treasurer's Office
Unknown
PPP#####

*waive the reading and grant the request for abatement of taxes

3. ADJOURNMENT

CONSENT AGENDA

ADJOURNED MEETING, CITY COUNCIL

MONDAY, MARCH 18, 2013

3.01. COMMUNICATION: Lori Olberg, Licensing, Voting & Records Coordinator, re:
Accountability List

*waive the reading, accept the communication and place it on file

3.02. RESOLUTION: Authorization for Agreement for Operation of Gift Shops and
Newsstands at Burlington International Airport (Councilors Shannon,
Decelles, Paul, Bushor: Board of Finance)

*waive the reading and adopt the resolution

3.03. RESOLUTION: Church Street Marketplace District—Authorizing Budget Adjustment
(Councilors Shannon, Bushor, Paul: Board of Finance)

*waive the reading and adopt the resolution

3.04. RESOLUTION: Approving A Grant Anticipation Note for the Costs of Certain Airport
Improvement Projects (Councilors Shannon, Bushor, Paul, Decelles:
Board of Finance)

*waive the reading and adopt the resolution

3.05. RESOLUTION: FY 2013 Budget Amendments – CEDO Re: Lead Hazard Control and
Housing Trust Fund (Councilors Shannon, Bushor, Paul, Decelles: Board
of Finance)

*waive the reading and adopt the resolution

3.06. COMMUNICATION: Darlene Kehoe, Assistant Director for Finance and Brian Pine, Assistant
Director for Housing & Neighborhood Revitalization, re: FY13 Budget
Amendments for Lead Hazard Control and Housing Trust Fund

*waive the reading, accept the communication and place it on file

3.07. RESOLUTION: Authorize Contract with Hickok and Boardman, Inc. to Manage The
City's Workers' Compensation and General Liability, Property and
Casualty Insurance (Councilors Shannon, Bushor, Paul, Decelles: Board
of Finance)

*waive the reading and adopt the resolution

3.08. RESOLUTION: Acceptance of Queen City Police Foundation Gift and Approval of
Police Department Budget Amendment (Councilors Shannon, Bushor,
Paul, Decelles: Board of Finance)

*waive the reading and adopt the resolution

3.09. COMMUNICATION: Michael E. Schirling, Chief of Police via Lise E. Veronneau, Business
Administrator, Burlington Fire & Police Departments, re: FY 13 –
Budget Amendments and Accept Donation from Queen City Police
Foundation

*waive the reading, accept the communication and place it on file

3.10. RESOLUTION: Authorization for Acceptance of 2013 IBM Smarter Cities Challenge
Engagement Grant (Councilors Shannon, Bushor, Paul, Decelles: Board
of Finance)(pending Board of Finance approval on 03/18/13)

*waive the reading and adopt the resolution

- 3.11. RESOLUTION: Authorization to Contract for Services Associated with North Concourse Restroom Renovation at Burlington International Airport (Councilors Shannon, Decelles, Paul, Bushor: Board of Finance)
*waive the reading and adopt the resolution
- 3.12. COMMUNICATION: Gene Richards, Burlington International Airport, re: Finance Board Approval Request – North Concourse Restroom Renovation Project
*waive the reading, accept the communication and place it on file
- 3.13. RESOLUTION: Burlington City Arts FY 2013 Budget Amendment Related to Artwork Sales and Grant Revenues (Councilors Shannon, Bushor, Paul, Decelles: Board of Finance)
*waive the reading and adopt the resolution
- 3.14. RESOLUTION: Authorize Amendment to Contract with Wright & Morrissey for Construction Services re Church Street Marketplace Project STP 5000(16) (Councilors Shannon, Bushor, Paul, Decelles: Board of Finance)
*waive the reading and adopt the resolution
- 3.15. COMMUNICATION: Steven Goodkind, P.E., Director of Public Works, re: STP 5000 (16) – Church Street Earmark
*waive the reading, accept the communication and place it on file
- 3.16. RESOLUTION: Authorization to Enter into Agreement with Gary Evans for Consulting Services and Amend FY 2013 Budget – Burlington Telecom (Councilors Shannon, Bushor, Paul: Board of Finance)
*waive the reading and adopt the resolution
- 3.17. RESOLUTION: Authorization to Accept A Vermont Arts Council Cultural Facilities Grant and Amend the FY 2012 Budget – Fletcher Free Library (Councilors Shannon, Bushor, Paul, Decelles: Board of Finance)
*waive the reading and adopt the resolution
- 3.18. COMMUNICATION: Paul Sisson to Board of Finance, re: Library Grant from Vermont Council of the Arts
*waive the reading, accept the communication and place it on file
- 3.19. COMMUNICATION: Alexander L. Aldrich, Executive Director to Fletcher Free Library, Attn: Ashley P. McAvey, re: Application # 16478
*waive the reading, accept the communication and place it on file
- 3.20. COMMUNICATION: Vermont Arts Council Acting for the State of Vermont Cultural Facilities Grant Agreement Fiscal Year 2012
*waive the reading, accept the communication and place it on file
- 3.21. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday, January 7, 2013 Minutes
*waive the reading, accept the communication and place it on file
- 3.22. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Tuesday, January 22, 2013 Minutes
*waive the reading, accept the communication and place it on file

- 3.23. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday,
January 28, 2013 Minutes
*waive the reading, accept the communication and place it on file
- 3.24. COMMUNICATION: Amy Bovee, Executive Secretary, re: Board of Finance, Monday,
February 11, 2013 Minutes
*waive the reading, accept the communication and place it on file
- 3.25. COMMUNICATION: Keith Pillsbury, Ward One School Commission Candidate, re:
Conflict of Interest re: Recount
*waive the reading, accept the communication and place it on file
- 3.26. COMMUNICATION: Scott Schrader, Assistant Chief Administrative Officer, re:
Declaration of Elected Candidates Annual City Election – March 5,
2013
*waive the reading, accept the communication and place it on file
- 3.27. COMMUNICATION: Scott Schrader, Assistant Chief Administrative Officer, re:
Declaration of Election Results Questions on the Ballot Annual City
Election – March 5, 2013
*waive the reading, accept the communication and place it on file
- 3.28. COMMUNICATION: Lori Olberg, Licensing, Voting and Records Coordinator & Amy Bovee,
Executive Secretary, Draft Minutes, Regular City Council Meeting,
January 7, 2013
*waive the reading, accept the communication, place it on file and adopt the minutes as received at the
March 11, 2013 City Council Meeting



May 1, 2012 ---- April 30, 2013

CITY OF BURLINGTON
Annual Outside Consumption Renewal Form

[] New [] Renewal

ONE DAY ONLY

PART I--ORGANIZATION

All information is required

- 1. Corporation/Sole Proprietor name JRS Corp
2. D/B/A (Business Name) Akes Place 3. Bus. Phone 860-4-8111
4. Business Address 134 Church St
5. Contact person Ron Ryan 6. Contact Phone 233-9230
7. Email Address RonRyan2@gmail.com

PART II--OPERATION

1. Requested period of operation:

Months: _____ to _____

2. Requested times of operation:

- * Sunday March 11 AM - 2 AM Wednesday _____ Saturday _____
Monday _____ Thursday _____
Tuesday _____ Friday _____

* recommended for approval @ 3/13/13 lc mitg lo

PART III--DESCRIPTION

- 1. Proposed Dimensions _____
2. Is it a patio, deck, alleyway etc. patio
3. Is it on City property? yes If yes, do you have a current license agreement? yes

Please provide a detailed description of the area and its planned use on the back of this form.

May 1, 2012 ---- April 30, 2013

Annual outside Consumption Renewal Form -Page 2

Detailed description Satellite bar with the beer only
will have one server plus security

Signature of Applicant Ronald Ryan II

Date: 3. 6. 13

Print Signature Ronald Ryan II

APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____



May 1, 2012 ---- April 30, 2013

CITY OF BURLINGTON
Annual Outside Consumption Renewal Form

EXPANDED
ONE DAY ONLY

[] New [] Renewal

PART I--ORGANIZATION

All information is required

- 1. Corporation/Sole Proprietor name RIRA VERMONT L.L.C
2. D/B/A (Business Name) RIRA IRISH PUB 3. Bus. Phone 860-9401
4. Business Address 123 CHURCH ST BURLINGTON VT 05401
5. Contact person MAT MESSINGER 6. Contact Phone 860-9401 (CELL 310-9101)
7. Email Address MATMESSINGER@RIRA.COM

PART II--OPERATION

1. Requested period of operation:

Months: 3/17/13 to 3/17/13 ONE DAY ONLY

2. Requested times of operation:

Sunday 8AM-MIDNIGHT Wednesday
Monday Thursday
Tuesday Friday

RECEIVED
2013 MAR -6 P 3:53
BURLINGTON CLERK
TREASURER'S OFFICE

* recommended for approval 3/13/13 [signature]

PART III--DESCRIPTION

- 1. Proposed Dimensions EXISTING EXPANDED PATIO DIMENSIONS
2. Is it a patio, deck, alleyway etc. PATIO w/ TENT
3. Is it on City property? YES If yes, do you have a current license agreement? YES

Please provide a detailed description of the area and its planned use on the back of this form.

May 1, 2012 ---- April 30, 2013

Annual outside Consumption Renewal Form -Page 2

Detailed description TEXT SET-UP AND PROVIDED BY AVALEN TENT CO.
WILL HAVE FEW TABLES IN SIDE TENT. ACOUSTIC IRISH MUSIC.
SERVING GUINNESS AND IRISH WHISKEY IN TENT. FOOD WILL
BE AVAILABLE OFF REGULAR MEXILL. ADDITIONAL TABLES AND
CHAIRS OUTSIDE TENT TO FULL EXPANDED PATIO DIMENSIONS
WEATHER PERMITTING. CAMP TAKUMTA WILL BE SELLING MERCHANDISE
AND COLLECTING DONATIONS

Signature of Applicant 
Print Signature _____

Date: 3/5/13

APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____



May 1, 2013 ---- April 30, 2014

CITY OF BURLINGTON
Annual Outside Consumption Renewal Form

[] New [X] Renewal

PART I--ORGANIZATION

All information is required

- 1. Corporation/Sole Proprietor name Robert + Linda Livingstone
2. D/B/A (Business Name) East Shore Vineyard 3. Bus. Phone 802-859-9463
4. Business Address 28 Church St.
5. Contact person Linda Livingstone 6. Contact Phone 802-372-4174
7. Email Address linda@eastshorevineyard.com

PART II--OPERATION

1. Requested period of operation:

Months: April to November

2. Requested times of operation:

Sunday 10-10 AM PM Wednesday 10-10 AM PM Saturday 10-10 AM PM
Monday 10-10 AM PM Thursday 10-10 AM PM
Tuesday 10-10 AM PM Friday 10-10 AM PM

*recommended for approval @ 3/13/13 lc mtg lo

PART III--DESCRIPTION

- 1. Proposed Dimensions 11'5" x 17'
2. Is it a patio, deck, alleyway etc. Patio
3. Is it on City property? yes If yes, do you have a current license agreement? yes

Please provide a detailed description of the area and its planned use on the back of this form.

RECEIVED
2013 FEB 28 P 3:16
BURLINGTON CLERK
TREASURER'S OFFICE

May 1, 2013 ---- April 30, 2014

Annual outside Consumption Renewal Form -Page 2

Detailed description Roped off area about 12' x 17'
Six tables - 4 w/ 2 chairs + 2 with 4 chairs
located directly in front of store on Church St.

RECEIVED
2013 FEB 28 P 3 16
BURLINGTON CLERK
TREASURERS OFFICE

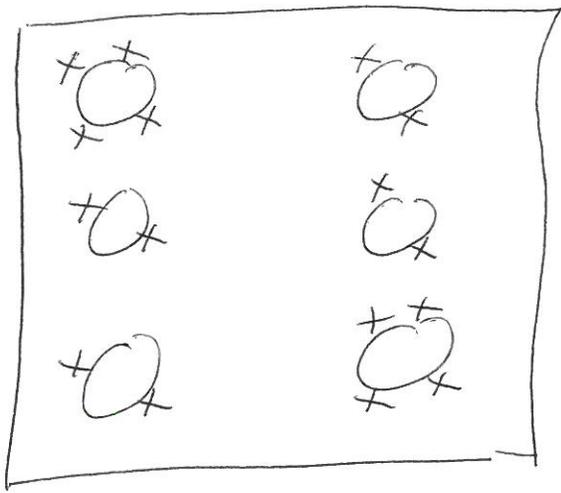
Signature of Applicant Linda Livingstone
Print Signature LINDA Livingstone

Date: 3/1/13

APPROVED BY LOCAL CONTROL COMMISSION _____

SENT TO DEPARTMENT OF LIQUOR CONTROL _____

FINAL APPROVAL BY DEPARTMENT OF LOCAL CONTROL _____



2013

FIRST/SECOND CLASS LIQUOR LICENSE AND TOBACCO APPLICATION
LICENSE YEAR IS MAY 1ST THROUGH APRIL 30TH OF THE FOLLOWING YEAR

Balance Team Inc.
Print Full Name of Person, Partnership, Corporation, Club or LLC
Burlington Bay Market + Cafe
Doing Business As - Trade Name
125 Battery St.
Street and street number of premises covered by this application
Burlington, VT 05401
Town or City & Zip Code
802-864-0110
Telephone Number
1 King St. Burlington, VT 05401
Mailing Address (if different from above)
Email address Kim@lauchampaincruises.com

Recommended for
la approval 3/13/13
all standard conditions
J

Please circle appropriate categories

FIRST CLASS SECOND CLASS TOBACCO

Restaurant
Hotel
Cabaret
Club
Commercial Kitchen (a Liquor Control Commercial Caterer's License is needed with this license)

FEES:

FIRST CLASS LICENSE - \$100.00 to DLC and \$100.00 to Town/City
SECOND CLASS LICENSE - \$50.00 to DLC and \$50.00 to Town/City
TOBACCO ONLY LICENSE - \$10.00 to Town/City only
(there is no fee for tobacco if applying for second class)

TO THE CONTROL COMMISSIONERS OF THE TOWN/CITY OF Burlington, VERMONT
Application is hereby made for a license to sell malt and vinous beverages under and in accordance with Title 7, Vermont Statutes Annotated, as amended, and certify that all statements, information and answers to questions herein contained are true; and in consideration of such license being granted do promise and agree to comply with all local and state laws; and to comply with all regulations made and promulgated by the Liquor Control Board. Upon hearing, the Liquor Control Board may, in its discretion, suspend or revoke such license whenever it may determine that the law or any regulations of the Liquor Control Board have been violated, or that any statement, information or answers herein contained are false.

MISREPRESENTATION OF A MATERIAL FACT ON ANY LICENSE APPLICATION SHALL BE GROUNDS FOR SUSPENSION OR REVOCATION OF THE LICENSE, AFTER NOTICE AND HEARING.

If this premise was previously licensed, please indicate name Balance Team Inc. DBA Burlington Bay

I/we are applying as: (please circle one)

INDIVIDUAL LIMITED LIABILITY COMPANY
PARTNERSHIP CORPORATION

Please fill in name and address of individual, partners, directors or members.

LEGAL NAME	STREET/CITY/STATE
<u>AIFred J. Gobeille</u>	<u>79 Beach Rd Shelburne, VT 05482</u>
<u>Kimberly S. Gobeille</u>	<u>79 Beach Rd Shelburne, VT 05482</u>

Are all of the above citizens of the UNITED STATES? Yes No
(Note: Resident Alien is not considered a U.S. Citizen)

If naturalized citizen, please complete the following:

Name Court where naturalized (City/State/Zip) Date

pd chk # 12170
\$100.00 la
3/1/13

CORPORATE INFORMATION:

If you have checked the box marked CORPORATION, please fill out this information for stockholders (attach sheet if necessary).

LEGAL NAME

STREET/CITY/STATE

ALFRED S Gobeille 79 Beach Rd. Shelburne VT 05482
Kimberly S Gobeille 79 Beach Rd Shelburne, VT 05482

Date of incorporation 9/25/1996 Is corporate charter now valid? yes

Corporate Federal Identification Number 03-0353136

Have you registered your corporation and/or trade name with the Town/City Clerk? yes and/or Secretary of State? yes (as required by VSA Title 11 § 1621, 1623 & 1625).

ALL APPLICANTS

HAVE ANY OF THE APPLICANTS EVER BEEN CONVICTED OR PLED GUILTY TO ANY CRIMINAL OR MOTOR VEHICLE OFFENSE IN ANY COURT OF LAW (INCLUDING TRAFFIC TICKETS) AT ANY TIME?

YES NO

If yes, please complete the following information: (attached sheet if necessary)

Name Court/Traffic Bureau Offense Date

Do any of the applicants hold any elective or appointive state, county, city, village/town office in Vermont? (See VSA, T.7, Ch. 9, §223) YES NO If yes, please complete the following information:

Name Office Jurisdiction
ALFRED S Gobeille Green Mountain Health Care Board Vermont
Shelburne Selectboard Shelburne

Please give name, title and date attended of manager, director, partner or individual who has attended a Liquor Control Licensee Education Seminar, as required by Education Regulation No. 3.

NAME: Kimberly Gobeille
TITLE: VP
DATE: Feb. 4, 2013

(If you have not attended an Education Seminar prior to making application, please visit www.liquorcontrol.vermont.gov and click on Seminar Schedule for a list of Seminars in your area)

FOR ALL APPLICANTS: DESCRIPTION /LOCATION OF PREMISES (Section 4)

Description of the premises to be licensed: Market + cafe is a two story steel + concrete building w/ wood siding, approx 6000 sq. ft in size + located on the west side of Battery St.

Does applicant own the premises described? yes If not owned, does applicant lease the premises?

If leased, name and address of lessor who holds title to property.

Are you making this application for the benefit of any other party? No

FIRST CLASS APPLICANTS ONLY: No first class license may be issued without the following information.

HEALTH LICENSE #: Food 12358 Lodging (if licensed as a Hotel)

VERMONT TAX DEPARTMENT: Meals & Rooms Certificate/Business Account # 440-030353136F-02

Business is devoted primarily to: (Circle one)

FOOD (restaurant) ENTERTAINMENT (cabaret) HOTEL CLUB COMMERCIAL CATERING

If you are considering Outside Consumption service on decks, porches, cabanas, etc. you must complete an Outside Consumption Permit. This form can be found on our website at www.liquorcontrol.vermont.gov and then click on licensing and then applications.

CABARET APPLICANTS ONLY:

Applicant hereby certifies that the sale of food shall be less in amount or volume than the sales of alcoholic beverages and the receipts from entertainment and dancing; if at any time this should not be the case, the applicant/licensee shall immediately notify the Department of Liquor Control of this fact.

Signature of Individual, Partner, authorized agent of Corporation or LLC member

ALL APPLICANTS MUST COMPLETE AND SIGN BELOW

The applicant(s) understands and agrees that the Liquor Control Board may obtain criminal history record information from State and Federal repositories prior to acting on this application.

I/We hereby certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan approved by the Commissioner of Taxes to pay any and all taxes due the State of Vermont as of the date of this application. (VSA, Title 32, §3113).

In accordance with 21 VSA, §1378 (b) I/We certify, under pains and penalties of perjury, that I/We are in good standing with respect to or in full compliance with a plan to pay any and all contributions or payments in lieu of contributions due to the Department of Employment and Training.

If applicant is applying as an individual, I hereby certify that I/We are not under an obligation to pay child support or that I/We are in good standing with respect to child support or am in full compliance with a plan to pay any and all child support payable under a support order. (VSA, Title 15, §795).

Dated at Burlington in the County of Chittenden and State of Vermont, this 28 day of February, 2013

Corporations/Clubs: Signature of Authorized Agent Individuals/Partners: (All partners must sign)

Kimberly S Corbett

V.P.
(Title)

NOTICE: After local action, all new applications are investigated by the Enforcement and Licensing Division prior to approval/disapproval of the license by the Liquor Control Board. This process can take anywhere from two weeks to six weeks to complete once the application has reached Liquor Control.

TOWN/CITY APPROVAL/DISAPPROVAL

Upon being satisfied that the conditions precedent to the granting of this license as provided in Title 7 of the Vermont Statutes Annotated, as amended, have been fully met by the applicant, the commissioners will endorse their recommendation on the back of the applications and transmit both copies to the Liquor Control Board for suitable action thereon, before any license may be granted. For the information of the Liquor Control Board, all applications shall carry the signature of each individual commissioner registering either approval or disapproval. Lease or title must be recorded in town or city before issuance of license.

_____, Vermont, _____
Town/City Date

APPROVED

DISAPPROVED

Approved/Disapproved by Board of Control Commissioners of the City or Town (circle one) of _____

Total Membership _____ members present

Attest, _____
City or Town Clerk

TOWN OR CITY CLERK SHALL MAIL ONE APPLICATION DIRECTLY TO THE DEPARTMENT OF LIQUOR CONTROL, 13 Green Mountain Drive, Montpelier, VT 05602. If application is disapproved, local control commissioners shall notify the applicant by letter.

No formal action taken by any agency or authority of any town board of selectmen or city board of aldermen on a first or second class application shall be considered binding except as taken or made at an open public meeting. VSA Title 1 §312.

SECTION 5111 AND 5121 OF THE INTERNAL REVENUE CODE OF 1954 REQUIRE EVERY RETAIL DEALER IN ALCOHOLIC BEVERAGES TO FILE A FORM ANNUALLY AND PAY A SPECIAL TAX IN CONNECTION WITH SUCH SALES ACTIVITY. FOR FURTHER INFORMATION, CONTACT:

THE BUREAU OF ALCOHOL, TOBACCO & FIREARMS (TTB) (513) 684-2979
DEPARTMENT OF THE TREASURY
550 MAIN STREET, CINCINNATI, OH 45202

Please complete and include with your liquor license application

Please fill in for Individual, Partners, or Directors

Applicant/s Personal Information

Legal Name: ALFRED J Gobeille Address: 79 Beach Rd Shelburne VT 05482

Date of Birth 7/5/64 Place of Birth Warwick RI Sex M SS# [REDACTED]

Legal Name: Kimberly S Gobeille Address: 79 Beach Rd Shelburne VT 05482

Date of Birth 5/12/67 Place of Birth Littleton, NH Sex F SS# [REDACTED]

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____

Legal Name: _____ Address: _____

Date of Birth _____ Place of Birth _____ Sex _____ SS# _____



OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401

802-865-7131 TTY 802-865-7142

Application Review
First Class Liquor License - Restaurant

05/01/2013 - 04/30/2014

Jeff Herwood

*Please review
TY 2 OK*

TO: ~~Kathy Dunn~~, Clerk/Treasurer's Office
FROM: Lori Olberg, Clerk/Treasurer's Office
DATE: Wednesday, March 6, 2013
COMPANY: BALANCE TEAM INC
DBA NAME: BURLINGTON BAY MARKET & CAFE
FORMERLY:
LOCATION: 125 BATTERY ST
PHONE: 802-864-0110 802-864-9988

The above applicant has applied for a new/renewal license. Please complete the appropriate section below verifying the status of the applicant's taxes and return it to this office as soon as possible.

Property Taxes Overdue?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Initials	<u><i>JFH</i></u>
Property Taxes Delinquent?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Initials	<u><i>JFH</i></u>
Gross Receipts Tax Overdue?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	Initials	<u><i>JFH</i></u>

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Wednesday, March 6, 2013



OFFICE OF THE CLERK AND TREASURER
149 CHURCH STREET
BURLINGTON, VT 05401

802-865-7131 TTY 802-865-7142

Application Review
First Class Liquor License - Restaurant

05/01/2013 - 04/30/2014

RECEIVED
MAR 07 2013
DEPARTMENT OF
PLANNING

TO: Ken Lerner, Planning & Zoning Office
FROM: Lori Olberg, Clerk/Treasurer's Office

DATE: Wednesday, March 6, 2013

COMPANY: BALANCE TEAM INC

DBA NAME: BURLINGTON BAY MARKET & CAFE

FORMERLY:

LOCATION: 125 BATTERY ST

PHONE: 802-864-0110 802-864-9988

*Please review
TY Lerner*

Please attach any pertinent information which the City Council License Committee may require.

Please indicate:

Approved?

Yes

No

Initials

LO

Date

3/8/13

Notes:

Thank You,

Lori Olberg
Clerk/Treasurer's Office
City Hall

Date: Wednesday, March 6, 2013

BURLINGTON BAY MARKET & CAFE



Breakfast served till 11:00
Serving Cage-Free Eggs

Three Little Pigs - Dakin Farm maple sausage, bacon, and ham served open-faced on Italian white, topped with two over-easy eggs 9.99
The Irishman - Sliced corned beef, grilled potatoes, onions, green peppers, and Swiss cheese served open-faced on wheat bread with two over-easy eggs 7.99
Sausage, Apple, & Cheddar - Dakin Farms maple sausage, sliced green apple, two eggs, and melted cheddar cheese on a portuguese english muffin 6.99
B.E.L.T - Dakin Farms bacon, lettuce, and tomato with two eggs and mayo on wheat bread 5.99
Kale, Ham, & Egg - Fresh Kale, Dakin Farms shaved ham, Swiss cheese and two eggs served on wheat bread with maple mayo. 6.99
Portabella Onvich - Portabella omelet with melted cheddar cheese, arugula, and tomato on wheat bread, drizzled with a balsamic glaze. 5.99
The Bay Original - Dakin Farms bacon, two eggs and cheddar cheese on a portuguese english muffin 4.99
Breakfast Burrito - Our black bean salsa with two eggs and cheddar cheese wrapped in a flour tortilla, topped with sour cream. 6.99

**Don't Miss Our Huge Selection Of Piping Hot
Green Mountain Coffees**

Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of food born illness.

BURLINGTON BAY MARKET & CAFE



Breakfast, Lunch, Dinner

Menu

- Salads
- Deli Sandwiches, Burgers
- Homemade Soups, & Cookies
- Vermont State Liquor Outlet

Full Catering Services available!

864-0110

On The Waterfront
125 Battery St., Burlington



www.burlingtonbaycafe.com * Follow us on

Soup

Lobster Bisque	Cup	Bowl
New England Clam Chowder	4.59	5.99
Our Daily Soup	4.59	5.99
	3.99	4.99

Salads

Chicken Caesar Salad - Fresh chopped romaine tossed in homemade Caesar dressing topped with grilled chicken, croutons, and shredded parmesan cheese 10.99

Chef Salad - Classic chef salad with Dakin Farm ham and turkey served with choice of dressing 10.99

Thai Chopped Chicken Salad - Grilled chicken, romaine, carrots, celery, onions, peppers, cabbage, fried wonton strips with a spicy Thai vinaigrette 9.99

Veggie

Grilled Portabella Mushroom Wrap- Marinated portabella grilled with onions, grape tomatoes, arugula, and goat cheese 7.29

Garden Hummus Wrap- Hummus, baby lettuce, tomatoes, cucumbers, shredded carrots, and red onions with maple balsamic dressing 6.99

Dakin Farms VT Turkey & Ham

Maple Turkey BLT- Turkey and bacon on our homemade wheat bread topped with cheddar cheese, sliced tomato, lettuce and maple mayo 8.99

The Vermonter- Turkey, sliced apples, cheddar cheese, lettuce, and cranberry mayo on Italian white 8.99

Turkey Reuben- Turkey, cole slaw, Russian dressing and Swiss cheese grilled on Italian white 7.99

Ham and Swiss- Shaved ham and Swiss cheese topped with arugula and cranberry mustard served on deli rye 7.99

Seafood

Crab Cake Sandwich- Our homemade Maine crab cake on a toasted roll with cajun mayo, lettuce and tomato 9.99

Cajun Blackened Salmon Sandwich- Served with cajun mayo, lettuce and tomato on our kaiser roll 8.99

Tuna Salad Sandwich - Traditional tuna salad with lettuce and tomato on a kaiser roll 6.99

Burgers

Cheeseburger- 4 OZ. beef patty with American cheese 3.99

Add lettuce and tomato .50 Add bacon .75

Bay's Blue Cheese Burger - Two 4 oz. beef patties hand-formed and grilled with horseradish blue cheese spread topped with fried onions 7.99

Turkey Burger- Misty Knoll turkey with arugula, tomato, cheddar cheese and cranberry mayo 5.99

Black Bean Burger- Homemade black bean burger topped with lettuce, tomato, cheddar cheese, and ancho chipolte mayo 7.99

Hot Dog- Jumbo McKenzie all beef hot dog on a toasted bun 3.99

HAND CUT FRIES

Pint 2.99 Quart 3.99

Beef

McKenzie Roast Beef Sandwich- Sliced all-natural roast beef with arugula, tomatoes and horseradish blue cheese spread served on a kaiser roll 8.99

Steak & Cheese- Grilled shaved steak & cheddar cheese with sweet bell peppers, onions, mushrooms and garlic mayo on a sub roll 8.99

Hot Pastrami- Piles of the best pastrami this side of New York City.

Served piping hot on rye with deli mustard 7.99

The Reuben- Corned beef, sauerkraut, Russian dressing and Swiss cheese grilled on deli rye 7.99

Chicken

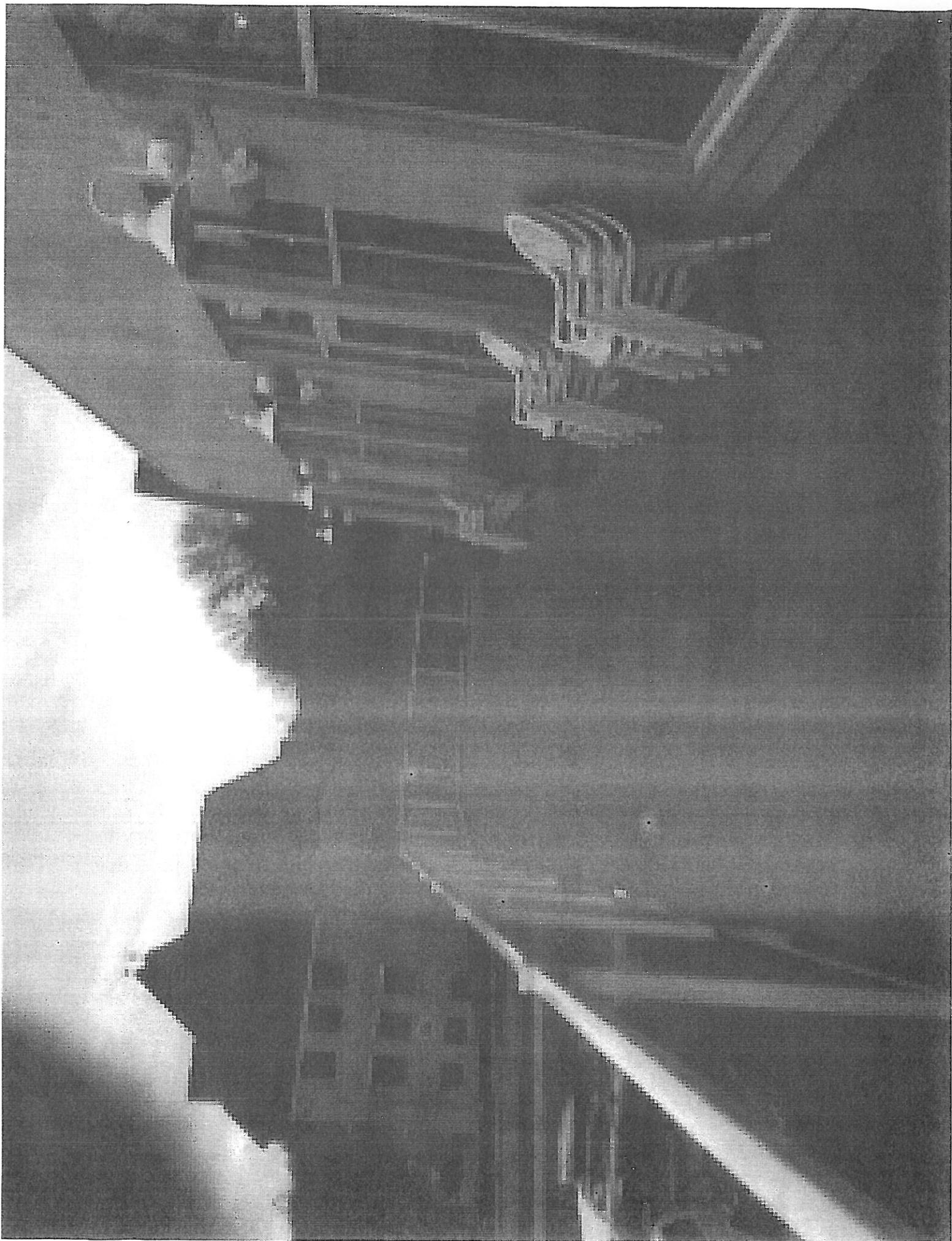
Featuring Wellington Farms all-natural anti-biotic free chicken

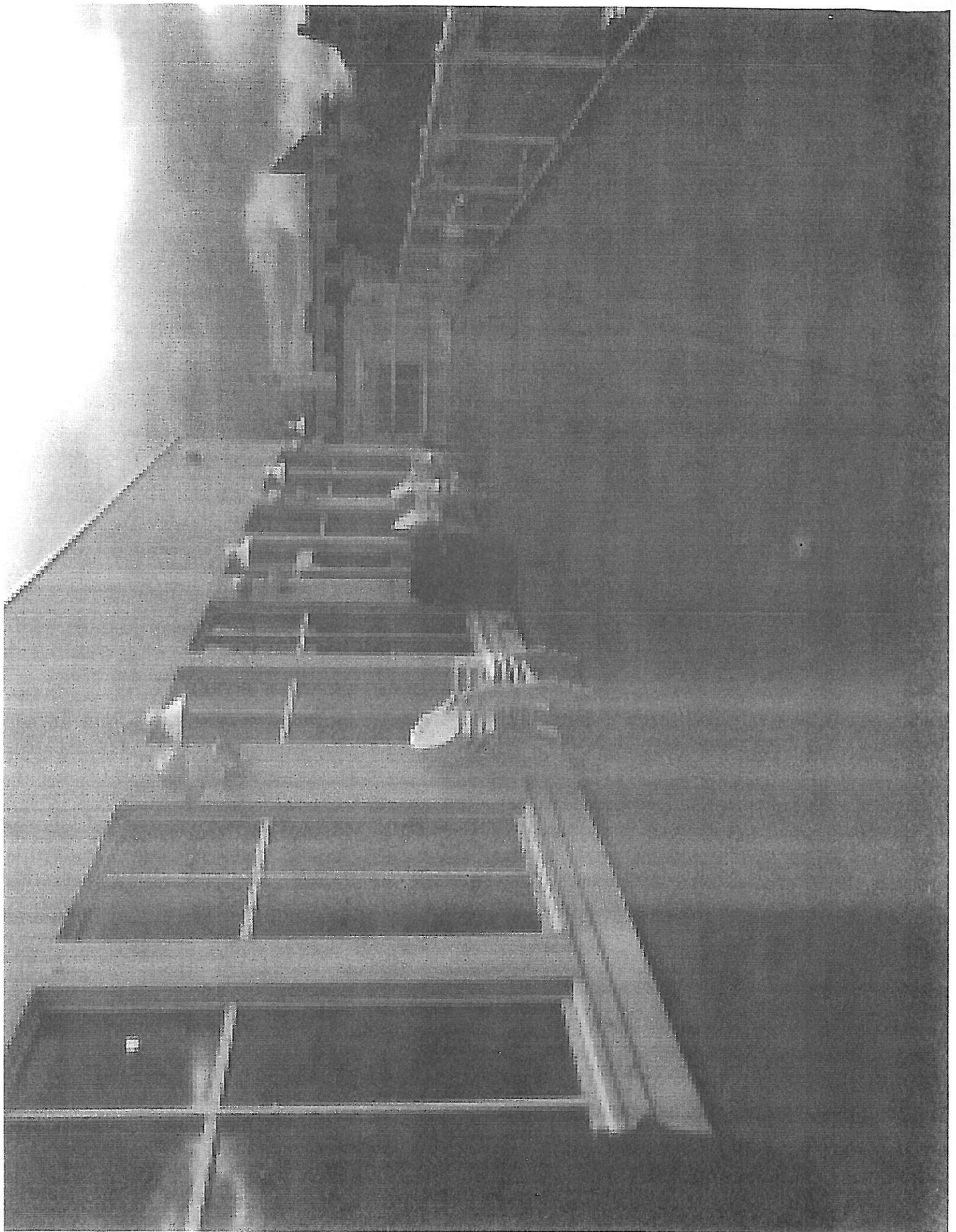
Grilled Chicken Club Wrap- Grilled chicken topped with bacon, Swiss cheese, lettuce, tomato and garlic mayo 7.99

Asian Chicken Wrap - Grilled chicken, romaine, carrots, celery, onions, peppers, cabbage, fried wonton strips with a spicy Thai vinaigrette 6.99

Chipolte Chicken Wrap- Chicken grilled with peppers, onions, cheddar cheese and ancho chipotle mayo 7.99

* All prices are subject to change





Burlington Committee on Accessibility Strategy and Plan

Introduction

At its October 15, 2012 meeting, the Burlington City Council tasked the Mayor with revitalizing and making appointments to the Burlington Committee on Accessibility, and approved those appointments on December 3, 2012. The Committee, made up of City staff and community members, was specifically charged with developing a strategy and plan to address accessibility in the City, including reviewing and updating the previous mission statement, suggesting the needed frequency of reporting accessibility needs to the City Council, and devising a process to assess the City's accessibility needs.

The Committee meetings were attended by representatives of the Burlington School District, the City Attorney's Office, the Burlington Accessibility Group, Vermont Center for Independent Living, Vermont Legal Aid, Vocational Rehabilitation, and individual community advocates. A public forum was held in February and many stakeholders were encouraged to participate freely in meetings.

Recommendation

The overarching recommendation of this Committee is that it be permanently charged with assessing and addressing accessibility needs in the City of Burlington. This report recommends expanding the committee as outlined below, giving committee members two year terms, and reforming the permanent committee by April 30, 2013.

Mission Statement

The City recognizes that communities excel when all citizens are able to fully participate in all aspects of community life. The Advisory Committee on Accessibility shall assist and advise the Mayor, the City Council and City departments on ways to increase opportunities for people with disabilities and meet the needs of people with disabilities by encouraging full and equal participation in all aspects of life. This includes the identification and removal of architectural, procedural, programmatic, attitudinal and communication barriers, and strong advocacy for policies, programs and services that meet the needs of people with disabilities.

Frequency of Reporting Accessibility Needs to City Council

Quarterly, either through in-person testimony or a written update.

Suggested Additional Committee Representatives

AARP
Burlington Parks & Recreation
Burlington School District
Howard Center/Pathways

Process to Assess and Address City's Accessibility Needs

Public and Private Infrastructure

- Improve accommodation and accessibility of City facilities and rights-of-way, including City buildings, streets, sidewalks, bike paths, parking, parks, schools, traffic signaling, snow removal, elevators, etc.

Process

- Task the Department of Public Works to work the Committee to compile an inventory of current infrastructure needs and development of a capital plan based on scoring of severity and number of people affected.
- Work with Burlington School District to update inventory assessment for schools.
- Develop and promote an online tool to provide a way for the public to input and prioritize projects (e.g. See Click Fix).

Possible Action Items

- Pursue external funding opportunities to make municipal infrastructure improvements and for capital investments that meet ADA compliance.
 - Integrate curb cuts into sidewalks in more locations, including near accessible parking.
 - Research and implement best practice for Complete Street design and access.
- Ensure the availability of accessible housing in Burlington.

Process

- Identify unmet need for accessible housing and assess against current availability.

Possible Action Items

- Ensure housing that is accessible for people with disabilities, including seniors, is a component of the Citywide Housing Plan update.
 - Work to integrate accessible housing along transportation routes and near the downtown core.
- Improve accommodation and accessibility of private businesses by raising awareness of and removing barriers.

Process

- Promote online tools that allow people with disabilities to rate and discuss the accessibility of public accommodations (e.g. Rolling Gourmet).

Possible Action Items

- Work with Church Street Marketplace and Burlington Accessibility Group to support area businesses in efforts to make their establishments accessible.
- Enhance specific areas of understanding and sensitivity, including use of service animals.

Programmatic Inclusion

- Ensure accessibility at City and School District sponsored and sanctioned programs, events, and activities.

Process

- Determine availability of interpreter services, text to speech technology, and alternative communicate devices and funding to enhance its availability.
- Create a joint City/School District ad hoc committee to better collaborate in serving Burlington families.

Possible Action Items

- Require all events receiving a permit from the City to include an accessibility plan and contact person.
 - Make public information available in alternate forms (i.e. large print, braille)
- Work with CCTA, SSTA, and other services to ensure safe, meaningful, efficient, and affordable transportation for people with disabilities.

Process

- Coordinate with CCTA ADA Committee to address concerns with wheelchair access and treatment of people with disabilities accessing buses.
- Designate a liaison with SSTA to work on addressing Burlington-specific complaints and concerns regarding transportation services.

Possible Action Items

- Investigate funding for transportation services for all people with disabilities serving on a City board or commission.

Community Climate and Awareness

- Develop a culture of awareness. Give voice and visibility to people with disabilities, as well as their families, friends, caretakers, and service providers.

Process

- Identify and remove barriers for people with disabilities in City hiring processes.
- Create a procedure that allows the Committee to share complaints from citizens with the appropriate City Department or individual employee.
- Interface with Planning & Zoning, the Development Review Board, Parks & Recreation, and other departments to assess progress and weigh in periodically.

Possible Action Items

- Require sensitivity and inclusion training for all City employees regarding working with and serving people with disabilities, and invite participation from City Councilors and volunteer board members and commissioners.
- Promote disability awareness education among the general public so all citizens can share in addressing access and communication barriers.
- Work with local business and tourism organizations to highlight accessibility for tourists with disabilities.
- Support and promote an annual Disability Awareness Day.

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3 **Resolution Relating to**
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RESOLUTION
Sponsor(s): ~~_____ Councilors Paul, Brennan, Aubin~~
Introduced: 03/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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7 URBAN RESERVE PLANNING AND SITE MANAGEMENT
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13 In the year Two Thousand Thirteen... **CITY OF BURLINGTON**

14 Resolved by the City Council of the City of Burlington, as follows:

15
16 That WHEREAS, the Urban Reserve was created in connection with the City of Burlington's purchase
17 of waterfront property from Central Vermont Railway in 1991; and

18 WHEREAS, pursuant to the *Urban Renewal Plan for the Waterfront Revitalization District*,
19 adopted by the City Council in September 1990, one of the purposes of acquiring the property was "[t]o
20 preserve a large natural area from unwanted commercial development, reserve the right for future
21 generations to determine what level of development, if any, which should occur on this land, and to
22 concentrate the efforts of the City's development activities within the downtown business district and the
23 waterfront commercial district to the east of Lake Street;" and

24 WHEREAS, the *Interim Use and Stewardship Plan for the Urban Reserve*, adopted by both the
25 Planning Commission and the City Council in October 1997, has stewardship provisions for the site that
26 include, but are not limited to, the following:

- 27 • Completion of a comprehensive master plan for the property, including extensive public
28 participation and review will be required prior to any future development;
29 • Consideration should be given to the future sale of some or all of the development rights to entities
30 such as the Vermont or Lake Champlain Land Trusts;
31 • Long-term planning for the property is the responsibility of the Planning Commission with staff
32 support from the Departments of Planning and Zoning and Parks and Recreation and the
33 Community and Economic Development Office;
34 • Final adoption of any long-term plan for the property will be initiated after the completion of the
35 2006 Municipal Development Plan (MDP), and will be adopted not more than 15 years from the
36 adoption of this Plan (October 2012); and

37
38 WHEREAS, since acquiring the property over twenty (20) years ago, the Urban Reserve is now in
39 critical need of site upgrades to increase public safety, reduce environmental hazards, and improve
40 pedestrian amenities pending the larger public planning process contemplated in the *Urban Renewal Plan*
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Resolution Relating to

URBAN RESERVE PLANNING AND SITE
MANAGEMENT

for the Waterfront Revitalization, Interim Use and Stewardship Plan for the Urban Reserve, and other City planning documents; and

WHEREAS, approximately half the Urban Reserve--nearly all lands west of the Bikepath--are filled lands and are therefore subject to the Public Trust Doctrine; and

WHEREAS, said Public Trust Doctrine land must be "managed for the public good" as defined by the Vermont Legislature, with uses satisfying this requirement including:

- governmental facilities such as water and sewer plants, coast guard and naval facilities, roads and accessory transportation facilities and parking services;
- indoor or outdoor parks and recreation uses and facilities including parks and open space, public marinas, water dependent uses, boating and related services;
- cultural activities including theaters, museums, art and cultural uses of the lake;
- freshwater and other environmental research activities; and
- services related and accessory to the uses permitted above, including restaurants, snack bars and retail uses; and

WHEREAS, the City received a portion of the funding for the purchase of the Urban Reserve from a grant from the Vermont Housing Conservation Board (VHCB); and

WHEREAS, in exchange for the funding from VHCB, the City entered into with VHCB a "*Grant of Development Rights and Conservation Restrictions for the Urban Reserve*" (Easement) that requires that "no less than 50% of the . . . property should be retained as public open/recreation space or conservation land;" and

WHEREAS, also included in the Easement are the following requirements for the property:

- Eight acres of shoreline running the entire length of the property to a width of at least 100 feet;
- A one and a half acre natural area designated to protect an endangered plant community;
- A public open recreation area reserved for the use and enjoyment of the citizens of Burlington to consist of at least 13 acres, with the specific locale and extent of the public open recreation portion of the easement to be defined at a date prior to construction of any buildings or structures on the Urban Reserve; and

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Resolution Relating to

URBAN RESERVE PLANNING AND SITE
MANAGEMENT

WHEREAS, City staff (with the participation of the City’s Conservation Board) is now engaged in a comprehensive study of the site, including environmental, geotechnical, and historical data that will support the planning process for the site; and

WHEREAS, public sentiment regarding the Urban Reserve has historically been very strong towards a public planning process in the community, and the City needs to accommodate that sentiment while also acting as a responsible land steward in the short term; and

WHEREAS, the Urban Reserve is already a valuable recreational and conservation asset of the City’s with a need for “interim stewardship” pending the larger planning process; and

WHEREAS, said “interim stewardship” includes but is not limited to ongoing basic maintenance of the site, cleanup of the site, resource protection, and public safety tasks to support de facto user-created uses such as multiple trail networks, passive recreation as well as to manage illegal homeless encampments and to accommodate long-term temporary uses such as the dog park.

NOW, THEREFORE, BE IT RESOLVED that the year 2013 marks the beginning of the “future generations to determine what level of development should occur at this site” as referenced in the *Urban Renewal Plan for the Waterfront Revitalization* and thus allowing for the long-term planning process for the Urban Reserve to formally commence; and

BE IT FURTHER RESOLVED that Urban Reserve management be continued as laid out in the *Interim Use and Stewardship Plan for the Urban Reserve*, including managing for non-vehicular passive recreation and conservation; and

BE IT FURTHER RESOLVED that the Departments of Planning and Zoning, Parks and Recreation, and CEDO are directed to craft a proposed scope, timeline, and budget for the long term planning process for the Urban Reserve, and shall submit the plan as a distinct process under the “umbrella” of the overall PlanBTV effort to the City Council for review and approval; and

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Resolution Relating to URBAN RESERVE PLANNING AND SITE MANAGEMENT

BE IT FURTHER RESOLVED that City staff continue to work with the VHCB and other outside funding sources on the completion of a comprehensive land use map of the Urban Reserve for use by the public during the public planning process; and

BE IT FURTHER RESOLVED that City staff from CEDO, Parks and Recreation, Planning and Zoning, and the Department of Public Works adopt short-term improvements on the Urban Reserve that will promote public activity without creating new dedicated uses or impacting and/or triggering the existing VHCB Easement restrictions and/or impermissible uses under the City’s zoning ordinance, and

BE IT FURTHER RESOLVED that City staff confer with VHCB and all other relevant permitting and regulatory entities before implementing any short term improvements and continue to pursue new funding and resources to complete said improvements including, but not limited to the:

- repair and realignment of the bike path;
- upgrade of existing informal shoreline footpaths;
- removal of piping from abandoned oil bollard;
- installation of small boat portage path(s) and launch site(s);
- naturalization of shoreline to reduce erosion and remove hazards;
- re-grading of the access road and installation of swales and/or storm water upgrades;
- management of vegetation on the property to minimize illegal camping and trash disposal;
- pursuit of other means to reduce criminal and other undesirable activities that present a public danger;
- mitigation of subsurface contaminants and soils; and
- removal of concrete foundations, asphalt, rubble, and debris;

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Page

Resolution Relating to

URBAN RESERVE PLANNING AND SITE
MANAGEMENT

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BE IT FURTHER RESOLVED that copies of this Resolution be sent to the Burlington Planning

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Commission, Conservation Board, and the Directors of the Departments of Parks and Recreation,

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Planning and Zoning, and CEDO.

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lb/GM/c: Resolutions 2013/Urban Reserve Planning and Site Management

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3/14/13



PARTNERSHIP FOR CHANGE

OUR SCHOOLS • OUR COMMUNITIES • OUR FUTURE

Partnership Update for the Burlington City Council Meeting March 18, 2013

The Partnership for Change spent the summer and fall of 2012 building infrastructure and creating systems of internal communication between both school districts and the participants of our Steering Committee, Implementation Teams and staff. Much of our progress has been laying the groundwork to educate the community about our work of remodeling educational systems to align with what our young people will need to thrive in the years to come.

Five Areas of Remodeling:

Through our two year planning grant period, the community helped us identify five key areas for our remodeling efforts of the Winooski and Burlington educational systems. Each of these areas is what research and best practice tell us are the most important “levers” for meaningful change. They are as follows:

1) Building More Robust Teaching and Learning Environments—We are working to create environments that are most conducive to learning, by ensuring that teachers have time to collaborate, share best practices, and bring new instructional strategies into the classroom and beyond. In addition, recognizing that every student learns differently, we are researching a host of strategies to serve all kinds of learners. We are also expanding our definition of where and when learning takes place.

2) Creating Deeper Family School Partnerships—An important finding from research is that children whose families are engaged in their education have better outcomes. We are investigating ways to ensure that families are in authentic partnership with schools, and have a voice in creating high-quality and welcoming schools.

3) Generating Community-Based Learning Opportunities—We know that learning can be greatly enhanced when experiences extend beyond the classroom walls. So that students can develop real-world skills in real-world settings, we are seeking to greatly expand our offerings of internships, job shadows, and other kinds of extended learning opportunities in partnership with local businesses and social service organizations.

4) Enhancing Youth Engagement and Leadership—Studies tell us that students learn best when they are fully engaged in their studies and empowered to take responsibility for their learning. This includes helping young people develop the leadership skills that will serve them well throughout their lifetime.

5) Establishing Personalized and Proficiency Based Learning—Traditionally, schools have measured students primarily through an A-F grading system, with students who receive “Cs” and “Ds” continuing to move from grade to grade with their higher graded peers. In a proficiency-based system, every student must score well on a set of competencies that demonstrate their fully mastery of a subject. Some students may take more time than others to demonstrate mastery, and the classroom is structured to allow for a more personalized approach.

For each of these areas of remodeling, the Partnership for Change has designated a team of instructional leaders and community members who are conducting action research on best practices and beginning to introduce these practices into our educational systems, starting with the two high schools.

Partnering with the City of Burlington:

As we look towards our next year of implementation, the Partnership acknowledges the need to increase communications with local and state government. We also look forward to engaging the city in more specific conversations as new strategies emerge from our Implementation teams and pilot programs. We hope to construct better communication pathways that make it easy to share ideas and get feedback. There is a lot of talent and expertise in our community and we need to channel it on behalf of our young people and our collective future. We ask that you spread the word about our efforts to help build a world-class educational system that become a model for Vermont.

Board of Tax Abatement Hearing Notice, Monday, March 18, 2013

NOTICE
CITY OF BURLINGTON
BOARD OF
ABATEMENT OF
TAXES

The Board of Abatement of Taxes of the City of Burlington will meet in the Burlington High School Auditorium, at Burlington High School on Monday, March 18, 2013, at 7:00 p.m. to hear and act upon the requests for abatement of taxes and/or penalties from:

Jane Berlin
81 South Williams Street Unit 207
045-2-030-023

TD Bank, N.A. and Joanna Will
Co-trustees of the Christopher A. Hall Revocable Trust
13 George Street
044-2-119-000

Hall Communications
255 South Champlain Street (former location)
PPP237140

City of Burlington
Clerk/Treasurer's Office
Unknown
ID 999-#-###-###

City of Burlington
Clerk/Treasurer's Office
Unknown (formerly in Farrington's Mobile Home Pk)
029-2-052-###

City of Burlington
Clerk/Treasurer's Office
Unknown (formerly in Burlington)
PPP#####

City of Burlington
Clerk/Treasurer's Office
22 Sherman Street
044-2-031-000

Board of Tax Abatement Hearing Notice, Monday, March 18, 2013

City of Burlington
Clerk/Treasurer's Office
287 North Winooski Avenue
040-2-112-000

City of Burlington
Clerk/Treasurer's Office
300 Lake Street
043-3-208-000

City of Burlington
Clerk/Treasurer's Office
DSL.NET
999-9-999-111

Molly Farrell
Clerk/Treasurer's Office
48 Pomeroy Street
045-1-144-000

Tri C Tool and Die
Clerk/Treasurer's Office
228 Elmwood Avenue
PPP206075

Bruno Trahan
Clerk/Treasurer's Office
63 King Street
049-1-063-000

John P. Larkin
Clerk/Treasurer's Office
Unknown
999-1-995-001

Jane Berlin
81 S Williams Street Unit 207
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 045-2-030-023
LOCATION: 81 South Williams Street Unit 207
AMOUNT REQUESTED: \$614.98 taxes, \$209.38 penalty and any interest. Total \$824.36

AMOUNT RECOMMENDED FOR ABATEMENT: 0

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to deny request.

MOTION MADE: Kranichfeld made a motion to deny abatement request, Brennan 2nd the motion. Decelles was absent.

REASON FOR RECOMMENDATION: Sub-committee's opinion that there are no grounds for abatement of taxes and/or penalty. The correction and penalty was legal and just. They felt that the obligation is on the taxpayer to understand the property tax law.

Dear Mrs. Berlin,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

Name, Property Owner on Grand List: Jane Berlin, Arthur E. Berlin Family Trust, Jane Berlin, Trust

Name, Applicant: Jane Berlin
(Describe the relationship of applicant to listed owner if the applicant is not the listed owner)

New Owner, Purchase Date: 8-11-2010

Executor/Administrator of Estate: NA

Mailing Address: NA

City, State, Zip code: NA

Applicant's Email and Phone #: jane.berlin@gmail.com 1-847-989-9597

Location of Property: Unit 207, 81 South Williams Street, Burlington, VT 05401

Parcel ID Number (000-0-000-000): 045-2-030-023 or,

Account Number (PPP000000): — business personal property
(Can be found on the tax bill or property record card)

Dollar amount you are requesting abated: \$ 824.36 = difference between non-residential and homestead exemption rates, plus penalties and into

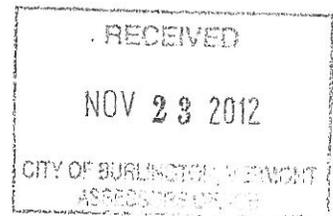
Circle abatement type requested: (taxes) (penalties) (interest) prior year delinquency other (all re tax bill)

Briefly describe your abatement request. You may submit a letter with more details of your request.

All of the tax bills which I rec'd since Aug, 2010, when I purchased my condo, have reflected a homestead exemption - until Sept, 2012 when I rec'd a revised tax bill showing a higher tax with the assessed value listed in the "non-residential" column. Seeking an explanation from the state for the change I was told that I had not filed for the exemption by the 9-4 dead. Apparently the exemption I had been receiving was incorrectly tied to the previous owners even though it was listed on my bill with my name

Signature Jane Berlin Date 11-20-2012

Space below is saved for Board notes: Date received:



Burlington City Hall - 2nd Floor
149 Church St.
Burlington, VT 05401

Greetings,

The purpose of this letter is to provide an explanation for why I should have the homestead exemption on my Burlington Real Estate tax for the current tax year.

In August, 2010 I purchased a condo located at 81 South Williams Street in Burlington, Vermont from Beverly Wool and Kenneth Rothwell and moved from Evanston, Illinois to Burlington the same month.

Enclosed are copies of my tax bills for the tax years 2010, 2011 and 2012. Note that the assessed values on all of the bills are listed in the homestead column and further that the name of owner was changed from the previous owners to Jane Berlin. Your records should reflect that all of those bills were paid by the stated due date.

In September of this year I received a bill postmarked 9/10/12 noting that additionally I owed \$153.74 on the August bill. I called my local lawyer, Lewis Sussman, who suggested that I call the state for an explanation.

I made several phone calls to the state but was never able to reach a person. After following the prompts and entering my social security number the line would go dead. Subsequently, I went to the Burlington City Hall and spoke with Jeff Herwood who was able to get through to a person at the state. Through this conversation it became clear that the homestead exemption I was receiving was incorrectly tied to the previous owner of my condo, even though it was listed on my bill with my name, including the tax bill for the 2012-2013 year. In reviewing my 2011 income taxes that were filed by the April 2012 deadline, I noted that my accountant had inadvertently failed to check the box indicating that I was a Vermont resident, despite the fact that this is my only home.

During the above-mentioned phone conversation I was advised to file a homestead declaration online and told that I would receive a response within two weeks. This filing was done later that same day (9/25/12). Finally, on or about November 9th, 2012 I received a letter stating that I had successfully filed and that gave 120925-02 as the confirmation number. However, about the same time I also received a bill from the City of Burlington indicating that I owed an additional \$52.35 for August and \$362.91 for November, on top of the taxes that I had already paid. I called Jeff Herwood for an explanation and he told me to call the state.

On that same day (11-13-12) I reached Judy Veal at the state who, after consulting with Judy Dakota, informed me that I had filed too late, having missed the September 4th deadline. Further she said that I would be charged the non-residential rate for the entire

Success in
filing but
not in
getting
out of
of homestead
filed late

In summary, I was given the homestead exemption on the first tax bill I received for 2012-2013. After the filing deadline of September 4th, I was informed that this exemption was erroneously applied to me. Consequently, the exemption was taken away, and a penalty fee was applied on a revised bill. **If I had known prior to the filing deadline that I was not receiving the exemption, I would have been given the opportunity to apply for it before the deadline.** Furthermore, under no circumstances should a penalty be applied if I am not being given the exemption.

Thank you for your consideration of this matter.

Sincerely,

Jane Berlin
Jane Berlin

11-20-12

Burlington, VT

*Lew
12/3/12
ho*

Hello again,

This is an addendum to my letter dated 11-20-12 requesting a review of the decision to deny a homestead exemption on my home at Unit 207, 81 S. Williams St., Burlington.

Kenneth of the assessor's office read my earlier letter and in a phone call focused, in part, on my reference in the fifth paragraph regarding my accountant's failure to check the box on my Vermont income tax 2011 Form 8879-VT indicating that I was a Vermont resident. Upon my subsequent review of this form I see that my accountant was correct in not checking the above-referenced box. The form reads:

Part III Form HS-145 For Vermont Residents Only (check box)

Check here if Property Tax Adjustment Claim filed

Since I am not requesting an "adjustment" but rather seeking reinstatement of my homestead exception it appears that the box should not be checked.

I apologize for the inconvenience caused by this change to my letter. Kenneth also informed that you would not be meeting again until Jan. or Feb. of 2013. Should you require further documentation I will be prompt in providing it prior to or at the meeting.

Sincerely,
Jane Berlin

Jane Berlin



802 - 865 - 7000

receive. Please forward to new owner if property is sold.

TAX BILL

Location: 81 SOUTH WILLIAMS ST

PARCEL ID	BILL DATE	TAX YEAR
045-2-030.023	08/23/2010	2010

OWNER

BERLIN, JANE
 ARTHUR E BERLIN FAMILY TR,
 81 SOUTH WILLIAMS ST UNIT 207
 BURLINGTON VT 05401

HOUSE SITE TAX INFORMATION

SPAN # 114-035-20835	SCL CODE: 035
HOUSESITE VALUE	445,000
HOUSESITE EDUCATION TAX	5,704.90
HOUSESITE MUNICIPAL TAX	3,203.98
HOUSESITE TOTAL TAX	8,908.88
RETAIN FOR INCOME TAX PURPOSES	

ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
REAL 445,000	445,000	
TOTAL TAXABLE VALUE 445,000	445,000	
GRAND LIST VALUES 4,450.00	4,450.00	

For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml

TAX RATE NAME	TAX RATE	x GRANDLIST	= TAXES
MUNICIPAL	0.7200	x4,450.00=	3203.98
HOMESTEAD EDUCATION	1.2820	x4,450.00=	5704.90

Revised Bill

1ST PAYMENT <i>08/11/10</i> 08/12/2010 2227.22	2ND PAYMENT <i>11/18/10</i> 11/12/2010 2227.22	3RD PAYMENT <i>02/29/11</i> 03/12/2011 2227.22	4TH PAYMENT <i>05/01/11</i> 06/12/2011 2227.22	TOTAL TAX 8,908.88
				STATE PAYMENTS 0.00
				NET TAX DUE 8908.88

DETACH THE STUB BELOW AND RETURN WITH YOUR PAYMENT

Tax Map: 045-2-030-023

Description: 2nd floor of Howe House 1300 SF 2BD

PARCEL ID	BILL DATE	TAX YEAR
045-2-030.023	07/01/2011	2011-12

400945

HOUSESITE TAX INFORMATION

SPAN # 114-035-20835 SCL CODE: 035

HOUSESITE VALUE 445,000
 HOUSESITE EDUCATION TAX 5,793.46
 HOUSESITE MUNICIPAL TAX 3,239.58
 HOUSESITE TOTAL TAX 9,033.04

RETAIN FOR INCOME TAX PURPOSES

OWNER

BERLIN JANE
 BERLIN JANE
 81 S WILLIAMS ST UNIT 207
 BURLINGTON VT 05401-3469



	ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
REAL	445,000	445,000	
TOTAL TAXABLE VALUE	445,000	445,000	
GRAND LIST VALUES	4,450.00	4,450.00	

For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml

TAX RATE NAME	TAX RATE	GRANDLIST	TAXES
MUNICIPAL	0.7280	x4,450.00=	3239.58
HOMESTEAD EDUCATION	1.3019	x4,450.00=	5793.46

pd. 8/11/11 | *pd. 11/11/11* | *pd. 3/8/12* | *pd. 6/9/12*
ck. 1099 | *ck. 319*

1ST PAYMENT	2ND PAYMENT	3RD PAYMENT	4TH PAYMENT	TOTAL TAX
08/12/2011	11/12/2011	03/12/2012	06/12/2012	9,033.04
2258.26	2258.26	2258.26	2258.26	STATE PAYMENTS 0.00
				NET TAX DUE 9033.04

DETACH THE STUB BELOW AND RETURN WITH YOUR PAYMENT

Location: 81 SOUTH WILLIAMS ST

PARCEL ID	BILL DATE	TAX YER
045-2-030.023	07/03/2012	2012-2013

400915

HOUSESITE TAX INFORMATION	
SPAN # 114-035-20835	SCL CODE: 035
HOUSESITE VALUE	445,000
HOUSESITE EDUCATION TAX	6,364.39
HOUSESITE MUNICIPAL TAX	3,183.09
HOUSESITE TOTAL TAX	9,547.48
RETAIN FOR INCOME TAX PURPOSES	

OWNER


 BERLIN JANE
 BERLIN JANE
 81 SOUTH WILLIAMS ST UNIT 20
 BURLINGTON VT 05401

ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
REAL 445,000	445,000	
TOTAL TAXABLE VALUE 445,000	445,000	
GRAND LIST VALUES 4,450.00	4,450.00	

	TAX RATE NAME	TAX RATE	x GRANDLIST =	TAXES
For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml	MUNICIPAL	0.7153	x4,450.00=	3183.0
	HOMESTEAD EDUCATION	1.4302	x4,450.00=	6364.5

1ST PAYMENT	2ND PAYMENT	3RD PAYMENT	4TH PAYMENT	TOTAL TAX STATE PAYMENTS	NET TAX DUE
08/12/2012	11/12/2012	03/12/2013	06/12/2013	9,547.48	9547.48
2386.87	2386.87	2386.87	2386.87	0.00	

RS WITH YOUR PAYMENT

CITY OF BURLINGTON
TAX YEAR 2012-2013

3RD PAYMENT DUE	
03/12/2013	
OWNER NAME	
BERLIN JANE	
PARCEL ID	
045-2-030.023	
AMOUNT DUE	2,386.87
AMOUNT PAID	

CITY OF BURLINGTON
TAX YEAR 2012-2013

4TH PAYMENT DUE	
06/12/2013	
OWNER NAME	
BERLIN JANE	
PARCEL ID	
045-2-030.023	
AMOUNT DUE	2,386.87
AMOUNT PAID	



045-2-030.023 09/06/2012 2012-2013

HOUSESIT/ TAX INFORMATION
 SPAN # 114-035-20835 SUB CODE 033
 RETAIN FOR INCOME TAX PURPOSES

OWNER

BERLIN JANE
 BERLIN JANE
 81 SOUTH WILLIAMS ST UNIT 207
 BURLINGTON VT 05401

	ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
REAL	445,000		445,000
TOTAL TAXABLE VALUE	445,000		445,000
GRAND LIST VALUES	4,450.00		4,450.00

For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml

TAX RATE NAME	TAX RATE	GRANDLIST	TAXES
MUNICIPAL	0.7155	x4,450.00=	3193.
NON RESIDENTIAL EDUCATION	1.5684	x4,450.00=	6979.

Revised Bill

1ST PAYMENT	2ND PAYMENT	3RD PAYMENT	4TH PAYMENT	TOTAL TAX STATE PAYMENTS	TOTAL TAX
08/12/2012	11/12/2012	03/12/2013	06/12/2013		10,162.40
2540.61	2540.61	2540.61	2540.61	NET TAX DUE	10162.40

DETACH THE STUB BELOW AND RETURN WITH YOUR PAYMENT

| CITY OF BURLINGTON
TAX YEAR 2012-2013 |
|--|--|--|--|
| 1ST PAYMENT DUE
08/12/2012 | 2ND PAYMENT DUE
11/12/2012 | 3RD PAYMENT DUE
03/12/2013 | 4TH PAYMENT DUE
06/12/2013 |
| OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE |
| PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 |
| AMOUNT DUE 2,540.61 | AMOUNT DUE 2,540.61 | AMOUNT DUE 2,540.61 | AMOUNT DUE 2,540.61 |
| AMOUNT PAID Revised Bill |

045-2-030.023 11/05/2012 2012-2013

HOUSING TAX INFORMATION

SPAN # 114-035-20835 SCL CODE: 035

OWNER

BERLIN JANE
 BERLIN JANE
 81 SOUTH WILLIAMS ST UNIT 207
 BURLINGTON VT 05401

RETAIN FOR INCOME TAX PURPOSES

	ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
REAL	445,000		445,000
TOTAL TAXABLE VALUE	445,000		445,000
GRAND LIST VALUES	4,450.00		4,450.00

For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml

TAX RATE NAME	TAX RATE	x GRANDLIST	= TAXES
MUNICIPAL	0.7153	4,450.00	3163.4
NON RESIDENTIAL EDUCATION	1.5684	4,450.00	6979.8
PENALTY FOR LATE FILED	.0300	6,979.37	209.3
HOMESTEAD DECLARATION			

Revised Bill

1ST PAYMENT	2ND PAYMENT	3RD PAYMENT	4TH PAYMENT	TOTAL TAX
08/12/2012	11/12/2012	03/12/2013	06/12/2013	10,371.8
2592.96	2592.96	2592.96	2592.96	0.0
STATE PAYMENTS				NET TAX DUE
				10371.8

DETACH THE STUB BELOW AND RETURN WITH YOUR PAYMENT

| CITY OF BURLINGTON
TAX YEAR 2012-2013 |
|--|--|--|--|
| 1ST PAYMENT DUE
08/12/2012 | 2ND PAYMENT DUE
11/12/2012 | 3RD PAYMENT DUE
03/12/2013 | 4TH PAYMENT DUE
06/12/2013 |
| OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE | OWNER NAME
BERLIN JANE |
| PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 | PARCEL ID
045-2-030.023 |
| AMOUNT DUE
2,592.96 | AMOUNT DUE
2,592.96 | AMOUNT DUE
2,592.96 | AMOUNT DUE
2,592.96 |
| AMOUNT PAID
Revised Bill | AMOUNT PAID
Revised Bill | AMOUNT PAID
Revised Bill | AMOUNT PAID
Revised Bill |

Cash Receipts

Parcel ID: 045-2-030 023 Find Year: 2013 Find Ready

Name: BERLIN JANE Find Locations: 81 SOUTH WILLIAMS ST

Name 2: BERLIN JANE 045-2-030-023

2nd floor of Howe House 1300 SF 2BD

	Payment 1	Payment 2	Payment 3	Payment 4	TOTAL		
Due Date	08/12/2012	11/12/2012	03/12/2013	06/12/2013			
Principal Due	153.74	2,540.61	2,540.61	2,540.61	7,775.57		
Interest Due	0.00	0.00	0.00	0.00	0.00		
Penalty Due	0.00	0.00	0.00	0.00	0.00		
Other Due	0.00						
TOTAL	153.74	2,540.61	2,540.61	2,540.61	7,775.57	Avail Credit	TOTAL DUE
						0.00	7775.57

		Payment 1	Payment 2	Payment 3	Payment 4
Check #	F3 Memo	153.74	0.00	0.00	0.00
Receipt #	Apply Credit	0.00	0.00	0.00	0.00
Amount	153.74 0.00	0.00	0.00	0.00	0.00
Deposit #	900085.0	0.00			
Date	09/05/2012				

NEMRC NEMRC NEMRC NEMRC NEMRC

Cash Receipts

Parcel ID: 045-2-030 023 Find Year: 2013 Find Speedy

Name: BERLIN JANE Find Locations: 61 SOUTH WILLIAMS ST

Name 2: BERLIN JANE 045-2-030-023

2nd floor of Howe House 1300 SF 2BD

	Payment 1	Payment 2	Payment 3	Payment 4	TOTAL		
Due Date	08/12/2012	11/12/2012	03/12/2013	06/12/2013			
Principal Due	52.35	362.91	2,592.96	2,592.96	5,601.18		
Interest Due	0.00	0.00	0.00	0.00	0.00		
Penalty Due	0.00	0.00	0.00	0.00	0.00		
Other Due	0.00						
TOTAL	52.35	362.91	2,592.96	2,592.96	5,601.18	Avail Credit	TOTAL DUE
						0.00	5601.18

		Payment 1	Payment 2	Payment 3	Payment 4
Check #	F3 Memo	52.35	362.91	0.00	0.00
Receipt #	Apply Credit	0.00	0.00	0.00	0.00
Amount	415.26 0.00	0.00	0.00	0.00	0.00
Deposit #	900085.0	0.00			
Date	11/07/2012	0.00			

 My Help

IF YOU HAVE ANY QUESTIONS PLEASE CALL ME.

JEFF HERWIG
 CLERK TREASURERS OFFICE
 865-7018

045 MAP QUAD 2 030 LOT

1 of 1 RESIDENTIAL CARD

023 SUB LOT

045 MAP QUAD 2 030 LOT

PROPERTY LOCATION
 81 SOUTH WILLIAMS ST, BURLINGTON
 BURLINGTON
 BERLIN JANE
 BERLIN JANE
 ARTHUR BERLIN FAMILY TR
 81 SOUTH WILLIAMS ST UNIT 207
 BURLINGTON
 VT
 05401

PROPERTY INFORMATION
 Address: 81 SOUTH WILLIAMS ST, BURLINGTON
 City: BURLINGTON
 State: VT
 Zip: 05401
 Owner: BERLIN JANE
 Address: 81 SOUTH WILLIAMS ST UNIT 207
 City: BURLINGTON
 State: VT
 Zip: 05401

PROPERTY DESCRIPTION
 Parcel contains of land mainly classified as Residential with a(n) FLAT UP END Building Built about 2006, Primarily BRICK VENEER Exterior and ASPHALT SH Cover, with 1 Units, 2 Baths, 0 HalfBaths, 0 3/4 Baths, 5 IS Total and 2 Bedrooms.
ASSESSMENTS

Code	Description	%	Term	Code	Description
U	ALL UTILITIES				
T					
E					
Exempt					
City	100			4	ENHANCIN
SH	Homestead	100		Street	
				Traffic	

D_SECTION (First 7 lines only)
 Description: Res Condo
 No of Units: 0
 Depth: 0
 Price/Unit: 0
 Unit Type: SQ FT
 Land Type: SITE

PERTY FACTORS
 Description: Res Condo
 No of Units: 0
 Depth: 0
 Price/Unit: 0
 Unit Type: SQ FT
 Land Type: SITE

BUILDING PERMITS
 Date: 6/30/2010
 Description: ADDRESS CHG
 Amount: 0.000
 Fee Code: 905
 Comment: VERIFICATION OF VISIT NOT DATA

SALES INFORMATION
 Grantor: ROTHWELL, KENNE
 Recipient: 81 SOUTH WILLIA
 Legal Ref: 1109-228
 Sale Date: 8/11/2010
 Sale Price: 430000
 Type: IWD
 Notes: Updated from AMANDA on 06/26/2010

Year	Use	Category	Biog Value	Yrd Items	Land Size	Land Value	Total Value	Assess Value	Notes
2012	RC	ABST	445,000	0	0	445,000	445,000	445,000	5/4/2012
2012	RC	FV	445,000	0	0	445,000	445,000	445,000	9/12/2012
2012	RC	PREL	445,000	0	0	445,000	445,000	445,000	6/20/2012
2011	RC	ABST	445,000	0	0	445,000	445,000	445,000	abstract grand list 5.04.20
2011	RC	FV	445,000	0	0	445,000	445,000	445,000	Year End Roll Process
2011	RC	PREL	445,000	0	0	445,000	445,000	445,000	POST BOA 6.24.2011
2010	RC	ABST	445,000	0	0	445,000	445,000	445,000	5/4/2010
2010	RC	FV	445,000	0	0	445,000	445,000	445,000	Year End Roll

ACTIVITY INFORMATION
 Date: 6/30/2010
 Description: ADDRESS CHG
 Amount: 0.000
 Fee Code: 905
 Comment: VERIFICATION OF VISIT NOT DATA

TOTAL ASSESSED: 4410835!

BURLINGTON, VT

PARCEL ID 045-2-030-023

TAX DISTRICT PAT ACCT.

10835

TD BANK, N.A. and Joanna Will, Co-Trustees of the Christopher A Hall Revocable Trust
Sue Cwartkowski
90 Pearson Blvd.
Gardener, MA 01440

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 044-2-119-000
LOCATION: 13 George Street
AMOUNT REQUESTED: \$472.20

AMOUNT RECOMMENDED FOR ABATEMENT: 0

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to deny request.

MOTION MADE: Brennan made a motion to deny abatement request, Kranichfeld 2nd the motion. Decelles was absent.

REASON FOR RECOMMENDATION: Current city appraisal was lowered to reflect the damage due to fire. Therefore committee finds no grounds for abatement.

Dear Ms. Cwartkowski,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

November 12, 2012

City of Burlington – City Hall
Assessor's Office
149 Church Street
Burlington, VT 05401

Re: Parcel ID #044-2-119-000 – 13 George Street

Assessor's Office:

TD Bank, N.A. and Joanna Will, Co-Trustees of the Christopher A. Hall Revocable Trust was the owner of the above referenced property. The property was sold to 13-15 George Street. LLC on October 22, 2012.

On August 12, 2011 there was a fire at the house. The house has been unoccupied since the date of the fire and was uninhabitable while renovations were being done until the sale date of October 22, 2012.

I'm requesting an abatement on the real estate taxes for fiscal year 2012/2013 from July 1, 2012 to October 22, 2012 as the house was uninhabitable until the completion of the renovations. Please send the abatement check for taxes already paid to my attention at the following address:

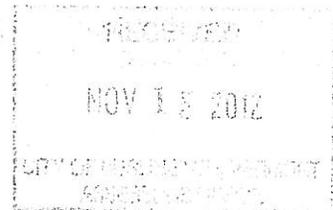
TD Bank, N.A.
Attention: Sue Cwartkowski
90 Pearson Blvd.
Gardner, MA 01440

If you have any questions, please call me at (978) 632-2054, extension 1206609 or e-mail me at sue.cwartkowski@td.com.

Sincerely,

Sue Cwartkowski

Sue Cwartkowski
VP, Private Trust



OWNER TD BANK NA TRUST DEPT
 WILL JOANNA H
 90 PEARSON BLVD
 GARDNER MA 01440-3322

TOTAL PARCEL ACRES 0.12

FOR INCOME TAX PURPOSES

ASSESSED VALUE		NON RESIDENTIAL
REAL	167,400	167,400
TOTAL TAXABLE VALUE	167,400	167,400
GRAND LIST VALUES	1,674.00	1,674.00

For more information about how education tax rates are determined, go online to: www.state.vt.us/tax/pvredtaxrates.shtml

TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
MUNICIPAL	0.7153	x1,674.00=	1197.38
NON RESIDENTIAL EDUCATION	1.5684	x1,674.00=	2625.50

1st Payment	2nd Payment	3rd Payment	4th Payment	TOTAL TAX STATE PAYMENTS
08/12/2012	11/12/2012	03/12/2013	06/12/2013	3822.88
955.72	955.72	955.72	955.72	NET TAX DUE 3822.88

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Clerk Treasurer Office
 TAX YEAR 2012-2013

1ST PAYMENT DUE	
08/12/2012	
OWNER NAME	
TD BANK NA TRUST DEPT	
PARCEL ID	
44-2-119.000	
AMOUNT DUE	955.72
AMOUNT PAID	

2ND PAYMENT DUE	
11/12/2012	
OWNER NAME	
TD BANK NA TRUST DEPT	
PARCEL ID	
044-2-119.000	
AMOUNT DUE	955.72
AMOUNT PAID	

3RD PAYMENT DUE	
03/12/2013	
OWNER NAME	
TD BANK NA TRUST DEPT	
PARCEL ID	
044-2-119.000	
AMOUNT DUE	955.72
AMOUNT PAID	

4TH PAYMENT DUE	
06/12/2013	
OWNER NAME	
TD BANK NA TRUST DEPT	
PARCEL ID	
044-2-119.000	
AMOUNT DUE	955.72
AMOUNT PAID	



112051471



112051472



112051473



112051474

BURLINGTON, VT

IN PROCESS APPRAISAL SUMMARY

PROPERTY LOCATION	No. 1315	Alt. No.	Direction/Street/City	GEORGE ST, BURLINGTON
OWNERSHIP	Owner 1:	13-15 GEORGE STREET, LLC		
	Owner 2:			
	Owner 3:			
	Street 1:	PO BOX 728		
	Street 2:			
Town/City:	BURLINGTON	State:	VT	
Zip/Postal:	05402	County:	OWN OCC. IT	
REVISIONS OWNER	Owner 1:	TD BANK NA TRUST DEPT -		
	Owner 2:	WILL - JOANNA H		
	Street 1:	90 PEARSON BLVD		
Town/City:	GARDNER	State:	VT	
Zip/Postal:	05440	County:		

IARRATIVE DESCRIPTION	This Parcel contains 5176 SF of land mainly classified as 2 family with a(n) OLD STYLE Building Built about 1899, Having primarily ALUMINUM Exterior and SLATE Roof Cover, with 2 Units, 2 Baths, 0 HalfBaths, 0 3/4 Baths, 9 Rooms Total, and 4			
OTHER ASSESSMENTS	Code	Description	Amount	Com. Int.

SALES INFORMATION	Grantor	Legal/Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Asseg	PCL	Value	Notes
	Christopher A.	1193-73	TD	10/22/2012	BUSINESS	310000	No	No					
	BRENNAN, THOMAS	1000-163	TD	5/25/2007	UNDETERMINED	239000	No	No					
	BRENNAN SHIRLEY	615-717	TD	2/22/1999			1	No					From MS ACCESS DB file

INCOME INFORMATION	Type	Description	Flr	City	Leased Area	Ten.	Rent \$	Ovr	Rent	Econ	Intc

PROPERTY FACTORS	Item	Code	Descip	%	Item	Code	Descip
	Z		U	A			ALL UTILIT
	o		t				
	n		i				
			Exmpl				
	D	B	City	100	T	3	SUITABLE
	s	SH	Homestead	100	S		
	t		Traffic				

AND SECTION	Use Code	LUC Description	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Adj	Neigh	Neigh	Neigh	Inf 1	%	Inf 2	%	Inf 3	%	Appraised Value	Alt	Spec	J
	R2	2 Family	5176		SQ FT	SITE		0	20	.973	210								100,704			

ACTIVITY INFORMATION	Date	Result
	4/4/2012	INFO OTHER
	1/20/2012	INSPCTD
	7/22/2009	ADDRESS CHG
	1/14/2005	DATA ENTRY
	10/18/2004	REFUSAL PART

TOTALS	Gross Income:	X	Net Income:		Deficiency:
	Vacancy/DL:	X	Rate Adj:		Final Val Card:
	Expenses:	X	Vec Adj:		Val Per Unit Card:
	Reserves:	X	Exp Adj:		Final Val Parcel:
	Lease Type:	0	Indicated Value:		Val Per Unit Par:
	Overall Rate:	0	Surplus:		Cost/Inc Ratio:

TOTALS	Total	100,704
Parcel LUC:	R2	2 Family
Prime Neig Desc:	OLD NORTH EN	

Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Hall Communications Inc.
Dan Dubonnet
PO BOX 4489
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: PPP237140
LOCATION: 255 South Champlain Street (former location)
AMOUNT REQUESTED: \$299.74

AMOUNT RECOMMENDED FOR ABATEMENT: 275.92

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant partial abatement request.

MOTION MADE: Kranichfeld made a motion to grant a partial abatement, Brennan 2nd the motion. Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that taxes are legal. However, it is manifestly unjust to levy taxes during the period the business was not in Burlington. Abate 11/12 taxes, penalties and interest.

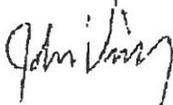
Dear Mr. Dubonnet,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

Name, Property Owner on Grand List: FLAN COMMUNICATIONS INC.

Name, Applicant: DAN DUBONNET - GENERAL MANAGER
(Describe the relationship of applicant to listed owner if the applicant is not the listed owner)

New Owner, Purchase Date: _____

Executor/Administrator of Estate: _____

Mailing Address: P O Box 4489

City, State, Zip code: Burlington VT 05406

Applicant's Email and Phone #: ddubonnet@hairradio.com

Location of Property: 255 S. Champlain Street

Parcel ID Number (000-0-000-000): _____ or,

Account Number (PPP000000): 237140 business personal property
(Can be found on the tax bill or property record card)

Dollar amount you are requesting abated: \$ FISCAL YEAR 2013

Circle abatement type requested: taxes penalties interest prior year delinquency other

Briefly describe your abatement request. You may submit a letter with more details of your request.

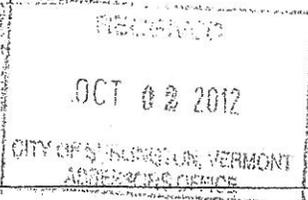
SEE ATTACHED

Signature [Signature]

Date 9-27-12

Space below is saved for Board notes:

Date received:

	
--	--

2012 OCT -1 P 4:46
 RECEIVED
 BURLINGTON VERMONT
 TREASURER'S OFFICE
 802 656 1230

June 25, 2012

Burlington Tax Assessor's Office
149 Church Street- City Hall RM 17
Burlington, VT 05401

BURLINGTON CLERK
TREASURY OFFICE

2012 OCT - 1 P 4:46

RECEIVED

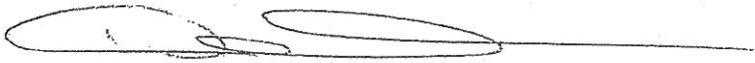
To whom it may concern:

Hall Communications Inc. dba WIZN/WBTZ will be leaving the premises at 255 South Champlain Street in Burlington on or before August 1, 2012.

Our account number is 237140

Please note this in your tax records. If there are any questions please contact me at 658-1230.

Thank You



Dan Dubonnet
GM- Hall radio

Tax Abatement
Att: Lori
Burlington City Hall
2nd Floor Room 20
149 Church Street
Burlington, VT 05401

OCT 04 2012
CITY OF BURLINGTON, VERMONT
ASSESSOR'S OFFICE

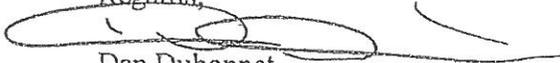
RECEIVED
012 OCT -1 P 4 46
BURLINGTON CLEAN
REASSURANCE OFFICE

To Tax Abatement Board:

Enclosed you will find a copy of notice to the Burlington Tax Assessor's Office of Hall Communications intention to move from 255 South Champlain Street effective August 1, 2012. The account number is # 237140.

I fail to understand how we can be held liable for tax payments for twelve months when we moved from the Burlington location on August 1, 2012. I am requesting information and assistance to clear up this matter.

Regards;



Dan Dubonnet
Vice President/ General Manager
Hall Communications
dba: WIZN/WBTZ

98.9 WOKO
The Big Station

Classic Hits!
KOOL 105

AM1230
WJOY
Timeless Classics

BUZZ

106.7
WIZN
Classic Rock That REALLY ROCKS

70 Joy Drive, South Burlington, VT 05403
PO Box 4489, Burlington, VT 05406
Phone: (802) 658-1230 Fax: (802) 862-0786

255 So. Champlain St., Burlington, VT 05401
PO Box 4489, Burlington, VT 05406
Phone: (802) 860-2440 Fax: (802) 860-1818

To: John Vickery, Assessor
From: Gene Bergman, Sr. Asst. City Attorney *JB*
Re: Taxation of business personal property
Date: December 4, 2012

Question: Is the city authorized to tax the business personal property of a business that leaves the city one month into the tax year?

Answer: Yes, business personal property that is present in and has a sufficient connection to the city on April 1 but subsequently leaves the city one month into the tax year may be taxed. However, while only taxing for one month's worth of taxes (apportionment) is not required under Vermont's taxing statutes, full taxation may prompt a due process challenge which could be successful.

Discussion

You have posed a question from the tax abatement committee to our office. Abatement was requested by a business for taxes assessed on business personal property. The business appears to have had the property situated in the city on and from April 1, the tax valuation day, to July 31st. The business was taxed for the entire tax year on this property. The committee asked for an opinion on the justification of taxing for the entire year when the business did business in Burlington only one out of twelve months.

The City can tax business personal property, pursuant to 32 V.S.A. § 3691. Vermont Alliance of Nonprofit Organizations v. City of Burlington, 2004 VT ___, ¶ 7, 177 Vt. 47. Business personal property is defined in 32 V.S.A. § 3618(c)(1). The property is to be taxed at its fair market value as of April 1 of each year. 32 V.S.A. § 3691; Mesa Leasing Ltd. v. City of Burlington, 169 Vt. 93, 95 (1999).

The property must be "situated" in the City for tax purposes, meaning that there must be a sufficient connection between the business property and the City for the City to tax it. Id. at 96. Personal property must have "contacts with the taxing jurisdiction sufficient to justify imposition of the tax there." Id. "Because of its mobility, personal property may have a tax situs in one or more places where it has a more or less permanent location." Id.

solely out of Burlington, having all of its income from its commercial operations being derived from its contacts with Burlington, and its consistent and continuous contact with Burlington for 6 months out of the year during which the owners benefitted from city services and protection. Id. The court noted that when business personal property has more than one tax situs, apportionment may be appropriate. Id. at 97.

The court observed that there arguably was also a sufficient tax situs for the property in Shelburne, where it was stored and maintained for the other 6 months. Id. at 97-98. However, the court did not rule on apportionment because that issue was not before it, reasoning that the case did not involve a dispute between jurisdictions, the owner did not argue for apportionment, and that apportionment was not required by statute. Id. at 98.

Please note that there is also support for the proposition that the owner of tangible personal property which is permanently located within the taxing jurisdiction on the tax assessment day may be liable for the taxes although the property is subsequently moved to a new permanent location outside the taxing jurisdiction and is at all times during the tax year for which the taxes were assessed permanently located outside the taxing jurisdiction. Situs of tangible personal property for purposes of property taxation, 2 A.L.R.4th 432, § 2b (citing *Bayonne v International Nickel Co.* (1968) 104 NJ Super 45, 248 A2d 547, *affd* without op 54 NJ 94, 253 A2d 545, *app dismd* 396 US 111, 24 L Ed 304, 90 S Ct 396).

You have noted that the property was only situated in Burlington for one month. You did not specifically state but it is assumed that the property was situated in Burlington as of April 1. It is my opinion on these facts and assumptions that the taxation of the property is lawful.

Whether or not it is just and prudent to tax for the entire year is another question. It is a policy consideration that should take into account that there is also the risk that a court would find that the connection with the city is insufficient because the property has only been in the city for one month of the tax year. There is a sense of unfairness on the face of these facts. The alternative to full taxation is to abate based on an apportionment principle, taxing only for the time the property was in the city. I believe it is in the Board of Tax Abatement's discretion to abate 11/12s of the year's taxes on the basis of manifest injustice because the property was not situated in the city for 11/12s of the tax year.

Tax Abatement subcommittee,

Attached is a legal opinion from Gene Bergman, Sr. Assistant City Attorney as it relates to Hall Communications request for tax abatement.

Hall Communication moved out of Burlington on August 1, 2012, which is one month into the fiscal year beginning July 1st. Hall Communication has asked the Tax Abatement board for abatement because they moved out of Burlington early in the tax year.

Mr. Bergman is of the opinion that the city is authorized to tax the business personal property. However, full taxation may prompt a due process challenge which could be successful.

Mesa Leasing had property in Burlington only 6 months of the year. In 1995 the courts sided with Mesa Leasing Ltd's business personal property valuation appeal based on a proration of the year.

Mr. Bergman states, "A court challenge may find that the connection with the city is insufficient because the property has only been in the city for one month of the tax year. There is a sense of unfairness on the face of these facts. The alternative to full taxation is to abate based on an apportionment principal, taxing only for the time the property was in the city. I believe it is in the Board of Tax Abatement's discretion to abate 11/12s of the year's taxes on the basis of manifest injustice because the property was not situated in the city for 11/12s of the tax year."

I would like the subcommittee to review this request. The subcommittee should be prepared to make a recommendation to the Board of Tax Abatement meeting on December 17th.

The Tax Abatement packets will be delivered on Friday.

John Vickery, City Assessor

City of Burlington

City Hall - RM 17

149 Church Street

Burlington Vermont 05401

P: 802.865.7112

www.burlingtonvt.gov/assessor

F: 802.865.7116

From: Eugene Bergman

Sent: Wednesday, December 05, 2012 5:24 PM

To: John Vickery; Jeffrey A. Herwood

HALL COMMUNICATIONS INC
PO BOX 4489
BURLINGTON, VT., 05406-4489

August 31, 2012

RECEIVED
2012 OCT -1 P 4 48 PM
BURLINGTON CLERK
(TREASURER'S OFFICE)

REMINDER

RE: Parcel ID: PPP237140-

Location:

Dear Property Owner:

Our records show that the following amounts are outstanding for your Fiscal Year 2013 taxes. You may have mailed your payment late or forgotten to send it.

Taxes:	285.47
Interest:	14.27
Total:	<u>299.74</u>

This is a reminder that you may avoid further interest if your payment is received in the Clerk Treasurer Office by September 12, 2012 or postmarked by the US Post Office by September 12, 2012.

The amount listed above refers to your fy2013 taxes only. It does not include any amount owed from prior years, if applicable.

If you have any questions regarding your tax account, please call Jeff Herwood at 865-7018. Please reference your 10 digit property tax account number, name and telephone number.

If you have already mailed your payment, please call to confirm whether we have received it.

Sincerely,
Scott Schrader
Assistant Chief Administrative Officer

Detach and return with payment

Total Due: 299.74

Location:

Parcel ID: PPP237140-

Name: HALL COMMUNICATIONS INC

City of Burlington Personal Property

10/03/2012

15 SOUTH CHAMPLAIN ST Identification #: 237140 Penalty %: 0.00 Federal ID#: Tax Rate: 7.28
 Tax Year: 2013
 Inspection Date: Inspected By: Inspection Result: Tax Code: Territory: Parcel ID#: 049-2-030-000 Year Added: 0 Posted to Real Estate: No

COMMUNICATIONS INC H CHAMPLAIN ST ON	Unit#:	Owner Name: Mailing Address: PO BOX 4489 2nd Address: City: BURLINGTON State: VT Zip: 05406-4489 Country:	Notes: Letter from Dan Dubonnet stating the business is moving to Winsoski August 1st 2012.	District B SN
--	--------	---	--	---------------------

Orig Cost	Existing Val	Growth Val	Total Val
\$127,135	\$90,580	\$0	\$90,580
\$63,775	\$18,150	\$0	\$18,150
\$35,225	\$24,310	\$0	\$24,310
\$226,135	\$133,040	\$0	\$133,040

Year Code	Prior Values	OrigCost	Value
2012 502	2/28/2011 1	\$226,135	\$146,620
2011 501	3/29/2010 1	\$226,135	\$164,540
2010 501		\$226,135	\$184,540
2009 501	2/18/2009 1	\$226,135	\$180,230
2008 501	2/29/2008 1	\$226,135	\$186,260
2007 501	6/6/2007 12	\$176,325	\$152,250
2006 501		\$206,440	\$206,440
2005 501	4/22/2005 1	\$179,504	\$179,510
2004 501		\$163,185	\$163,190
2003 501		\$148,550	\$148,400

Account Status: Closed	Incl. In Value: N	Exempt: N	Edit Code: 0	Edit Code Desc: Default
List Returned: Yes	List Returned Date: 4/2/2012	Date Last Activity: 7/13/2012	Activity By: apro	SQ Footage: 0

Asset Detail

Comment/ SubDescription	Incl Val	Qty	New Year	Stnce	Qual	Cond	Dep Schd	Age	Associa ct	Orig Cost	Factor	Qual Factor	RCN	Dep%	Other Dep%	Current Value	S
Tent	Y	1	2006	FOL	AVG	AVG	CE	6		\$46,705		1.00	\$0	71		\$13,430	E
dures	Y	1	2006	FOL	AVG	AVG	FF	6		\$35,225		1.00	\$0	31		\$24,310	E
Tent	Y	1	2006	FOL	AVG	AVG	BE	6		\$92,980		1.00	\$0	31		\$64,160	E
Tent	Y	1	2007	FOL	AVG	AVG	CE	5		\$17,070		1.00	\$0	72		\$4,720	E
Tent	Y	1	2007	FOL	AVG	AVG	BE	5		\$34,155		1.00	\$0	23		\$26,420	E
Total:																\$133,040	

OWNER

3008992

HALL COMMUNICATIONS INC
 DAN DUBONNET
 PO BOX 4489
 BURLINGTON VT 05406-4489

HOUSESITE TAX INFORMATION

RETAIN FOR INCOME TAX PURPOSES

ASSESSED VALUE	HOMESTEAD	NON RESIDENTIAL
PERSONAL PROPERTY 133,040		
TOTAL TAXABLE VALUE 133,040		
LAND LIST VALUES 1,330.40		

2012 OCT 10
 RECEIVED
 BURLINGTON CLERK
 TREASURY'S OFFICE
 P 4 46

TAX RATE NAME	TAX RATE	x GRANDLIST =	TAXES
MUNICIPAL	0.7153	x1,330.40=	951.61
120% COMMERCIAL			190.27

1ST PAYMENT	2ND PAYMENT	3RD PAYMENT	4TH PAYMENT	TOTAL TAX
08/12/2012	11/12/2012	03/12/2013	06/12/2013	1,141.88
285.47	285.47	285.47	285.47	0.00
NET TAX DUE				1141.88

DETACH THE STUB BELOW AND RETURN WITH YOUR PAYMENT

CITY OF BURLINGTON
TAX YEAR 2012-2013

1ST PAYMENT DUE
08/12/2012

OWNER NAME
HALL COMMUNICATIONS INC

PARCEL ID
PPP237140.

AMOUNT DUE
285.47

AMOUNT PAID

CITY OF BURLINGTON
TAX YEAR 2012-2013

2ND PAYMENT DUE
11/12/2012

OWNER NAME
HALL COMMUNICATIONS INC

PARCEL ID
PPP237140.

AMOUNT DUE
285.47

AMOUNT PAID

CITY OF BURLINGTON
TAX YEAR 2012-2013

3RD PAYMENT DUE
03/12/2013

OWNER NAME
HALL COMMUNICATIONS INC

PARCEL ID
PPP237140.

AMOUNT DUE
285.47

AMOUNT PAID

CITY OF BURLINGTON
TAX YEAR 2012-2013

4TH PAYMENT DUE
06/12/2013

OWNER NAME
HALL COMMUNICATIONS INC

PARCEL ID
PPP237140.

AMOUNT DUE
285.47

AMOUNT PAID



3/11/2013

City of Burlington
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: ID 999-#-###-###
LOCATION: Unknown
AMOUNT REQUESTED: \$16,872.25

AMOUNT RECOMMENDED FOR ABATEMENT: 16872.25

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Parcel ID's are not valid and not in use making tax collection uncollectable and illegal to collect on unidentified property.

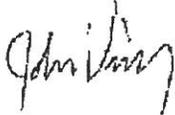
Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

PARCEL IDS OF UNIDENTIFIED PROPERTIES

Name	Account Number	Map Lot Number	Total Tax		Total Interest	Total		Map Lot Numbers not valid
			Due	Penalty & Warrant		Grand Total		
PEARL STREET ASSOC	162460	19-0368900600	25.39	65.27	90.66	Map Lot Numbers not valid		
PEARL STREET ASSOC	162475	19-0368900700	25.39	65.27	90.66	Map Lot Numbers not valid		
PEARL STREET ASSOC	162490	19-0368900800	25.39	65.27	90.66	Map Lot Numbers not valid		
PEARL STREET ASSOC	162460	00-0480063000 c-1	56.44	131.80	188.24	Map Lot Numbers not valid		
PEARL STREET ASSOC	162475	00-0480064000 c-2	56.44	131.80	188.24	Map Lot Numbers not valid		
PEARL STREET ASSOC	162490	00-0480065000 c-3	56.44	131.80	188.24	Map Lot Numbers not valid		
FRED BACON EST	020157	39-0020031100	30.99	98.55	129.54	Map Lot Numbers not valid		
BACON, FRED EST	020157	39-0020031100	32.98	100.93	133.91	Map Lot Numbers not valid		
ELMER DAVIS EST	055170	39-00010111200	109.98	349.75	459.73	Map Lot Numbers not valid		
ELEMERE DAVIS EST	055170	39-00010111200	11.64	35.84	47.48	Map Lot Numbers not valid		
ELEMERE DAVIS EST	055170	39-00010111200	12.64	37.38	50.02	Map Lot Numbers not valid		
453 PINE STREET ASSOC	060793	39-0000530100	842.82	2,478.01	3320.83	Map Lot Numbers not valid		
JOHN HARDY, ET AL EST	082070	00-0244039000	113.09	359.57	472.66	Map Lot Number not valid		
JOHN HARDY, ET AL EST	082070	00-0244039000	120.48	368.37	488.85	Map Lot Number not valid		
JOHN HARDY, ET AL EST	082070	00-0244039000	131.58	387.10	518.68	Map Lot Number not valid		
JOHN HARDY, ET AL EST	082070	00-0244039000	134.65	379.93	514.58	Map Lot Number not valid		
JOHN HARDY ET AL EST	082070	00-0244039000	137.14	370.19	507.33	Map Lot Number not valid		
JOHN HARDY ET AL EST	082070	00-0244039000	142.06	366.48	508.54	Map Lot Number not valid		
JOHN HARDY ET AL EST	802070	00-0244039000	146.82	361.29	508.11	Map Lot Number not valid		
JOHN HARDY, ET AL EST	082070	00-0244039000	156.26	365.49	521.75	Map Lot Number not valid		
HARDY, JOHN ET AL EST	082070	00-0244039000	163.80	363.76	527.56	Map Lot Number not valid		
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	111.08	353.18	464.26	Pump Station now owned by DPW	
BURL DEVELOPMENT COMM	028106	029-3-054-000	87.67	268.47	356.14	Pump Station now owned by DPW		
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	129.24	379.81	509.05	Pump Station now owned by DPW	
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	132.23	372.74	504.97	Pump Station now owned by DPW	
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	134.68	363.83	498.51	Pump Station now owned by DPW	
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	139.51	360.24	499.75	Pump Station now owned by DPW	
BURL DEVELOPMENT CO	028106	029-3-054-000	144.22	354.64	498.86	Pump Station now owned by DPW		
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	153.50	359.50	513	Pump Station now owned by DPW	
BURLINGTON DEVELOPMENT (	028106	029-3-054-000	153.50	359.50	513	Pump Station now owned by DPW	
FAGAN	060046	00-0890060000	612.94	1,434.32	2047.26	Map Lot Number not valid		
BEVINS, LARRY	023419	024-1-187-000	375.29	832.97	1208.26	Map Lot Number not valid		
MARTELL, DONALD	133358	00-0292225000	70.20	155.72	225.92	Map Lot Number not valid		
			4,622.98	12,249.27	16,872.25			

To: The Board of Abatement Sub-Committee

From: Paul R. Sisson, Interim Chief Administrative Officer

Date: February 19, 2013

Subject: Abatement of Uncollectible Property Accounts

The Clerk Treasurer Office has identified properties that have been deemed uncollectible and request to have abated.

The attached list was compiled with consultation and help from the City Assessor Office and when necessary, the City Attorney Office.

The first set of accounts, dating from 1986 through 1995, are without "valid plot numbers" and were assigned "999" prefixes, which are unlike any of the City Assessor regular account numbers. Additionally, their Map Lot numbers are unassociated with any Burlington plots. The next set of abatement requests consist of City owned properties, a closed parcel and an error and omission from 2004 whose penalty and interest should be abated. The next section is Mobile homes; working with the mobile park owner, we identified parcels whose originally taxed home was taken off the lot, a new home and parcel number assigned; therefore the tax, penalty and interest should be abated. The final section contains businesses that are closed, have no assets in Burlington and are uncollectible.

The Clerk Treasurer Office requests the abatement of taxes (39,298.30) and penalty/interest (57,079.88) totaling \$96,378.18 plus any further accruing interest.

Thank you.

3/11/2013

City of Burlington
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 999-9-999-111
LOCATION: DSL.NET
AMOUNT REQUESTED: \$4,316.28

AMOUNT RECOMMENDED FOR ABATEMENT: 4316.28

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion, Decelles was absent.

REASON FOR RECOMMENDATION: Assessor error. Committee finds that it is illegal for the City to tax. Property is subject to state phone tax but exempt from local municipal tax.

Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

Farrell, Molly
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 045-1-144-000
LOCATION: 48 Pomeroy St.
AMOUNT REQUESTED: \$5,497.15

AMOUNT RECOMMENDED FOR ABATEMENT: 5497.15

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Administrative error. Committee finds that it is illegal to collect tax due to a duplicate account error.

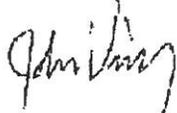
Dear Burlington City Council,

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The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

3/11/2013

Tri C Tool and Die
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: PPP206075
LOCATION: 228 Elmwood Av.
AMOUNT REQUESTED: \$10,636.49

AMOUNT RECOMMENDED FOR ABATEMENT: 10636.49

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that tax would be uncollectable because businesses closed over 3 years ago and assets have been removed from site. Owner passed away and no lien was placed on assets.

Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

3/11/2013

Trahan, Bruno
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 049-1-063-000
LOCATION: 63 King St.
AMOUNT REQUESTED: \$1,701.13

AMOUNT RECOMMENDED FOR ABATEMENT: 1701.13

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that it is manifestly unjust to collect tax when taxes were collected in the past. Found that source documents do not show unpaid taxes.

Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

Larkin, John P.
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 999-1-995-001
LOCATION: unknown
AMOUNT REQUESTED: \$754.34

AMOUNT RECOMMENDED FOR ABATEMENT: 754.34

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that it is manifestly unjust to collect tax when taxes were collected in the past. Source documents show that taxes were paid but not entered into the system.

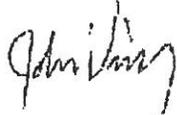
Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

3/11/2013

City of Burlington
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 044-2-031-000 040-2-112-000 043-3-208-000
LOCATION: 22 Sherman St., 287 No. Winooski Av., 300 Lake St.
AMOUNT REQUESTED: \$9,617.47

AMOUNT RECOMMENDED FOR ABATEMENT: 9617.47

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that it is illegal to tax City owned tax exempt property.

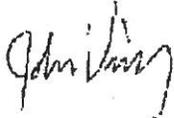
Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

3/11/2013

City of Burlington
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: 029-2-052-###
LOCATION: Unknown. Formerly in Farrington's Mobile Home Park
AMOUNT REQUESTED: \$30,188.45

AMOUNT RECOMMENDED FOR ABATEMENT: 30188.45

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Kranichfeld made a motion to grant abatement, Brennan 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Mobile Homes were removed over 6 years ago and can not be found. Committee deems the taxes, penalties and interest as uncollectable.

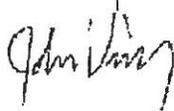
Dear Burlington City Council,

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The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

DELINQUENT TAXES

Name	Location	Total Tax Due	Total Interest	Penalty & Warrant	Grand Total	
DSL.NET, DSL.NET		2,094.04	2,053.72	168.52	4,316.28	2004 E&O, need to abate interest.
1 Farrell, Molly	48 Pomeroy	2,335.75	2,982.08	179.32	5,497.15	Parcel was split and this number should have been closed. Abate due to administrative error.
1 Tri C Tool & Die	228 Elmwood Ave.	5,339.32	4,833.35	463.82	10,636.49	Closed Business
Trahan, Bruno	63 King St.	541.7	1,159.43		1,701.13	Source docs do not show unpaid taxes, p&i.
LARKIN, JOHN P	045-2-034-303	243.42	510.92		754.34	Paid, Recorded in Source Docs, not inputted in System.
CITY TREASURER,	22 Sherman St.	705.72	1,433.68	57.46	2,196.86	City Owned.
CITY TREASURER,	22 Sherman St.	161.96	289.96	13.96	465.88	City Owned.
CITY TREASURER,	22 Sherman St.	161.96	270.76	13.96	446.68	City Owned.
CITY DPW PARKS REC DEPT,	287 No. Winoski Ave.	771.49	1,619.83	58.87	2,391.32	City Owned.
CITY DPW PARKS REC DEPT,	287 No. Winoski Ave.	723.36	1,484.03	58.87	2,266.26	City Owned.
CITY TREASURER,	300 Lake St.	233.76	359.15	19.70	612.61	City Owned.
CITY TREASURER,	300 Lake St.	489.72	707.96	40.18	1,237.86	City Owned.
CITY TREASURER,		3247.97	6165.37	204.13	9617.47	

HOMES WHICH HAVE BEEN REMOVED FROM BURLINGTON

Lefebvre/Raymond	57 Ave B.	4,263.51	7,634.70	298.40	12,196.61	This trailer was pulled out years ago new trailer installed by new owner in 2002. Abate all Tax, P & I.
Leavitt, Mark T.	51 Avenue B	429.74	902.61	0	1332.35	Old Mobile Home pulled out years ago this parcel # closed and new # assigned. to 51 Avenue B. Abate all Tax, P & I.
Ogden, Carol	34 Avenue B	1641.5	2628.94	128.74	4399.18	This MH disposed of years ago, this lot assigned new Parcel#. Abate all Tax, P & I.
Martin, Carol	19 Avenue B	46.2	6.9	10.6	63.7	Empty lot
RAYMOND, MELVIN F.	57 Ave B	4,263.51	7634.7	298.4	12,196.61	Roy Collette new MH owner, pulled this old trailer out and put new one in years ago. At that time a new parcel# assigned to this plot.
		10,644.46	18,807.85	736.14	30,188.45	

To: The Board of Abatement Sub-Committee

From: Paul R. Sisson, Interim Chief Administrative Officer

Date: February 19, 2013

Subject: Abatement of Uncollectible Property Accounts

The Clerk Treasurer Office has identified properties that have been deemed uncollectible and request to have abated.

The attached list was compiled with consultation and help from the City Assessor Office and when necessary, the City Attorney Office.

The first set of accounts, dating from 1986 through 1995, are without "valid plot numbers" and were assigned "999" prefixes, which are unlike any of the City Assessor regular account numbers. Additionally, their Map Lot numbers are unassociated with any Burlington plots. The next set of abatement requests consist of City owned properties, a closed parcel and an error and omission from 2004 whose penalty and interest should be abated. The next section is Mobile homes; working with the mobile park owner, we identified parcels whose originally taxed home was taken off the lot, a new home and parcel number assigned; therefore the tax, penalty and interest should be abated. The final section contains businesses that are closed, have no assets in Burlington and are uncollectible.

The Clerk Treasurer Office requests the abatement of taxes (33,668.82) and penalty/interest (55,393.81) totaling \$89,062.63 plus any further accruing interest.

Thank you.

City of Burlington
City Treasurer's Office
149 Church Street
Burlington, VT 05401

RE: Sub-committee of the Board of Tax Abatement will make the following recommendation to the Board of Tax Abatement regarding your request for abatement of penalties, interest and / or taxes.

PARCEL ID: PPP#####
LOCATION: Unknown. Formally in Burlington.
AMOUNT REQUESTED: \$9,137.20

AMOUNT RECOMMENDED FOR ABATEMENT: 9137.2

SUBCOMMITTEE RECOMMENDATION: 2 to 0 vote to grant abatement request.

MOTION MADE: Brennan made a motion to grant abatement, Kranichfeld 2nd the motion.
Decelles was absent.

REASON FOR RECOMMENDATION: Committee finds that businesses closed and assets have been removed therefore taxes are uncollectable. A few accounts are duplicates so it would be illegal to collect taxes.

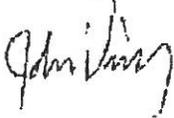
Dear Burlington City Council,

The Board of Tax Abatement will make a final decision on your request for tax abatement on **Monday, March 18, 2013**. The Board typically bases their decision on the sub-committee's recommendation from the meetings held on February 19, 2013. You have the right to testify before the Board of Tax Abatement. The Hearing will be held in Burlington High School Auditorium, during the City Council meeting.

The City Council meeting begins at 7:00 P.M.

If you are planning on attending this meeting, please contact Lori Olberg at 802-865-7136.

Sincerely,



John Vickery, City Assessor

For the Sub-Board of Tax Abatement

STATEMENT MEETING, MARCH 18, 2013
 3 PREVIOUS LIST

Fy	Name 1	Total Tax	Total Interest	Total Penalty	Warrant Fee	Grant Total
2005	POPULAR LEASING USA	113.12	173.29	0	15.04	301.45
2003	AMPERSAND	248.36	39.84	0	0	288.2
1996-2000	BUSHHEY AUTO SALES	136.72	244.56	0	15.94	397.22
2005	CHRISTIAN BROWN DESIGN	25.28	25.47	0	3.02	53.77
2002	DAILY NEWS	25.52	32.72	0	3.04	61.28
2004	EPIC MULTIMEDIA INC	468.8	527.83	0	38.5	1,035.13
1998-1999	LAWRENCE RIBBECKE STUDIOS	64.19	107.07	0	2.98	174.24
2004	LEPETT MAGASIN	68.64	76.79	0	6.49	151.92
2005	METALWORKS	149.16	147.59	0	12.93	309.68
2010	NATIVE ROOTS NUTRITION	304.76	127.72	24.4	1	457.88
2001	ORR'S HALLMARK SHOP	41.03	58.22	0	4.28	103.53
2010	PEARL ST LAUNDRY MAT	84.84	31.44	6.79	1	124.07
2001-2002	S B FITNESS INC	542.13	333.63	0	0	875.76
2002	RI-RA'S IRISH PUB	1,336.38	1,830.38	0	0	3,166.76
2006	2 MUCH MEDIA	15.26	13.18	0.62	2.22	31.28
2005	ALICE D OUTWATER PHD	32.26	31.58	0	3.58	67.42
2004	AMERITECH CREDIT CORPORATION	163.35	180.63	0	14.07	358.05
2004	HANDYMAN BUILDING & REMODLING	27.42	27.33	0	0	54.75
2005	HOT TOPIC #394	82.48	87.01	0	7.6	177.09
2004	LAURA ASHLEY INC	131.4	148.71	0	11.51	291.62
2008	LIDS	4.36	0.96	0	1	6.32
2004	MANAGEMENT RECRUITERS OF BURL	101.8	113.11	0	9.14	224.05
2004	NAN PATRICK INC-	56.82	61.48	0	5.55	123.85
2005	TRILLIUM INTERIORS	20.06	19.41	0	2.6	42.07
2003	WHISTLING MAN SCHOONER COMPAT	53.28	64.39	0	5.26	122.93
2003	WOODBURYS WOODEN WARE	16.15	19.15	0	2.29	37.59
2005	WOODWARD AND KELLEY PLLC	47.34	47.16	0	4.79	99.29
		4,360.91	4,570.65	31.81	173.83	9,137.20

To: The Board of Abatement Sub-Committee

From: Paul R. Sisson, Interim Chief Administrative Officer

Date: February 19, 2013

Subject: Abatement of Uncollectible Property Accounts

The Clerk Treasurer Office has identified properties that have been deemed uncollectible and request to have abated.

The attached list was compiled with consultation and help from the City Assessor Office and when necessary, the City Attorney Office.

The first set of accounts, dating from 1986 through 1995, are without "valid plot numbers" and were assigned "999" prefixes, which are unlike any of the City Assessor regular account numbers. Additionally, their Map Lot numbers are unassociated with any Burlington plots. The next set of abatement requests consist of City owned properties, a closed parcel and an error and omission from 2004 whose penalty and interest should be abated. The next section is Mobile homes; working with the mobile park owner, we identified parcels whose originally taxed home was taken off the lot, a new home and parcel number assigned; therefore the tax, penalty and interest should be abated. The final section contains businesses that are closed, have no assets in Burlington and are uncollectible.

The Clerk Treasurer Office requests the abatement of taxes (39,298.30) and penalty/interest (57,079.88) totaling \$96,378.18 plus any further accruing interest.

Thank you.

AS OF 03/13/13 Accountability List
 Prepared by: Lori Olberg, Licensing, Voting & Records Coordinator

Meeting Date	Type of Document	Action Requested	Return to Council
1/9/2012	Resolution: Creation of a Financial Literacy Web Page	progress report to the Council by the Interim CAO	2/13/2012
2/13/2012	Resolution: Ongoing and Future Relationship Between the City of Burlington and the University of Vermont	report due back to the Council by the Community Development and Neighborhood Revitalization Committee	3/26/2012
7/16/2012	Resolution: Appointment of Airport Strategic Planning Committee	progress report and a final report and recommendations due back to the City Council	10/29/12; on or before 1/7/13
8/13/2012	Resolution: Strategic Plan Re Fiscal Health of the City	Board of Finance and the C/T Office will work to produce a strategic plan and present said plan to the Council in a worksession	1/7/13; 1/28/13
8/13/2012	Resolution: Landlord Accountability	report due back to CID & NR Committee from the Code Enforcement Office	not-specified
11/26/2012	Resolution: Moving Urban Agriculture Issues Forward	Board of Health to report back to the Council; Planning Commission to report back to the Council	by 04/15/13; by 04/29/13
1/28/2013	Resolution: Changes to the Composition of the Ward Redistricting Committee	report on timeline for the redistricting process	4/15/2013
3/11/2013	Resolution: Commission and Board Appointment Process	report due back from the Charter Change Committee to the Council	first meeting in November 2013
3/11/2013	Resolution: Survey to Determine if Commissions and Boards are Functioning Optimally	report due back from the Charter Change Committee to the Council	first meeting in November 2013

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2 **Resolution Relating to**
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RESOLUTION _____

Sponsor(s): Councilors Shannon,
Decelles, Paul, Bushor: Bd. of

Finance
Introduced: 3/18/13

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

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6 **AUTHORIZATION FOR AGREEMENT FOR OPERATION**
7 **OF GIFT SHOPS AND NEWSSTANDS AT**
8 **BURLINGTON INTERNATIONAL AIRPORT**
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12 **CITY OF BURLINGTON**

13
14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the City of Burlington (“City”) owns and operates the Burlington
18 International Airport (“Airport”) in South Burlington, Vermont, and

19 WHEREAS, the Airport’s Interim Director of Aviation has determined that the continued
20 provision of gift shop and newsstand concession services at the Airport will be in the best
21 interest of the City, the travelling public and public airport purposes; and

22 WHEREAS, the Interim Director of Aviation after review of responses to the Airport’s
23 Request for Proposals for such services, has determined that it is in the best interest of the
24 Airport to contract for the services with the business known as The Hudson Group for Vermont
25 Specialty Shop and Newsstand facilities at three locations within the Airport totaling
26 approximately 3,000 sf, pursuant to an agreement (“Agreement”) calling for a Minimum Annual
27 Guarantee to the Airport of \$201,000.00 per year with compensation to the Airport of 13% of
28 total retail revenues for a minimum of \$1,005,000.00 over the five year period of the Agreement;
29 and

30 WHEREAS, on March 11, 2013, the Board of Finance approved the Agreement,

31 NOW THEREFORE BE IT RESOLVED that the Interim Director of Aviation, Gene
32 Richards, be and hereby is authorized to execute the Agreement, and any other documents
33 necessary for facilitating the Agreement on behalf of the City, subject to the prior
34 review of City’s Chief Administrative Officer and the City’s legal counsel, as necessary.

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3 **Resolution Relating to**
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RESOLUTION
Sponsor(s): ~~Councilors Shannon,~~
~~Bushor, Paul. Bd. of Finance~~

Introduced: 03/18/13

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

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7 CHURCH STREET MARKETPLACE DISTRICT—
8 AUTHORIZING BUDGET ADJUSTMENT
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12 **CITY OF BURLINGTON**
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14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, in FY 13, the Church Street Marketplace incurred unbudgeted expenses related to the
18 Church & Cherry Street Intersection Project, the Church Street Lighting and Electrical Project, and the
19 Pearl Street Improvement Project totaling \$29,484.51; and

20 WHEREAS, certain of those unbudgeted expenses, totaling \$1,287.00 were able to be absorbed in
21 other line items of the Marketplace’s budget; and

22 WHEREAS, the “Church Street Marketplace District” is “a special district” within the City and
23 operation of the Marketplace is to be funded through common area fees levied on District properties and
24 not through city tax levy; and

25 WHEREAS, the Interim Chief Administrative Officer and the City Attorney have concurred that
26 certain of the unbudgeted expenses, totaling \$15,800, are expenses not unique to the Marketplace and
27 therefore should be paid out of the City’s capital fund; and

28 WHEREAS, the Board of Finance approved an interdepartmental loan from the general fund to
29 the Marketplace for a principal amount of \$12,397.51, plus interest of \$123.98 through June 30 and 3%
30 per annum beginning July 1, 2013, for a period of one year;

31 NOW, THEREFORE, BE IT RESOLVED that the City Council ratifies the expenditures outlined
32 above, authorizes the assignment of \$15,800 to the Capital Fund and authorizes amendments to the
33 Marketplace budget as follows:
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Resolution Relating to

CHURCH STREET MARKETPLACE DISTRICT—
AUTHORIZING BUDGET ADJUSTMENT

Increase:

Expense:

230-33-391-6300_165	Repair & Maintenance – Other Small Charges not Capital	\$ 1,888.00
230-33-391-6500_118	Contractual Services	\$ 3,040.00
230-33-391-6211	Specialized Equipment	\$ 7,469.51

Increase:

230-3950	Use of Fund Balance	\$12,397.51
230-2400.101	Due to General Fund	\$12,397.51

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3 **Resolution Relating to**
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RESOLUTION
Councilors ~~Shannon,~~
Sponsor(s): ~~Bushor, Paul, Decelles.~~ Bd. of Finance

Introduced: 03/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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7 APPROVING A GRANT ANTICIPATION NOTE
8 FOR THE COSTS OF CERTAIN
9 AIRPORT IMPROVEMENT PROJECTS

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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the City of Burlington (the "City") owns and operates the Burlington International
18 Airport (the "Airport"); and

19 WHEREAS, the City anticipates the receipt of federal grants from the Federal Aviation
20 Administration ("FAA") for certain airport improvement projects (the "Grants"); and

21 WHEREAS, the City will implement the airport improvement projects pending the receipt of the
22 Grants and will receive reimbursement from the FAA; and

23 WHEREAS, the City, pursuant to 24 V.S.A. §1773(c), may undertake temporary loans in
24 anticipation of the receipt of grants-in aid; and

25 WHEREAS, the City Council adopted a resolution on June 13, 2011 approving the borrowing of a
26 \$5,000,000 Grant Anticipation Line of Credit (the "Grant Anticipation Line of Credit") from Northfield
27 Savings Bank (the "Bank") for the Airport; and

28 WHEREAS, on or about August 19, 2011, the City and the Bank entered into certain documents
29 and instruments in connection with the Grant Anticipation Line of Credit, including without limitation a
30 promissory note and a loan and security agreement (together with the other documents and instruments
31 executed and delivered in connection therewith, collectively, the "Credit Documents"); and

32 WHEREAS, the City and the Bank have discussed a renewal of the Grant Anticipation Line of
33 Credit to provide grant anticipation funding to the City of not to exceed \$3,000,000, through June 30,
34 2013;

35 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington,
36 Vermont, as follows:

37 The City shall issue grant anticipation notes, secured by the Grants in one or more series, in an
38 aggregate principal amount not to exceed \$3,000,000 (the "Notes"), for the object and purpose of
39 financing the costs of the Airport Improvement Projects that are the subject of the Grants. The Notes shall

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Page

Resolution Relating to

APPROVING A GRANT ANTICIPATION NOTE
FOR THE COSTS OF CERTAIN AIRPORT
IMPROVEMENT PROJECTS

be secured by a pledge of the Grants as payment therefor, shall be issued to the Bank and shall mature on or before June 30, 2013. The Notes may further be payable on a subordinate basis, from net revenues of the Airport, to the extent legally permissible under the Bond Resolution (as defined below). The Notes may be issued on a draw-down line of credit basis. The financing may be undertaken by a renewal of the existing Credit Documents with the Bank.

The Notes shall be payable from the Grants, a pledge of the Grants, and a subordinate pledge of the net revenues of the Airport, to the extent permissible under the Airport General Bond Resolution adopted May 6, 1997 (as supplemented and amended to date) (the “Bond Resolution”).

The Mayor and Chief Administrative Officer are, and each of them is, hereby authorized and empowered to execute and deliver: (i) such line of credit documents or amendments and restatements of, and/or modifications to the Credit Documents in such form and with such terms as they deem necessary and in the City’s best interest; (ii) such other documents and instruments as may be requested by the Bank in connection with the Grant Anticipation Line of Credit; and (iii) all other documents and instruments necessary or convenient in connection with said Grant Anticipation Line of Credit, the modifications to the Credit Documents and the receipt of the Grants.

The authority granted to the Chief Administrative Officer hereunder may be performed by the Assistant Chief Administrative Officer or the Interim Chief Administrative Officer of the City.

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3 **Resolution Relating to**
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RESOLUTION
Councillors Shannon,
Sponsor(s): Bushor, Paul, Dezelles
Committee: Bd. of Finance

5 Introduced: 03/18/13
6 Referred to: _____
7
8 Action: _____
9 Date: _____
10 Signed by Mayor: _____
11

7 FY 2013 BUDGET AMENDMENTS – CEDO
8 RE: LEAD HAZARD CONTROL
9 AND HOUSING TRUST FUND
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13 **CITY OF BURLINGTON**

14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, Lead Hazard Control amendments are now necessary because several budget
18 projections prepared for FY 2013 have proven to be insufficient to cover program expenses; and

19 WHEREAS, in November 2011, HUD awarded the City a 3-year grant of \$2,475,000; and

20 WHEREAS, for a variety of reasons, implementation of the grant did not proceed at the projected
21 pace, which resulted in lower expenditures than projected for FY 2012; and

22 WHEREAS; the increased costs for FY 2013 is the result of increased activity and is 100%
23 reimbursable under the grant; and

24 WHEREAS, this amendment is budget-neutral as there is an offsetting increase in the budget for
25 federal grant revenue; and

26 WHEREAS, the Housing Trust Fund amendments are necessary because there was a balance of
27 funds from FY 2012; and

28 WHEREAS; the funds were already obligated with grant agreements for projects which did not
29 proceed on schedule; and

30 WHEREAS; this resulted in a fund balance that must be transferred from FY 2012 to FY 2013;
31 and

32 WHEREAS, the Board of Finance on March 11, 2013 considered and recommended to the City
33 Council for approval the attached budget revisions at the request of the Community & Economic
34 Development Office;

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Page

Resolution Relating to

FY 2013 BUDGET AMENDMENTS – CEDO
RE: LEAD HAZARD CONTROL
AND HOUSING TRUST FUND

NOW, THEREFORE, BE IT RESOLVED that the Community & Economic Development Office

Budget for Fiscal Year 2013 be and hereby is amended by adopting the above reference amendments as

prepared by the Community & Economic Development Office and attached hereto.



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401
(802) 865-7144 • (802) 865-7024 (FAX)
www.burlingtonvt.gov/cedo

TO: Board of Finance and City Council
FROM: Darlene Kehoe, Assistant Director for Finance
Brian Pine, Assistant Director for Housing & Neighborhood Revitalization
DATE: March 1, 2013
RE: FY13 Budget Amendments for Lead Hazard Control and
Housing Trust Fund

The Community & Economic Development Office (CEDO) respectfully requests approval to increase line items within our budget to account for anticipated expenditures through June 30, 2013.

The attached spreadsheet contains the budget increases by line item category.

The Lead Hazard Control amendments are necessary because several budget projections prepared for FY2013 have proven to be insufficient to cover program expenses. In November 2011, HUD awarded the City a 3-year grant of \$2,475,000. For a variety of reasons, implementation of the grant did not proceed at the pace that we projected, resulting in lower expenditures than projected for FY2012. We are now enrolling more homes and addressing lead hazards at a faster rate. All of the increase in costs for FY13 is the result of increased activity, and is 100% reimbursable under the grant. The grant extends into FY15, with a projected completion date of October 31, 2014. This amendment is budget-neutral as there will be an offsetting increase in the budget for federal grant revenue.

The Housing Trust Fund amendments are necessary because there was a balance of funds from FY2012. While these funds were already obligated with grant agreements, the projects did not proceed on schedule. This resulted in a fund balance that must be transferred from FY2012 to FY2013.

Cc: Peter Owens, Director
Scott Schrader, Assistant CAO

Community and Economic Development Office

FY 13 Budget Amendments - LEAD HAZARD CONTROL

Account Name	Account Number	Amount
INCREASE:		
Revenue:		
Grant General Government Operating	301.31.305.317.4875_110	<u>137,500.00</u>
Expenditures:		
Postage	301-31-305-317-6005	500.00
Shipping & Moving	301-31-305-317-6007	1,500.00
Printing/Copying/Paper Mgt	301-31-305-317-6202	500.00
Custodian Supplies	301-31-305-317-6206	500.00
Outreach	301-31-305-317-6246	5,000.00
Lead Hazard Control	301-31-305-317-6278	100,000.00
Utilities Electricity	301-31-305-317-6400_100	1,000.00
Utilities Gas	301-31-305-317-6400_105	1,000.00
Contractual Services	301-31-305-317-6500_118	3,000.00
Interpreter Services	301-31-305-317-6500_148	1,000.00
Environmental Testing Services	301-31-305-317-6500_151	10,000.00
Laboratory Analysis	301-31-305-317-6500_154	5,000.00
Custodial Contracts	301-31-305-317-6610	1,000.00
Travel & Training Special Training	301-31-305-317-6700_105	2,000.00
Travel & Training Travel Expense	301-31-305-317-6700_110	3,500.00
Travel & Training Mileage	301-31-305-317-6700_115	500.00
Program Delivery	301-31-305-317-7702	1,500.00
Total Expenditures		<u>137,500.00</u>

FY 13 Budget Amendments - HOUSING TRUST FUND

Account Name	Account Number	Amount
Programs	301-31-305-316-6290	210,000.00
		<u>210,000.00</u>

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3 **Resolution Relating to**
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RESOLUTION
Sponsor(s): Councilors Shannon,
Bushor, Paul, Decelles. Bd. of Finance

Introduced: 03/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

5
6 AUTHORIZE CONTRACT WITH HICKOK AND BOARDMAN, INC.
7 TO MANAGE THE CITY’S WORKERS’ COMPENSATION AND
8 GENERAL LIABILITY, PROPERTY AND CASUALTY INSURANCE
9

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11
12 **CITY OF BURLINGTON**
13

14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, in January of 2007, the City Council approved the authorization to work with Hickok
18 and Boardman to manage the City’s Workers’ Compensation, general liability, automobile and property
19 insurances and granted authority to the Board of Finance to approve subsequent contracts; and

20 WHEREAS, the claim services provided by Hickok and Boardman including risk management,
21 reporting and claims adjudication, have helped to improve service to our employees, while managing to
22 control and reduce injuries and costs; and

23 WHEREAS, over the last three years the City, through the combined efforts of Travelers
24 Insurance, Hickok and Boardman and City staff have seen the costs of Workers’ Compensation premiums
25 and claim dollars reduced; and

26 WHEREAS, with Hickok and Boardman’s assistance, the City’s premium cost for the general
27 liability, automobile and property insurances have stayed level two of the last three years; and

28 WHEREAS, due to the specificity of the services provided by Hickok and Boardman, the Chief
29 Administrative Officer’s Office has designated Hickok and Boardman as a “sole source provider”
30 pursuant to the City’s Purchasing Policy;

31 NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Mayor and Interim
32 Chief Administrative Officer to execute a contract with Hickok and Boardman, Inc. for a three year period
33 in an amount of \$99,000 per year on the terms, conditions and cost set forth above in a form substantially
34 similar to that presented to the Board of Finance on March 11, 2013 (attached), said contract to be
35 approved as to form and substance as necessary by the City Attorney.
36

December 27, 2012

Scott Schrader, Asst. CAO
City of Burlington, Vermont
149 Church Street
Burlington, VT 05401

Re: Risk Management Services Contract

Dear Scott:

In the interest of supporting the City of Burlington's initiative to continuously improve the implementation, and performance of its commercial risk management and claims services program, we agree to provide the following consultation support and expertise for the period of three years commencing on 01/01/2013 to 01/01/2016.

I. Overall Claims Management Services:

- Coordination and facilitation of quarterly, in-person, claim reviews with City of Burlington and Insurance Carrier Claims Adjuster's.
- Provide ongoing claim triage on complex or high exposure claims.
- Consult with City of Burlington and their Legal Counsel as requested, in development of a cohesive legal strategy and/or settlement plan for individual claims.
- Monitor and present to the City of Burlington Management Team bi-annual claim trend reports and develop a mitigation plan, if warranted.

II. Risk Management Services:

- Update the Workers Compensation "Best Practices" Risk Assessment tool for each City Department, with accompanying management report. Assist HR and each City Department in the integration of newly established claims "Best Practices."
- Establish new and continue to monitor existing relationships with in-network gatekeeper/orthopedic clinics/physicians etc.
- Monitor and report to the City of Burlington claim trends and suggest methods of corrective action.

V. **Additional Risk Management Services:**

- Audit the NCCI experience modification calculation annually to insure accuracy of this important claims benchmarking tool.
- Provide access and required training for the City of Burlington Risk Management Portal, Mywave, Hickok & Boardman's safety/risk management services and OSHA recording portal. Facilitate access and training to all Carrier provided risk management and claims portals.

VI. **Loss Prevention Offering:**

- Include City of Burlington, in all loss prevention course offerings held by Green Mountain Safety Consulting or Hickok & Boardman, Inc at our Headquarters at 346 Shelburne Road, Burlington, VT 05401. This includes courses offered via webinar. For a listing of applicable course offerings please refer to www.greenmountainsafety.com.
- Provide 125 hours of relevant on-site/field related safety and risk management services to individual City departments via Green Mountain Safety Consulting.

Our annual fee to provide the full array of risk management and loss prevention services, as outlined, is \$99,000. Payable in one installment and due upon signing and returning of the contract to Hickok & Boardman, Inc.

We are willing to "fix" our annual fee of \$99,000 and scope of loss prevention services for the term of the contract period with a termination date of 01/01/2016.

Hickok & Boardman, Inc. reserves the right to re-negotiate our annual fee during the term of this contract as it relates to a material change in the clients operations and/or a change in scope of the contract beyond what is outlined in this agreement.

We agree to provide a 90-day cancellation clause (with written notice) pertaining to the services described in this contract. The terms of the contract cancellation apply for both Hickok & Boardman, Inc. and the City of Burlington. The cancellation provision of the contract can be exercised for only "material reasons." Hickok & Boardman, Inc. agrees to return the pro-rata portion of the unearned annual fee under this agreement.

Hickok & Boardman, Inc. warrants that their services will be performed with reasonable care and in a diligent and competent manner consistent with industry standards. Hickok & Boardman, Inc. will correct any non-conformance with this warranty within a reasonable period of time upon written notice from City of Burlington specifying the non-conformance.

Hickok & Boardman, Inc. shall defend, indemnify and hold City of Burlington, its officers, employees and agents harmless from and against any and all liability, loss, expense (including

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3 **Resolution Relating to**
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RESOLUTION
Councillors Shannon,
Sponsor(s): Bushor, Paul, Decelles: Bd. of Finance

Introduced: 03/18/13

Referred to: _____

7 ACCEPTANCE OF QUEEN CITY POLICE FOUNDATION GIFT
8 AND APPROVAL OF POLICE DEPARTMENT BUDGET AMENDMENT

Action: _____

Date: _____

Signed by Mayor: _____

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13 **CITY OF BURLINGTON**

14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the Burlington Police Department (BPD) has undertaken an initiative known as the
18 Burlington Police Department C.A.R.E.S. (Career Assistance, Resources, Education, and Support
19 Wellness Initiative) to foster a more supportive and resilient work environment and reduce the absences,
20 attrition and the erosion of departmental capacity which face it given an increasingly complex and
21 demanding law enforcement environment; and

22 WHEREAS, as an extension of this work, BPD has engaged a licensed clinician to provide
23 coaching, counseling, training, family support, and supportive supervision guidance; and

24 WHEREAS, the Queen City Police Foundation has offered a \$5,400 gift to assist in the funding of
25 this program; and

26 WHEREAS, a budget amendment is necessary to recognize the increase in the revenues and
27 expenditures related to the program and this gift; and

28 WHEREAS, the Board of Finance on March 11, 2013, upon the Mayor’s proposal, approved an
29 amendment to BPD’s budget recognizing these changes;

30 NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the Queen City Police
31 Foundation gift and approves the following amendments to BPD’s FY 13 budget:

32
33 Increase:

34 Revenue:

35 Donation Account 101-17-050-4950 \$5,400

36
37 Expenditure:

38 Medical Fees 101-17-050-6200 \$5,400
39
40

Burlington Police Department

C.A.R.E.S.

Career Assistance, Resources, Education, and Support

Wellness Initiative 2011

December 2011

Submitted BY:

Sonny J Provetto, MSW, LCSW

2 Church Street, Suite 4C

802-377-5137

Cop2cop@hotmail.com

Introduction

The field of Law Enforcement exposes police officers to dangerous situations in which they bear witness to the worst of human behavior. From high stress situations to disturbing crime scenes, a career in law enforcement is not only physically demanding but can be potentially harmful to an officer's emotional and psychological well-being.

Police work is known to have one of the highest rates of suicide, divorce, and alcoholism among all professions. Nationally, more than twice as many police officers die by suicide than by criminals alone (National Bureau of Justice Statistics, 2011). In police suicides, alcohol is cited as a common factor and its use is prevalent among 25% of all sworn officers (Violanti, 1996). Police officers and their families are also subjected to the strains and stressors of the job and more often than not — in 75% of all cases — their marriages end in divorce. Those officers who are capable of having a long career face a litany of both mental and physical ailments and have been shown to suffer a shorter life expectancy than the general public.

Adding to this problem is a police culture that for decades has avoided taking a proactive approach to dealing with the physical, emotional, and psychological strains of police work. In the past, the police culture has stigmatized officers who sought out professional help by promoting the idea that the inability to “suck it up” is a sign of weakness. Complicating this problem even further is the hesitation to seek help from professionals who are unfamiliar with the police culture and the stressors and trauma associated with its work. Unfortunately, those who “tough it out” often become cynical, negative, and emotionally rigid, a syndrome that is

quite common in law enforcement. These behaviors disrupt the workplace, affect morale, impede productivity, and damage the relationships between the police and the public.

The constant tension and stress on police officers also has a damaging impact on police agencies. With shrinking budgets and the rising cost of operation, departments in Vermont are constantly under strain to maintain the quality of police services. In addition, departments face even greater challenges in trying to handle the issues of poor morale, low productivity, increased absenteeism and high rates of employee turnover. Combined, these conditions have an enfeebling effect that further impedes the quality of service.

As morale decreases, officers become less productive. Low productivity causes an increase in workload for other officers who have to pick up the slack, further decreasing their morale. As morale decreases even further, the use of sick leave increases, resulting in shift shortages which increase the officers' workload — decreasing morale once again.

The Burlington Police Department recognizes that the combination of cumulative stressors, organizational barriers, and duty related events can adversely affect an officer's ability to function. Without taking preventative steps to remediate these conditions, agencies will continue to face internal problems with morale, job satisfaction, employee performance, abusive absenteeism, and employee turnover. As law enforcement professionals struggle with these dynamics, resources are diverted from serving the public as less of an effort is made in dealing with non-criminal issues. In addition, the municipality faces the threat of lawsuits from officers being overworked and understaffed. Consequently, the cost of over-stressed workers

translates into skyrocketing health care costs, early medical retirements, and the inability to hold on to well-trained police officers.

In response to these challenges, the Burlington Police Department has embarked on a comprehensive Wellness Initiative called the C.A.R.E.S. Program (Career Assistance, Resources, Education and Support). This program is designed to improve the health and well-being of employees and aid in their professional development through career advisement, health education, and applicable police training that will enhance the performance of their duties, thereby resulting in the following outcomes:

Outcomes

1. Increased employee productivity
2. Improved morale
3. Increased job satisfaction
4. Enhanced employee retention
5. Streamlining of organizational function
6. Decreased use of sick leave
7. Better delivery of police services
8. Decreased risk of litigation
9. Healthcare cost savings for City of Burlington

Program Description, Outline and Deliverables

Career Advisement

The general goal of career advising is to assist officers so that they can better identify their skills and interests, and make informed career choices so they are satisfied and competent in the workplace. Career Advisement tends to be results-oriented, working with officers in a collaborative and *confidential* relationship.

Career Planning focuses on issues such as career exploration and personal career development and other career related issues. It is the process of helping officers select training courses, a field of study, or a career path that may help them to achieve a new position or a different assignment. Information is gathered through assessment to understand and respond to the officers' needs and concerns; officers use this information to understand themselves better, clarify their goals and perspectives, and make plans for the future.

Career Counseling provides an opportunity to explore information concerning the officers' experiences, interests, abilities, confidence, and other personal characteristics that help or inhibit their work experience. The process provides assistance to officers who are dealing with duty-related stressors and career challenges, and offers a systematic approach to providing information and advice to enhance their performance and overall wellbeing.

Resources

The CARE program provides resources to management, maximizing the utilization of the organizational procedures to achieve agency goals, and performing the activities that are

necessary in the function and maintenance of the workforce. This process will streamline administrative tasks and examine the existing structural functions in order to enhance operations that support a productive and empowering work environment. This will result in a framework that enriches employee performance, improves job satisfaction, and enhances organizational function.

It will provide resources to management through:

- *Qualitative research and assessment* of the organizational process and function.
- *Organizational development* through consultation and evaluation to augment the Department's response to change and its ability to adapt to complex internal and external issues.
- *Examination of* existing beliefs, attitudes, values, and structure, and make suggestions so it can better adapt to new challenges.
- *Intervention strategies* in the organization's processes, using behavioral science, organizational reflection, system improvement, and self-analysis.

Education

The program provides education and training to address issues of workplace morale, job satisfaction, personal wellness, stress management and awareness, psychological readiness, resiliency, effective communication, supportive supervision, and leadership development. It will develop:

- *Early detection and intervention strategies* to combat the work related stressors through the establishment of a peer support team.
- *“Roll Call” Training Session* to provide continuous information to officers on various work-related topics regarding mental health, officer safety, and current affairs.
- *Mentoring Program* that allows seasoned officers to share their practical knowledge and experience with other officers.
- *Leadership Coaching* to aid officers in gaining greater competence, and to improve performance by overcoming barriers (or do you mean: “to overcome barriers to improving performance”?).
- *Family Guidance* for young officers and their families so that new officers can establish healthy and lasting support systems.
- *Career assistance* for seasoned officers who may be experiencing the early signs of burnout, or for officers who have experienced a dangerous or stressful incident.
- *Community Partnerships*: collaborating with the existing employee assistance program and community mental health organizations.
- *Critical Incident Stress Management (CISM)*: a systematic approach for helping police agencies and their members deal with traumatic events (large and small). CISM is a comprehensive crisis intervention system that consists of interventions which may be applied to individuals, small groups, large groups, families, organizations, and even communities.

Support

Peer Support

The goal of peer support is to give all department employees the opportunity to receive tangible support from their coworkers through times of personal or professional crisis. The support component of the CARES concept calls for the development of the Burlington Police Department's Peer Support Team. The team is made up of specially trained, sworn or non-sworn personnel (they are not counselors or therapists). The team is designed to augment the CARES program and other outreach programs such as employee assistance programs, but not to replace them. Peer support members will assist officers involved in critical incidents, or any situation in which an officer has experienced high levels of stress, been injured, or experienced a life threatening event. Peer support members will also make an invaluable contribution to group interventions such as critical incident stress debriefings (CISD) in conjunction with a licensed mental health professional and offer informal guidance to all department members. Peer support members will refer members that require professional intervention to a mental health professional to address potential difficulties before situations become problematic.

Administrative Consultation and Support

Administrative consultation provides assistance to the supervisory staff by assisting the ranks of Sergeants, Lieutenants, Deputy Chiefs and the Chief of Police through professional consultation relating to workplace issues, employee relations, community issues, additional training and education.

Terms and Conditions

Duration: 21 weeks (6 months)

The program described as CARES (Career Advisement, Resources, Education, and Support) is a six (6) month pilot project that will commence on or before January 3, 2012.

Acceptance of this agreement begins the pilot program with a commitment of \$4,200 for the first 2 months of program operations with the contractor, Salvatore J. Provetto, providing a minimum of 12 hours per week of services described herein. The Contractor will work directly with police administration to craft implementation strategies throughout the duration of this contract. At the conclusion of the initial period the Department and the contractor agree to the option of extending for up to four (4) extensions with identical terms. During this period it is agreed that the contractor will seek grants and outside funding sources to provide program sustainability and capacity. Either party may terminate this agreement at any time with 30 days written notice.

FOR BUREAU WPD
Jan. 11, 2012
[Signature]

Salvatore Provetto
1/13/12



BURLINGTON POLICE DEPARTMENT

1 North Avenue
Burlington, Vermont 05401

Michael E. Schirling
Chief of Police

Phone (802) 658-2704
Fax (802) 864-5945
TTY/TDD (802) 658-2700

TO: **Board of Finance and City Council**

FROM: Michael E. Schirling, Chief of Police

VIA: Lise E. Veronneau, Business Administrator 
BURLINGTON FIRE & POLICE DEPARTMENTS

DATE: February 28, 2013

RE: FY 13 – Budget Amendments and Accept Donation from Queen City Police Foundation

The **Burlington POLICE Department** respectfully requests approval to accept a \$5,400 donation and reflect increase in expenditure to help pay for the CARES Program in FY 13.

INCREASE Revenue:

Donation Account	101-17-050-4950	\$ 5,400
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INCREASE Expenditure:

Medical Fees	101-17-050-6200	\$ 5,400
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Twenty-first century law enforcement is increasingly complex and demanding. Beyond the physical demands is repetitive exposure to demanding and dangerous situations as officers and other members of our staff bear witness to the worst of human behavior.

For the last three years we have been working in a number of ways to foster a more supportive and resilient work environment to reduce absences, attrition, and erosion of capacity. As an extension this work, beginning January 3, 2012, the Police Department has engaged a licensed clinician to provide coaching, counseling, training, family support, and supportive supervision guidance, among other things.

The Police Department has made the initial \$5,000 contribution for the first part of FY 2012 and FY 13. In FY 12, the City WELLNESS Committee contributed the other \$5,000. We are fortunate, in FY 13 to have the Queen City Police Foundation making a donation to fund an amount of \$5,400 to help continue the program through the end of FY 13.

Thank you in advance for approving the associated budget amendment to increase the expenditure budget accordingly.

Respect ~ Honor ~ Remember

Officer James P. McGrath, end of watch May 12, 1904; Officer J. Albert Fisher, end of watch December 15, 1947

1
2 **Resolution Relating to**

RESOLUTION

Sponsor(s): Councilors Shannon,
Bushor, Paul, Decelles: Bd. of Finance
Pending Bd. of Finance approval on 3/18/13
Introduced: 03/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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7 AUTHORIZATION FOR ACCEPTANCE OF 2013
8 IBM SMARTER CITIES CHALLENGE ENGAGEMENT GRANT

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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, the City of Burlington (“City”) is eligible for the Smarter Cities Challenge
18 Engagement Grant offered by International Business Machines (IBM); and

19 WHEREAS, the Smarter Cities Challenge Grant is intended to provide the City of Burlington with
20 a team of global experts to focus intensively for three weeks on a problem statement outlined by the City
21 in its Smarter Cities Challenge Grant application and provide the City with a consultants’ report to serve
22 as a roadmap for addressing that problem; and

23 WHEREAS, the Mayor’s Office was informed on November 8, 2012, that the City had been
24 awarded an IBM Smarter Cities Challenge Grant Designation in the form of a consultancy, valued by
25 IBM at \$400,000; and

26 WHEREAS, on March 18, 2013, the Board of Finance recommended that the Mayor be authorized
27 to accept the IBM Smarter Cities Challenge Grant and the associated consultancy;

28 NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts the grant and
29 authorizes the Honorable Mayor Miro Weinberger to execute any documents necessary to facilitate and
30 accept the 2013 IBM Smarter Cities Challenge grant and the City Attorney to execute any required
31 attestation.

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2 **Resolution Relating to**

RESOLUTION

Sponsor(s): Councilors Shannon,
Decelles, Paul, Bushor: Bd. of
Finance
Introduced: 3/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

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6 **AUTHORIZATION TO CONTRACT FOR**
7 **SERVICES ASSOCIATED WITH NORTH**
8 **CONCOURSE RESTROOM RENOVATION**
9 **AT BURLINGTON INTERNATIONAL AIRPORT**
10

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12 **CITY OF BURLINGTON**

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14 In the year Two Thousand Thirteen.....
15 Resolved by the City Council of the City of Burlington, as follows, that:

16
17 WHEREAS, the City of Burlington (“City”) owns and operates the Burlington
18 International Airport in South Burlington, Vermont (“Airport”); and

19 WHEREAS, the Interim Director of Aviation has determined that the renovation of the
20 restroom facilities in the Airport’s North Concourse (Project) will be in the best interest of the
21 City, the traveling public and public airport purposes; and

22 WHEREAS, after responses to a request for proposals, Engelberth Construction, Inc.
23 (“Engelberth”) was determined to be the successful bidder for the Project pursuant to the City’s
24 Purchasing Policies; and

25 WHEREAS, the Airport’s Interim Director of Aviation has determined to contract with
26 Engelberth for services related to the Project in the amount of Two Hundred Ninety-Six
27 Thousand Nine Hundred and Forty Four Dollars (\$296,944.00) (“Contract”), to be paid for with
28 Passenger Facility Charges (PFC) funding, upon approval by the Federal Aviation
29 Administration (FAA); and

30 WHEREAS, the Board of Airport Commissioners approved the Contract on March 15,
31 2013; and

32 WHEREAS, the Board of Finance approved the Contract on March 18, 2013,
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Page TWO

**Resolution Relating to
AUTHORIZATION TO CONTRACT FOR
SERVICES ASSOCIATED WITH NORTH
CONCOURSE RESTROOM RENOVATION
AT BURLINGTON INTERNATIONAL AIRPORT**

NOW THEREFORE BE IT RESOLVED that the Interim Director of Aviation, Gene Richards, is authorized to negotiate and execute the Contract for the Project, and any other documents necessary to facilitate the Contract, subject to any applicable City Purchasing Procedure and to prior review by the Chief Administrative Officer and the City Attorney as appropriate.

NAME/PURPOSE OF CONTRACTS:	North Concourse Restroom Renovation
ADMINISTRATING DEPARTMENT:	Airport
CONTRACT TERM:	Per Agreement
CONTRACT AMOUNT:	\$296,944.00
SOURCE OF FUNDS:	Airport Operating Revenues/PFC
	Fiscal Year: 2013
	Account Name: PFC Projects
	Account No. _____

MEMO

TO: Board of Finance
FROM: Gene Richards, Burlington International Airport
DATE: March 18, 2013
**SUBJECT: Finance Board Approval Request –
North Concourse Restroom Renovation Project**

The Burlington International Airport seeks Finance Board and City Council approval and authorization for a contract with Engelberth Construction Inc. in the amount of \$296,994 related to the renovation of the restroom facilities in the north concourse of the main terminal building.

The existing restroom facilities were constructed in the 1980's and have far exceeded their useful life. An RFP for the services was issued and proposals were received on March 12, 2013. Upon receipt of four proposals, an analysis was performed by the engineering firm, Freeman French Freeman, whom noted that Engelberth Construction Inc. provide the lowest bid amount as well as the most favorable Change Order percentages at 5% for each type identified on the bid form.

The renovation project will use both PFC funds as well as Airport Operating Revenues and is expected to have a completion date of mid-June, 2013.

It is requested that authorization be granted to allow the Airport to execute a contract with Engelberth Construction Inc. for the work describe above. The Airport Commission approved the request on March 15, 2013.

Thank you for your consideration.

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3 **Resolution Relating to**
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RESOLUTION
Councilors Shammon,
Sponsor(s): Bushor, Paul, Decelles: Bd. of Finance

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

5
6 BURLINGTON CITY ARTS FY 2013 BUDGET AMENDMENT
7 RELATED TO ARTWORK SALES AND GRANT REVENUES
8

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13 **CITY OF BURLINGTON**

14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, Burlington City Arts (BCA) is projecting an increase in Art Sales revenue of \$55,000
18 for FY 13 due to an increase in the sale of artwork to Fletcher Allen Health Care bringing the income line
19 item for Art Sales from \$70,000 to \$125,000; and

20 WHEREAS, because BCA retains between 20% and 30% of retail sales, this increase in sales
21 revenues must be reduced by an increase in expenses of \$45,000 for artist consignment payments,
22 bringing the expense line for artist consignment from \$38,500 to \$83,500 and resulting in a net increase of
23 \$10,000 in BCA's Art Sales revenues; and

24 WHEREAS, BCA is projecting a decrease in foundation grant revenue in the amount of \$10,000;
25 and

26 WHEREAS, there is no net impact of these changes on BCA's budget; and

27 WHEREAS, a budget amendment is necessary to recognize these changes; and

28 WHEREAS, the Board of Finance on March 11, 2013, upon the Mayor's proposal, approved an
29 amendment to BCA's budget recognizing these changes;

30 NOW, THEREFORE BE IT RESOLVED that the City Council approves the following
31 amendments to BCA's FY 13 budget:

32
33 Increase:

34 Revenue:

35 101-27-178-4395 –Art Sales \$55,000
36

37 Expense:

38 101-27-178-6510-120_6010 –Artist Consignments \$45,000
39

40 Decrease:

41 Revenue:

42 101-27-000-051-4330 – Foundation grants \$10,000
43

1
2
3 **Resolution Relating to**

RESOLUTION
Councilors ~~Shannon,~~
Sponsor(s): ~~Bushor, Paul, Decelles.~~ Bd. of Finance

4
5
6 Introduced: _____
7 Referred to: _____
8
9 Action: _____
10 Date: _____
11 Signed by Mayor: _____

6 AUTHORIZE AMENDMENT TO CONTRACT WITH WRIGHT &
7 MORRISSEY FOR CONSTRUCTION SERVICES RE
8 CHURCH ST. MARKETPLACE PROJECT STP 5000(16)

12
13 In the year Two Thousand Thirteen....**CITY OF BURLINGTON**.....

14 Resolved by the City Council of the City of Burlington, as follows:

15
16 That WHEREAS, the city has accepted federal earmark project grants identified as STP 5000(16),
17 provided local match, including \$100,000 from a downtown grant and \$100,000 from the City Capital
18 fund for an amount totaling \$7,628,486.00; and

19 WHEREAS, the project costs to date are \$7,332,754.17, leaving a remaining balance of
20 \$295,731.83, and

21 WHEREAS, the city is required to use these grants for projects related to the downtown and has
22 done so with projects such as the upgrades of lower Church Street and St. Paul Street and the lighting
23 project on Church Street, and

24 WHEREAS, these projects have not expended all of the available funds from STP 5000(16) to
25 complete the work on the Church Street Lighting Project, and

26 WHEREAS, the Church Street Marketplace would like to increase the contract with Wright &
27 Morrissey, the contractor constructing the lighting and electrical improvements on Church Street, in the
28 amount of \$260,000 in order to fund the removal of the water fountain at the top of Church Street, and

29 WHEREAS, at its March 11, 2013 meeting, in consideration of the above, the Board of Finance
30 recommended that City Council authorize Steven Goodkind, Public Works Director, to execute a change
31 order in the amount of \$260,000 to the existing contract between the Department of Public Works and
32 Wright & Morrissey;

33 NOW, THEREFORE, BE IT RESOLVED that Steven Goodkind, Public Works Director, is
34 hereby authorized to execute a change order in the amount of \$260,000 to the existing contract between
35 the Department of Public Works and Wright & Morrissey, which will increase that agreement's value
36 from \$2,045,289.78 to \$2,305,289.78; subject to the review and approval of the City Attorney.



**CITY OF BURLINGTON
DEPARTMENT OF PUBLIC WORKS**

645 Pine Street
Post Office Box 849
Burlington, VT 05402-0849
802.863.9094 VOX
802.863.0466 FAX
802.863.0450 TTY

Steven Goodkind, P.E.
*DIRECTOR OF PUBLIC WORKS
CITY ENGINEER*

MEMORANDUM

To: City of Burlington Board of Finance

From: Steven Goodkind, P.E. Director of Public Works

A handwritten signature in black ink, appearing to be "SG", is written over the name "Steven Goodkind" in the "From:" line.

Date: March 11, 2013

Re: STP 5000 (16) – Church Street Earmark

Federal earmark 5000(16), with its original agreement in 2006 and four subsequent amendments, has provided the city with \$6,078,486 which has been used along with a local match of \$1,350,000 to construct various improvements in our downtown, including the nearly completed lighting project on Church Street.

All the projects funded under 5000(16) have been essentially completed and those funds have not yet been fully expended. We would like to increase the current contract with Wright & Morrissey by \$260,000 to include the demolition/removal of the water fountain near the top of Church Street. The justification for removing the fountain is attached in a document provided by Ron Redmond, the Director of the Church Street Marketplace. Funding is available to complete the removal of the fountain.

We are requesting that the city authorize me to sign a contract amendment with Wright & Morrissey for \$260,000 to proceed with this work.

An Equal Opportunity Employer

This material is available in alternative formats for persons with disabilities. To request an accommodation, please call 802.863.9094 (voice) or 802.863.0450 (TTY).



March 1, 2013

TO: Church Street Marketplace Commission
cc: Mayor Miro Weinberger
FROM: Ron Redmond, Church Street Marketplace
RE: CHURCH STREET'S TOP BLOCK FOUNTAIN

This memo is designed to summarize the Marketplace Commission's rationale for removing the top block fountain. For many years, Church Street's top block has struggled to acquire foot traffic that the middle blocks naturally enjoy. In 1994, Bobby Miller (then a Marketplace Commissioner) offered to build a fountain at his own expense on the top block. The total cost was \$250,000. The presence of the fountain helped to draw foot traffic up to the top of Church Street, and provide the community with a great feature. Since the fountain's installation, however, the top block has evolved.

- Raising the grade at the Church & Cherry intersection (2011) and installing new bollard (without chains!) has dramatically increased foot traffic from the Mall Block to the Top Block. Crossing Cherry Street is now more inviting for those walking on Church Street.
- New retail tenants on our top block helped generate more pedestrian traffic. The presence of City Sports, Earthbound Trading Company and Urban Outfitters has been nothing short of a God-send for the block. More food businesses on North Winooski at Pearl has also generated more foot traffic on the top block.
- More responsible management practices at Spectrum Youth and Family Services has greatly reduced much of the negative behavior we experienced in the past on the top block.
- Caring for the fountain has been challenging. Infrastructure repairs and improvements have been deferred. And, because our standards for maintaining the fountain are high, (cleaning, chlorinating, etc.) we anticipate cleaning expenses continuing to grow.

For the past 30 years, the Marketplace Commission has worked to keep the common area fee affordable for our fee payers – property owners and their tenants. That fee covers about 75% of our expenses. In turn, we've never had the luxury of building up our own capital budget to make improvements to the fountain.

The federal earmarks secured by Senator Leahy through the Federal Highway Administration have allowed us to make much-needed capital improvements to Church Street since 2003, including the closing of City Hall Block, repaving the Mall Block and alleyway, and our new electrical system.

While we had anticipated having adequate federal funds remaining to bring improvements to our top block and top block fountain, the amount currently available is now limited. As we have considered our more limited options for the top block, we have also been listening to business and property owners. In the past two years, we've heard a more unified message:

- Our merchants and restaurateurs have told us they would like a new feature at the top of Church Street that is more accessible to the community on a year-round basis. (The fountain is operational only five months a year).
- We've also noted the number of prospective tenants who have declined the available retail space at One Church Street property (former Ann Taylor space). One of the biggest barriers cited was the presence of the fountain.

We believe the time has come to remove the fountain. Our long term goal is to replace the fountain with a feature that: a) requires little to no on-going maintenance; b) does not pose a barrier to leasing; and c) is accessible to the community (and particularly to children), year-round. One option that has been gaining a lot of traction with stakeholders, and which would be accessible to children year-round, is a children's sculpture garden. There are a number of successful models in North America (including Boulder, Colorado) from which to draw inspiration. We have met with Bobby Miller, the fountain's funder/construction contractor in 1994. He understands and agrees with our rationale for removing the fountain.

Once the fountain is removed and bricked over, our intention is to analyze the space and evaluate our options for the next 12 months. Any new improvements (like the children's sculpture garden) would be funded entirely through private fundraising.

David Allerton

From: David E. White
Sent: Monday, March 04, 2013 9:57 AM
To: 'Ron Redmond'; David Allerton
Cc: Steve Goodkind; Norm Baldwin; Mike Kanarick; Jennifer M. Kaulius; Carina Driscoll; Jeff Nick; celiadaly@dalyanddaly.com; bunguy@together.net; Adna Karabegovic; Becky Cassidy; Jim Daly; Mimi Gutchell; Sandrine Thibault
Subject: RE: Removing the Top Block Fountain: Board of Finance and City Council

To add...planBTV also contemplates the removal of the fountain and recommends a redesign of the top block to: "improve vitality, traffic flow, and increase programming flexibility. Play features for children, additional seating, new water features, and more greenery could also help revitalize this block. The key is to make the space flexible enough to accommodate a variety of activities and events while inviting ongoing public use and enjoyment."

Let us know if we can help

David E. White, AICP
Director of Planning & Zoning
City of Burlington, VT

From: Ron Redmond [<mailto:ron.redmond.vt@gmail.com>]
Sent: Friday, March 01, 2013 3:19 PM
To: David Allerton
Cc: Steve Goodkind; Norm Baldwin; Mike Kanarick; Jennifer M. Kaulius; Carina Driscoll; Jeff Nick; celiadaly@dalyanddaly.com; bunguy@together.net; Adna Karabegovic; Becky Cassidy; Jim Daly; Mimi Gutchell; David E. White; Sandrine Thibault; Ron Redmond (ron.redmond.vt@gmail.com)
Subject: Removing the Top Block Fountain: Board of Finance and City Council

Dave. Good to speak with you by phone this afternoon. Here's the reply we hope you're looking for. Let us know if this is helpful:

- the top block fountain was built in 1994 with private monies. Developer Bobby Miller installed the fountain at his own expense, estimated at the time to be about \$250,000.
- the Marketplace Commission requested that FHWA approve removal of the fountain.
- the Mayor has been briefed and understands the rationale for removing it.
- attached is a memo which we encourage you to include with your request to the Board of Finance
- we will attend, with DPW, any and all Board of Finance and City Council meetings where this request is presented.
- we have met with Bobby Miller, and he understands and agrees with our rationale for removing the fountain.

On Fri, Mar 1, 2013 at 1:34 PM, David Allerton <dallerton@burlingtonvt.gov> wrote:

Hi Ron,

Steve and I met this morning to go over the finances for the earmark projects. We currently believe there will be funding available to demolish the fountain and construct improvements to ten catch

basins. Additionally, we plan on meeting with Scott Gurley next week, potentially Friday, to make sure we are all on the same page as far as available funding goes.

Since the work on the fountain is going to be approximately \$300,000, Steve has asked me to ask you if the Mayor and the City Council are both aware of and agreeable to removing the fountain from Church Street. Additionally, since this will be a significant financial amendment to the existing W&M contract, we will need to get approvals from both the Finance Board and the City Council before signing any amendment. I will be contacting Amy Bove today to get us on the next Finance Board Meeting Agenda.

Please get back to us and let us know if the Mayor and City Council are aware of, and amenable to the removal of the fountain from Church Street. Then, if our meeting with Scott Gurley goes well, we can move forward in getting the appropriate formal approvals from the Finance Board and City Council to sign an amendment with W&M and get this work scheduled.

Contact me with any questions.

David K. Allerton, P.E.

Public Works Engineer

Burlington Public Works Department

645 Pine Street

Burlington, VT 05401

802-865-5830 (phone)

--

Ron Redmond, Executive Director
Church Street Marketplace District
2 Church Street, Suite 2A
Burlington, VT 05401
802.865.7254 (work)
802.238.5598 (cell)
802.865.7252 (fax)
ron.redmond.vt@gmail.com

1
2 **Resolution Relating to**

RESOLUTION
Sponsor(s): Councilors Shannon,
Bushor, Paul, Decelles: Bd. of Finance

Introduced: 03/18/13

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

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6
7 AUTHORIZATION TO ENTER INTO AGREEMENT WITH
8 GARY EVANS FOR CONSULTING SERVICES AND
9 AMEND FY 2013 BUDGET – BURLINGTON TELECOM
10

11
12
13 **CITY OF BURLINGTON**

14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

16
17 That WHEREAS, Burlington Telecom (BT) has in the past hired Gary Evans at Hiawatha Broadband
18 Co. (HBC) to provide information to its Blue Ribbon Committee; and

19 WHEREAS, Mr. Evans has now retired from HBC and is available to serve as a consultant; and

20 WHEREAS, in December, the Burlington Telecom Advisory Board asked him to produce an
21 updated report on BT, which, upon completion, was disseminated to the City Council; and

22 WHEREAS, BT has reached an agreement with Mr. Evans to provide consulting services to it for
23 a period of six months, specifically in the areas of commercial sales, customer service processes, marketing
24 and planning; and

25 WHEREAS, the Board of Finance on March 11, 2013, approved BT’s contract with Mr. Evans at
26 a rate of \$10,000 per month, including expenses; and

27 WHEREAS, the Agreement is written so as to automatically renew every six months unless a
28 party acts to terminate it; and

29 WHEREAS, these consulting services can be paid within BT’s existing budget;

30 NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the Acting General
31 Manager of Burlington Telecom to enter into an Agreement with Mr. Evans for consulting services at a
32 rate of \$10,000 per month, including expenses, for a period of six months, with automatic renewals,
33 subject to the review of the City Attorney; and

34 BE IT FURTHER RESOLVED that the Interim Chief Administrative Officer is authorized to
35 make a budget adjustment of \$60,000 for this additional expense within BT’s existing budget to account
36 for the payment of these services in FY 2013.
37

CONSULTING AGREEMENT

This Consulting Agreement (the "Agreement") is made and entered into, effective January 1, 2013, by and between Gary W. Evans, 4820 8th St., Winona, MN 55987, hereinafter called "Consultant", and Burlington Telecom, a Vermont telecommunications provider, hereinafter called the "Contractor".

WHEREAS, Contractor is engaged in the communications business and maintains business premises at 200 Church Street, Burlington, VT 05401

WHEREAS, Contractor is willing to contract with Consultant and Consultant is willing to be engaged by Contractor, on the terms, conditions and covenants set forth in the Agreement;

NOW, THEREFORE, in consideration of the promises and covenants hereinafter contained, the engagement of Consultant by Contractor, and other good and valuable consideration, the receipt of which is hereby acknowledged, Contractor and Consultant agree and covenant as follows:

1. Services. Contractor agrees to engage Consultant, and Consultant accepts and agrees to such engagement. Consultant shall be responsible for providing commercial sales direction and mentoring commercial sales personnel; providing instruction and assistance in improving Contractor's customer service processes; planning and directing efforts to make the value of Burlington Telecom's potential known and understood by the City of Burlington Administration, its City Council, Burlington Telecom Advisory Board and the general public, and performing such other duties as assigned by the Contractor's agent and agreed to by the Consultant. The parties contemplate that all services under this Agreement will be performed by Consultant and agree that Contractor's obligations are not assignable or delegable.

2. Extent of Services. Consultant hereby accepts such assignment and agrees to devote a minimum of two weeks per month (10 work days), over the course of an Initial Term or a subsequent Renewal Term, of his time and best efforts, skill and attention to the business and interests of Contractor. The parties agree that Consultant may engage in other business interests that do not compete with the business of Contractor, would not violate the Non-Disclosure Agreement, nor would interfere with performance of service hereunder.

3. Payment. Contractor shall pay Consultant for services and expenses hereunder as follows:

a. Consultant's retainer shall be \$7,000.00 per month, payable in monthly installments or as otherwise agreed to by the parties.

b. Consultant shall further be compensated in the amount of \$2,000 per month for lodging while in Burlington and in the amount of \$1,000 per month for travel to and from Burlington.

c. Consultant agrees to invoice Contractor for such services and expenses at or

after the end of each monthly period for payment during the next regular Burlington Telecom payment period. Consultant acknowledges that the dollar amounts set forth in (a) and (b) above are the only amounts owed to Consultant under this Agreement.

The parties understand and agree that Consultant shall be responsible for all other expenses necessary or appropriate to perform his engagement. Consultant understands and agrees that he is responsible for the payment of all taxes on the above sums and that Contractor will not withhold or pay for Social Security, Medicare, or other taxes or benefits or be responsible for any unemployment benefits.

4. Term. The term of Consultant's engagement under this Agreement shall commence on January 1, 2013, and shall continue for a period of six (6) months ("Initial Term"), unless sooner terminated by:

- a. written agreement of the parties;
- b. the death or inability to perform due to disability of Consultant;
- c. either party for cause, consisting of incompetence, misconduct, illegal conduct, breach of this Agreement, or breach of the Non-Disclosure Agreement; or
- d. either party without cause following the Initial Term upon providing the other party with thirty (30) days prior written notice of termination.

Thereafter this Agreement shall continue for successive periods of six (6) months each ("Renewal Term") on the same terms as provided in this Agreement, unless terminated by either party on written notice given at least 30 days prior to the expiration of that term.

5. Direction. For purposes of this engagement, Stephen Barraclough, Burlington Telecom interim general manager shall assign and direct the tasks assigned to the Consultant. However, the parties agree that Contractor does not have the right to control how Consultant performs his tasks.

6. Return of Materials. Consultant agrees that at the termination of this Agreement, he shall return to Contractor all materials provided to him during his engagement on behalf of Contractor and shall ensure that Contractor has usable electronic copies of any documents related to its business that were created by him during his engagement.

7. Independent Contractor. The parties agree that Consultant is an independent contractor. To that end, Consultant shall determine the method, details, and means of performing the work, but will comply with all legal requirements in doing so. Contractor shall provide Consultant with no specific instructions or training in how to perform his tasks, except to the extent required by law or regulation. Consultant shall provide his own tools or equipment. The parties agree that Consultant is not an employee of Contractor or any of its departments, agencies, or related entities and is entitled to no employee benefits from Contractor. Consultant understands and agrees that he has no right to claim any benefits under the Burlington Employee Retirement System, Contractor's worker's compensation benefits, health insurance, dental insurance, life insurance or

any other employee benefit plan offered by Contractor. Consultant agrees to execute any certifications or other documents and provide any certificates of insurance required by Contractor and understands that the continuation of this contract is conditioned on his doing so, if requested.

8. Sole Revenues. Consultant understands and agrees that all payments to him will be payable solely from the revenues of Burlington Telecom and not from the General Fund of the City of Burlington.

9. Indemnification. Consultant shall indemnify, defend and hold harmless Contractor and its officers, employees, and agents from liability and any claims, suits, expenses, losses, judgments, and damages, including reasonable attorney's fees, arising as a result of Consultant's acts and/or omissions in the performance of this Agreement. Consultant also agrees to hold harmless and indemnify Contractor, to the extent permitted by law, for any amount that is determined by the Internal Revenue Service, the Department of Labor, or any other governmental entity should have been withheld from any payment to Consultant, or any interest or penalty on that sum. If Contractor is notified of any claims asserted against it to which this indemnification clause may apply, Contractor shall immediately notify Consultant in writing that a claim to which the indemnification agreement may apply has been received.

10. Compliance with Law. Both parties represent that they intend to comply with all relevant provisions of federal, state, or local law and that they will immediately take corrective action to remedy any concern, upon receipt of notice of any non-compliance.

11. Public Records and Retention. Consultant understands that any and all records related to Contractor, whether electronic, paper, or otherwise recorded, are subject to the Vermont Public Records Act and that the determination of how those records must be handled is solely within the purview of Contractor. Consultant agrees to retain, in company files, and to produce to Contractor within the time periods requested, all books, documents, accounting records, and other evidence related to Contractor, at any time during this Agreement and for a period of at least three (3) years after its termination.

12. Inspection of Work: Contractor shall, at all times, have access to Consultant's work for the purposes of inspection, accounting, and auditing, and Consultant shall provide whatever access is considered necessary to accomplish such inspections. At any time, Consultant shall permit Contractor the opportunity to inspect any materials prepared or undertaken by the Consultant under this Agreement.

13. Binding Nature and Jurisdiction. This agreement shall be binding upon and shall inure to the benefit of the parties hereto, their successors or heirs and representatives, and assigns. This agreement shall be governed by Vermont law, and Consultant expressly agrees to submit to the jurisdiction of the courts of the State of Vermont. The parties also agree that the courts located in the State of Vermont shall have exclusive jurisdiction to hear any dispute of any matter related to this Agreement or the Non-Disclosure Agreement.

14. Entire Agreement and Amendments. The parties acknowledge that this Agreement and the Non-Disclosure Agreement ("NDA") attached hereto contain the entire agreement between the parties and that there are no representations, inducements, arrangements, promises, or agreements outstanding between them, either oral or in writing, other than those. Any and all prior engagement agreements that Consultant may have had from time to time with Contractor are hereby superseded by this Agreement. No provision of this Agreement shall be changed or modified except by a written instrument executed by both parties hereto.

15. Waiver. No waiver by Contractor of any breach of this Agreement by Consultant shall constitute a waiver of any subsequent breach by Consultant, and no delay in enforcement of any breach shall be deemed a waiver of that breach.

16. Severability. If any provision of this Agreement is rendered invalid or unenforceable by the decision of any court of competent jurisdiction, that provision shall be severed, and all other provisions of this Agreement shall remain in full force and effect.

17. No Assignment. Consultant may not assign his rights or obligations under this Agreement without the express written consent of Contractor.

18. Binding Nature. This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors, and permitted assigns.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the day and year first above written.

BURLINGTON TELECOM
CONTRACTOR

GARY W. EVANS
CONSULTANT

STEPHEN BARRACLOUGH

GARY W. EVANS

Witness

Witness

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3 **Resolution Relating to**
4

RESOLUTION
Sponsor(s): Councilors Shannon,
Bushor, Paul, Decelles; Bd. of Finance

Introduced: 03/18/13
Referred to: _____
Action: _____
Date: _____
Signed by Mayor: _____

5
6
7 AUTHORIZATION TO ACCEPT A VERMONT ARTS COUNCIL
8 CULTURAL FACILITIES GRANT AND
9 AMEND THE FY 2012 BUDGET - FLETCHER FREE LIBRARY
10
11

12
13 **CITY OF BURLINGTON**

14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:
16

17 That WHEREAS, the Fletcher Free Library has received notification of an award from the Vermont
18 Arts Council in the amount of \$16,729 to support audio/visual and technical improvement to three public
19 meeting rooms; and

20 WHEREAS, a budget amendment is necessary to recognize these funds and program expenses;
21 and

22 WHEREAS, the Board of Finance has approved the acceptance of these funds and has
23 recommended acceptance of the grant by the City Council as well as support for the Mayor's budget
24 modification to recognize these funds and project expenses;

25 NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the acceptance of the
26 Vermont Arts Council Cultural Facilities grant to support audio/visual and technical improvements to
27 three public meeting rooms; and

28 BE IT FURTHER RESOLVED that the City Council hereby approves the amendment of the FY
29 2012 Budget as follows:

30 Increase:

31 Revenue:

32
33 121490.48009 – Vermont Arts Council Grant \$16,729
34

35 Expense:

36
37 121490.61100 – Salaries \$16,729
38



OFFICE OF THE CLERK/TREASURER
City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000
Fax (802) 865-7014
TTY (802) 865-7142

March 8, 2013

To: Board of Finance

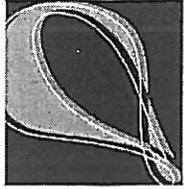
From: Paul Sisson

RE: Library Grant from Vermont Council of the Arts

In June 2012, a grant was awarded to Fletcher Free Library for audio visual equipment, and it was approved by the Board of Finance at that time. Also in June 2012, the Library made a payment to The Superstore representing the City's matching share of the grant (\$16,500). This payment was recorded in fiscal 2012.

In February, the Library received the grant funds from the State (also \$16,500). Since the match was already recorded in FY12, there is no additional cost to the City. However, the provider of the A/V equipment, The Superstore, has been waiting patiently for over six months for payment of the balance due. Because the State money has been received, I am requesting permission to pay that outstanding balance of \$16,500 to The Superstore as soon as possible.

While the amount involved does not meet the \$50,000 threshold for Board of Finance approval, the unique nature of this transaction and the confusion it caused led me to believe that the Board should be informed of the situation.



VERMONT
ARTS
COUNCIL

December 13, 2011

Fletcher Free Library
Attn: Ashley P. McAvey
235 College Street
Burlington, Vermont 05401

Re: Application # 16478

Dear Ashley:

I am pleased to inform you that the Fletcher Free Library has been awarded a Cultural Facilities Grant of \$16,729 to support the installation of audio/visual and technical improvements to three public spaces. This award comes with certain conditions. The Cultural Facilities Coalition has stipulated that in order to use this award you must:

- Submit to the Vermont Arts Council an additional estimate (the panel suggests Sound Vision in Burlington may be able to provide one).
- Include assistive listening devices for all amplified areas and a plan for securing them and any other moveable equipment.

You are receiving this letter and a contract between your organization and the Arts Council. Please read both documents carefully. If you agree to fulfill the contingencies as stated in this letter and meet the contract terms and conditions, print and return two copies of this letter, each attached to a signed contract no later than February 17, 2012.

Once we have received the signed contracts with a copy of this letter attached to each, we will counter-sign and return a copy to you, along with:

- A copy of the Secretary of the Interior's Standards for Historic Preservation Projects;
- Information about accessibility;
- A sign to post for the duration of your renovations to acknowledge the receipt of funding from the State of Vermont.

Please note: The Cultural Facilities Grant funds are released only upon completion of the project and submission of the appropriate documentation.

We will host a press conference and check presentation ceremony on the afternoon of January 19th at 3:00 pm in the Cedar Creek Room at the State House. We invite representatives from your organization to be on hand to accept our congratulations. **Please confirm your attendance with Susan McDowell at (802) 828-0152.**

Since this grant program is made possible by public funds received from the State budget, we encourage you to:

- Contact your State legislators and other elected officials to let them know about your award. Include them in your activities. It is important that our legislators understand how vital these funds are to cultural development and community life within their districts.
- Credit the State of Vermont and the Vermont Cultural Facilities Coalition whenever promoting your award and related activities in print or broadcast material, program announcements, interviews, etc.

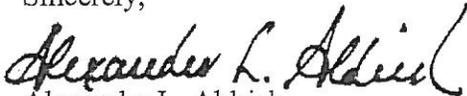
When writing a letter to your legislator the following points may be helpful:

- Describe your project.
- List dates and times for any presentation or celebration, and invite your legislator to attend.
- Describe the constituents in the community who will benefit from the project.
- Let them know that your project or event has been made possible in part by funding the Vermont State Legislature and the Vermont Cultural Facilities Coalition.
- Thank them for their continued support of cultural resources in their communities.
-

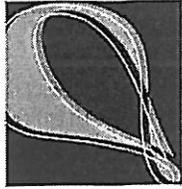
Grantees often find it helpful to hear about the strengths and weaknesses of their application for future reference. We strongly encourage you to contact the Council if you would like to hear the reviewers' comments on your application or if you have any questions. From December 15th through February 6th contact Michele Bailey at 802-828-3294 or by email at m Bailey@vermontartscouncil.org. After February 6th contact Sonia Rae at 802-828-5425 or by email at srae@vermontartscouncil.org.

A list of grantees will be published in the Council's Annual Report for 2012. Once again, congratulations! Thank you for all your many contributions to Vermont's cultural life.

Sincerely,



Alexander L. Aldrich
Executive Director



VERMONT
ARTS
COUNCIL

VERMONT ARTS COUNCIL
ACTING FOR THE STATE OF VERMONT
CULTURAL FACILITIES GRANT AGREEMENT
FISCAL YEAR 2012

This agreement is made and entered into between the Vermont Arts Council, acting for the State of Vermont (hereinafter called the Council) and the **Fletcher Free Library** (hereinafter called the Grantee). Pursuant to Act 40, Section 7, Subsection(3) of the Public Acts of the 2011 Vermont Legislature, which appropriates funds to the Vermont Arts Council for a program of matching grants for capital improvements to cultural facilities to be administered by the Council. The Council and Grantee mutually agree as follows:

1. The Council will furnish a matching grant-in-aid to **Fletcher Free Library** in an amount not to exceed **\$16,729.00 to support audio/visual and technical improvements to three public spaces** to be undertaken in accordance with the provisions of this Agreement.
2. The period of performance under this Agreement **shall commence on January 1, 2012 and conclude on December 31, 2012** also referred to herein as the Termination Date.
3. In carrying out the project, the Grantee will:
 - A. Follow the approved Project Description, plans or specifications submitted with the grant application and/or any conditions described in the award letter, dated December 13, 2011, a copy of which is attached and made a part hereof;
 - B. Perform all project work in compliance with the "Secretary of the Interior's Standards for Historic Preservation Projects" (36 CFR 67) (attached);
 - C. Comply with the requirements for Title 21, V.S.A. Chapter 5, Subchapter 6, relating to fair employment practices, to the extent applicable, and agrees further to include a similar provision in all subcontracts;
 - D. Perform all project work without discrimination against any person or group of persons on the grounds of race, sex, color, religion, national origin or physical disability, unless it is shown by Grantee that such disability prevents performance of the work involved in any manner prohibited by the laws of the State of Vermont;
 - E. Hold and save harmless the State of Vermont and the Council and their officers and employees from liability for any claims, suits, judgments, and damages arising as a result of the Grantee's performance of the obligations under this Agreement;

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CTR	SRC	ACCT	AMT	DATE	APR
CTR	SRC	ACCT	AMT	DATE	APR

- F. Maintain all documents, papers, accounting records, and other evidence pertaining to costs incurred under this Agreement and make them available at reasonable times during the period of this Agreement and for three years thereafter for inspection by any authorized representative of the State or the Council. If any litigation, claim, or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved. The Council, by any authorized representative, shall have the right at all reasonable times to inspect or otherwise evaluate the work performed or being performed under this Agreement;
 - G. At such times as the Council may require, furnish it with such periodic reports, statements, and other documentary data and information as may be requested relative to the progress and status of the project and as to the compliance with the terms and conditions of this Agreement;
 - H. Promptly inform the Council in writing of any significant problems, delays, or adverse conditions, actual or anticipated, that will materially affect the project objectives or prevent the meeting of time schedules;
 - I. **Grantee shall credit the Vermont Cultural Facilities Coalition and the State of Vermont in any newspaper, radio, television, or other media publicity (i.e. programs, brochures, flyers, etc.)**
 - J. Promptly halt all the project work and inform the Council if buried archaeological resources are located during the project, and preserve and protect these resources until the Council notifies Grantee that project work may continue;
 - K. Assume the cost of continued maintenance and repair of the property so as to preserve the architectural and historical integrity of the features, materials, appearance, workmanship, and environment for a period of five (5) years from the date of execution of this Agreement in order to protect and enhance those qualities, historic and otherwise, that make the property a cultural resource. Nothing herein shall prohibit the Grantee from seeking financial assistance from any source available to the Grantee.
 - L. Agrees to make its programs, services and facilities accessible to individuals with disabilities. The Grantee understands that failure to comply with the requirements of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 could result in the withdrawal of financial and other support by the Council, the imposition of compliance conditions upon the grant, a reduction in a grant amount, and/or may otherwise jeopardize current and future funding and support from the Council.
4. Hereby certify under the pains and penalties of perjury that the Grantee is in good standing with respect to, or in full compliance with a plan to pay, any and all taxes due the State of Vermont as of the date the Grantee signs this Agreement, under Title 32, V.S.A. Section 3113.
5. Failure of the Grantee to comply with any of the terms and conditions of this Agreement shall be deemed a material breach of this Agreement, and upon failure of the Grantee to remedy such breach within thirty (30) days after written notice from the Council, the Council shall have, to the full extent permitted by law, including but not limited to, the right to demand and receive from the Grantee full refund of the grant.
6. Failure of the Grantee to complete this Agreement by the Termination Date set forth in paragraph 2 shall be deemed a material breach of this Agreement without the necessity of written notice as provided in paragraph 5, and the Council shall, to the full extent permitted by law, have each and all of the rights and remedies set out in paragraph 5.

7. The Grantee agrees that the project for which the grant has been made shall be completed by the Termination Date. If the Grantee is unable to complete the project in the time allotted, it must apply in writing for an extension at least two weeks before the termination of the grant. Extension requests will be approved on a case-by-case basis. Failure to complete the project in a reasonable time frame will result in forfeiture of the grant monies. The Grantee may reapply for funding the next grant cycle, but a re-grant of funds is not guaranteed.
8. A Project Completion Report and an Accounting Report, as further described, and copies of all bills (invoices) from contractors, suppliers, and vendors shall be submitted **no later than January 31, 2013**, or thirty days after the project is completed, whichever occurs sooner. Upon receipt of an acceptable Project Completion Report and Accounting Report, the Council or its representative may make a final project assessment. The Council will commence processing payment of the grant which will equal one-half of the allowable expenses on the Accounting Report, or the face value of the grant, whichever is less, when the Council has established that the work has been completed satisfactorily in accordance with the approved Project Description.
9. This Agreement shall be governed by the laws of the State of Vermont.

For FLETCHER FREE LIBRARY

By: _____ Date: _____

(Representative's Printed Name and Title)

For VERMONT ARTS COUNCIL

By: _____ Date: _____
Alexander L. Aldrich, Executive Director



OFFICE OF THE CLERK/TREASURER

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BOARD OF FINANCE MONDAY, JANUARY 7, 2013

MINUTES

PRESENT: Mayor Weinberger, City Council President Shannon, Councilors Bushor and Paul, Interim CAO Sisson

ALSO PRESENT: Tammy Gagne, Airport; Robert Resnik, Library; Andi Higbee, Police; City Attorney Eileen Blackwood; ACAO Schrader; Ron Redmond, Marketplace; Barbara Grimes, Ken Nolan, BED

ABSENT: Councilor Decelles

1. Agenda

Councilors Bushor and Paul made a motion to adopt the agenda.

Councilor Paul asked to remove item 10 from the agenda.

The agenda was adopted unanimously as amended.

2. Public Forum

No one came forward to speak.

3. Approval of the Board of Finance Minutes

a. November 13, 2012

Councilors Bushor and Paul made a motion to approve the minutes. The motion passed unanimously.

4. Authorization to Accept IBM Grant – Library

The Board addressed an item to allow the Library to accept a \$3,000 grant from IBM.

Councilors Bushor and Paul made a motion to accept the grant. The motion passed unanimously.

5. Authorization for Amendment to Contract with Shelburne Limestone – BED

Councilor Bushor and City Council President Shannon made a motion to authorize the amendment and recommend City Council approval.

Councilor Bushor stated she is pleased to see language regarding livable wage included in this contract. Barbara Grimes, BED, stated this contract dates back to 1983 and they were not at all opposed to the addition. Mayor Weinberger stated they are making sure this type of contract has livable wage language included even though it has been renewed for many years. They will be reporting back to the full Council about livable wage.

City Council President Shannon inquired how the price is determined. Ken Nolan, BED, stated it is a negotiated price based on their costs. This is a little higher than it was for the last ten years. The average increase has been 1% per year.

The motion passed unanimously.

6. Authorization to Accept License Plate Reader Grant – Police

Councilor Paul and City Council President Shannon made a motion to authorize acceptance of the grant.

Councilor Bushor stated she tried to educate herself about this. There was once a discussion about putting a camera on Williston Road and there were legal issues with that. Deputy Police Chief Andi Higbee stated they already have one license plate reader that they have been using for six months. There is a camera on the police car that electronically sends the image to the State. It reads the license plates of other cars and alerts the Officer if the car has been reported stolen or the registration has expired. It verifies this information with dispatch. They have been able to recover two stolen vehicles. The information is updated daily by the Department of Public Safety. Councilor Bushor inquired when this will be in place. Deputy Chief Higbee stated they will have to spend the money by July 1, 2013. They will follow guidelines that are set by the Department of Public Safety. Councilor Bushor inquired if they will be getting more of these. Deputy Chief Higbee stated that they will get more than two at this time. They are a great tool. Two years ago there was a rash of armed robberies and they were able to use these to find the vehicles of the bank robbers using this tool.

The motion passed unanimously.

7. Authorization for Step Placement for Assistant City Attorney – HR

Councilors Bushor and Paul made a motion to approve the step placement.

City Council President Shannon inquired if they could explain how the job functions of the different City Attorneys will be changing, particularly regarding the License Committee and Taxi Board. City Attorney Blackwood stated that this was an idea the previous City Attorney had worked on to bring more work back in house. They decided to hire another Assistant City Attorney, Kim Sturtevant, to work in house and see how it works. They have passed the duties of licensing, which were previously handled by Nikki Fuller, to another in house Attorney. About 20% of Kim's time at McNeil, Leddy and Sheehan was not spent on City work, so she will be able to use that time to staff the License Committee. City Attorney Blackwood stated she is handling much of the HR and Retirement work that Nikki Fuller previously handled. Councilor

Bushor stated this was a wise move. Having her on contract was expensive. She stated she feels HR has been underserved and feels the City will be well served by having someone who is on top of those issues. The whole proposal makes a lot of sense.

Councilor Paul inquired if the Assistant City Attorney will no longer be employed by McNeil, Leddy, and Sheehan. City Attorney Blackwood stated that is correct. Councilor Paul requested a report on the number of step placements that have been approved this year. There have been times when they have approved step increases but it is unclear what the budget impacts are. It seems that there have been a lot of them and it would be good to know how many.

The motion passed unanimously.

8. Authorization to Accept Private Donations - Marketplace

City Council President Shannon and Councilor Bushor made a motion to recommend City Council approval of acceptance of the donations.

Councilor Bushor inquired about the language in the resolution and stated she feels that it could be made clearer. ACAO Schrader noted where her requested language was in the resolution. Councilor Bushor requested they revise it to be clearer.

City Council President Shannon inquired if the Marketplace did not get the private money they were hoping to get and used City money for some materials. The title is misleading because they have also spent some City money. Ron Redmond, Marketplace, stated they are receiving a donation from Citizen's Bank and need to recognize that.

Councilor Bushor requested the language in the resolution be clearer. ACAO Schrader stated they were trying to recognize that the Marketplace spent \$9,800 and they will be reimbursed through private donations.

The motion passed unanimously.

9. Review of 2012 Actuarial Valuation – CAO

Councilor Paul inquired if they will present the same information to the Council. Interim CAO Sisson stated he is prepared to give a more detailed report to the full Council.

Councilor Bushor stated she is fine with waiting for a report to the full Council. She has some questions about the report. City Council President Shannon suggested going through the presentation so that they are better prepared when it is presented to the full Council.

Interim CAO Sisson stated the main problem this past year was poor investment performance. Councilor Paul inquired if the return was negative. Interim CAO Sisson stated it was. FY10 and FY11 were very good, but FY09 was not. This reflects a market with a lot of volatility. He stated he will explain this in more detail in a PowerPoint presentation to the Council. The funding ratio went down another percentage. That should not be allowed to happen again. They have made the

minimum annual required contribution for the last four years. Pension costs will continue to rise as long as this funding structure is in place.

Councilor Bushor stated she would like to see a projection of what the City's contribution will be in the future. Interim CAO Sisson stated he will prepare a presentation with a summary of the activity and factors behind the shortfall.

Councilor Paul stated it is critical to plan ahead. They are only 70% funded and that is very significant. If the City were a private organization, this would be a very big deal. An explanation of the numbers and how they change would be helpful.

Councilor Bushor stated she is concerned about employees and this is a serious situation. Interim CAO Sisson stated they will be talking more about this in the coming months. Councilor Bushor suggested they hold a work session. Even though she has heard this information before, it is helpful to hear it again to better understand it. City Council President Shannon stated they should plan for a work session. There have been new Councilors since the last presentation. The information is helpful. The Board discussed the schedule for a work session.

10. Airport Reorganization (Expected Executive Session)

This item was removed from the agenda.

Without objection, Mayor Weinberger adjourned the Board of Finance meeting at 5:36 pm.



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BOARD OF FINANCE TUESDAY, JANUARY 22, 2013

MINUTES

PRESENT: Mayor Weinberger; City Council President Shannon; Councilors Bushor and Paul, Interim CAO Sisson

ALSO PRESENT: ACAO Goodwin; ACAO Schrader; City Attorney Eileen Blackwood; Assistant City Attorney Richard Haesler; Susan Leonard, Julie Hulburd, HR; John Vickery, Assessor; Gene Richards, Heather Kendrew, Airport; Steve Goodkind, Norm Baldwin, DPW; Peter Owens, Kirsten Merriman-Shapiro, CEDO; Joe McNeil, McNeil, Leddy, and Sheehan.

ABSENT: Councilor Decelles

1. Agenda

City Council President Shannon and Councilor Paul made a motion to adopt the agenda as presented. The motion passed unanimously.

2. Public Forum

No one came forward to speak.

3. Request for Funding to Appraise Student Housing – Assessor

Councilor Paul and City Council President Shannon made a motion to approve the funding.

City Council President Shannon inquired how the budgeting will work for this. There is an investment in the appraisal that will likely come back, but not in this fiscal year. Interim CAO Sisson stated they budgeted for a minor surplus in the FY13 budget. The appraisal may also cost less than predicted.

Councilor Bushor stated Centennial Court is not student housing, though it is affiliated with UVM. There are no undergraduate students there. University Heights had some retired UVM professors who were able to buy a subsidy for a reduced rent. They later transitioned over to Centennial Court. She does not understand that relationship. Redstone Apartments are all students, but Centennial Court has older renters and residents. John Vickery, Assessor, stated he can look into all of that. He recalls that they do lease to students, faculty, and staff. Councilor Bushor stated she believes there is a no undergraduate student policy. Mr. Vickery stated they will ask those questions and find out about the terms of the lease. Councilor Bushor stated it is important housing. She wants to make sure the City gets the money that is due, but it is a complex set of criteria that is in place. She stated she is glad they may be able to do the appraisal for less money. She inquired who does larger residential complex appraisals. Mr. Vickery stated

this specific request is because on campus student housing is a market niche with appraisers who specialize in this. It is something that their office does not have the resources to do. Large apartment buildings have fewer sales so you need to expand the search, which requires a lot of time and effort. Any certified appraiser can handle that task.

The motion passed unanimously.

4. Request to Authorize Funding for Design Work to Waterfront Access North - CEDO

Councilors Paul and Bushor made a motion to authorize funding and recommend City Council approval.

Councilor Bushor inquired if they are satisfied with the work that is being done at the design level. Steve Goodkind, DPW, stated they are. The tech person would do basic drawing, but the senior level people would do the actual design work.

The motion passed unanimously.

5. Authorization and Recommendation to City Council for Airport Reorganization (Expected Executive Session)

City Council President Shannon and Councilor Bushor made a motion to go into executive session at 6:40pm.

Councilor Paul and City Council President Shannon made a motion to go out of executive session at 7:19 pm.

City Council President Shannon and Councilor Bushor made a motion to approve the reorganization and recommend City Council approval. The motion passed unanimously.

Without objection, Mayor Weinberger adjourned the Board of Finance meeting at 7:19pm.



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BOARD OF FINANCE MONDAY, JANUARY 28, 2013

MINUTES

PRESENT: Mayor Weinberger; City Council President Shannon; Councilor Bushor; Councilor Paul (phone); Councilor Decelles (arrived at 5:15 pm); Interim CAO Sisson

ALSO PRESENT: ACAO Goodwin; Steve Goodkind, Norm Baldwin, DPW; Andi Higbee, Police; City Attorney Blackwood; Susan Leonard, Ben Pacy, HR; Mike Kanarick, Mayor's Office

1. Agenda

Mayor Weinberger added item 7. "Act 250 Permit – Airport" to the agenda.

Councilor Paul and City Council President Shannon made a motion to adopt the agenda as amended. The motion passed unanimously.

2. Public Forum

No one came forward to speak.

3. Approval of the Board of Finance Minutes

a. November 26, 2012

City Council President Shannon and Councilor Bushor made a motion to approve the minutes. The motion passed unanimously.

b. December 3, 2012

Councilor Bushor and City Council President Shannon made a motion to approve the minutes.

Councilor Bushor requested they bring item 6.8 Discussion of Standing Items back to the Board of Finance for discussion.

The motion passed unanimously.

c. December 17, 2012

City Council President Shannon and Councilor Paul made a motion to approve the minutes.

Councilor Bushor stated that item 7 of the minutes showed the Library's org chart. There were a

number of people at the same rate of pay as the director. She would like to discuss whether that is acceptable. Interim CAO Sisson stated they are working on addressing this. Susan Leonard, HR, stated when the new Library Director is in place they will work with her to review the org chart and make changes if necessary.

City Council President Shannon requested clarification about item 9 of the minutes during which they discussed parking on Sears Lane. She inquired if there will be a public parking facility. Mayor Weinberger stated they are not considering that.

Councilor Decelles arrived.

The motion passed by a vote of 4-0. Councilor Decelles abstained from the vote.

4. Police Officer Rate of Pay Adjustment – HR

Councilor Bushor and City Council President Shannon made a motion to approve the pay adjustment.

Councilor Bushor inquired if this is typical. Ben Pacy, HR, stated this is atypical. There is no policy about this, which is why they are presenting it to Board of Finance and City Council. Councilor Bushor inquired if when situations like this arise and there is no policy, they review it and make a recommendation. Mr. Pacy stated that is correct.

The motion passed unanimously.

5. Cooperative Agreement Amendments for the Church Street Lighting Project – DPW

Steve Goodkind, DPW, stated this is a housekeeping matter. They undertook a project to do improvements in the Church Street area, including lighting. The project involved two federal earmarks. The larger was called 5016, the smaller was 5019. When it was time to draw the money, they found there was one more step involved. This step will take money from 5019 and move it to 5016 so it can be spent. At the end, there will be \$2,075 remaining in 5019 that can be used for other projects. There will also be \$280,000 left in 5016 that the Marketplace would like to spend on the fountain. They were told that they could not use the money without moving it to 5016.

Councilor Bushor stated they spent a large amount of time and energy putting in the fountain. There were concerns that people would trip on the trough of the fountain and they did. It turned out to be a liability. She hopes people will remember this in the coming years. Mr. Goodkind stated there may be a smaller fountain in the future.

City Council President Shannon inquired what will come after the fountain is removed. Mr. Goodkind stated they will be removing it and may add something later. City Council President Shannon stated she would be interested in seeing a plan when it is available. Mr. Goodkind stated there are a few ideas and they will come back when they have something more firm.

City Council President Shannon and Mayor Weinberger made a motion to approve the amendment and recommend City Council approval. The motion passed unanimously.

6. Audit Update – CAO

Interim CAO Sisson stated the audit will be issued tomorrow. It will be included in the annual report and will be available for Town Meeting Day. The City general fund generated a surplus of revenues over expenditures of about \$500,000. With other sources and uses, the net change was about \$2.3 million dollars. It was not a lot of money in excess. They originally budgeted only a small surplus. The auditor will be here for a City Council Work Session at the next City Council meeting.

Councilor Bushor inquired if the surplus came from the gross receipts tax. Interim CAO Sisson stated that was one of the larger areas that was better than budgeted.

Councilor Paul left the meeting.

7. Act 250 Permit - Airport

Councilor Bushor stated there is an application in the City Council packet from the Airport for an Act 250 permit for the destruction of homes in South Burlington. This is part of the noise mitigation plan and she knows they have purchased a number of properties. She inquired if homes have been destroyed in the past and how many houses were impacted. She inquired what the process has been for South Burlington. Once the Airport buys the homes, their use changes, but she would like more information. City Attorney Blackwood stated the Airport wants to demolish 57 properties. A question was raised by a neighbor about whether or not Act 250 applied to destruction under the rules about construction. There is a process by which an individual can request a jurisdictional opinion. The District Coordinator would issue a decision about whether or not they had jurisdiction. This opinion that they received stated the demolition does not meet the criteria for Act 250 jurisdiction. The City does not need to go through that hearing process before demolishing the properties. The neighbor has thirty days to appeal to the Environmental Court. Councilor Bushor inquired if the permit for demolition would be needed from South Burlington. In Burlington, you need a permit to demolish a house. She inquired if the Airport has permission to destroy or reuse the homes in the purchase contract without going through a separate process. City Attorney Blackwood stated there are multiple levels. The money for this comes from the Federal Government, therefore the properties that are purchased have limitations in use. Act 250 is a different process than South Burlington's process. Under that process, the question was whether or not they needed an Act 250 permit. The next question is what South Burlington requires, and she is unsure. Councilor Bushor stated it will be important for them to understand the process better. City Attorney Blackwood stated the South Burlington Design Review Board has determined that removal of the homes does not constitute a change of use. Councilor Bushor stated this process has been challenging in trying to do the right thing for the Airport and neighboring communities. Mayor Weinberger stated they will continue to have extensive discussions with South Burlington.

Without objection, Mayor Weinberger adjourned the Board of Finance meeting at 5:38 pm.



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BOARD OF FINANCE MONDAY, FEBRUARY 11, 2013

MINUTES

PRESENT: Mayor Weinberger; City Council President Shannon; Councilors Paul and Bushor; Interim CAO Sisson

ALSO PRESENT: Gene Richards, Bob McEwing, Airport; Daryl Santerre, BED; Bill Ward, Code; Steve Goodkind, Megan Moir, Pat Buteau, DPW; City Attorney Eileen Blackwood; Mike Kanarick, Airport

ABSENT: Councilor Decelles

1. Agenda

On a motion by City Council President Shannon and Councilor Bushor, the agenda was adopted unanimously as presented.

2. Public Forum

No one came forward to speak.

3. Authorization for Revenue Anticipation Notes - BED

Councilor Bushor and City Council President Shannon made a motion to authorize the Revenue Anticipation Notes and recommend City Council approval.

Councilor Bushor stated they are authorizing an additional \$5 million of borrowing. They also have \$2.5 million remaining from a previous borrowing that will be paid off in 6-12 months. She inquired if paying that off will allow them to borrow up to \$5 million. Daryl Santerre, BED, stated that is correct.

The motion passed unanimously.

4. Authorization for Land Purchases – Airport

City Council President Shannon and Councilor Bushor made a motion to authorize the purchases.

Gene Richards, Airport, stated they have been working with South Burlington on this. They are coming to an agreement with them. They liked the direction it was headed, though it has not been officially approved. The Mayor has been listening to their concerns and working on addressing them.

City Council President Shannon stated she met with the South Burlington Council President and she was happy that they have more of a relationship with Burlington than they have in the past. Mr. Richards stated it seems they are headed in a good direction. City Council President Shannon stated she wants to ensure that South Burlington gets notice of items such as this when they are on the agenda. Mr. Richards stated he has not talked to the South Burlington City Council about this, but the Mayor has communicated with them that they will be addressing this.

Councilor Bushor stated it would be nice to notify someone from South Burlington when there are items on the Board of Finance regarding the Airport. That would allow them to send someone to speak if they wished. That is a good way to solidify a good working relationship. Mr. Richards stated he did attempt to reach out to South Burlington.

Mayor Weinberger stated the Airport has done a lot of work to document what has already transpired and what is still to be done. They have made progress with communication with South Burlington, although they are far from done with these conversations. Referring to a map provided by Mr. Richards, he stated the purchases in the past have are shown as brown properties. The properties being purchased are blue properties, meaning that these property owners have been in communication with the Airport for several years. They are not problematic properties. Pink properties are ones that the Airport may purchase with money received in the last year. They specifically said any purchases with that money would require South Burlington to be on board. Mr. Richards stated they are working to close out the past programs. This will allow them to move forward.

Councilor Bushor inquired about red properties, and other eligible properties. She asked if South Burlington is aware of that. Bob McEwing, Airport, stated they have seen a list of all properties above 65 DNL, although they may not have seen this exact attachment. Mr. Richards stated they have seen different versions of this. They have not voted on the program, but they do have an idea about it. Councilor Bushor inquired if this could go back on the next Board of Finance meeting to discuss this further. Mr. Richards suggested they could discuss this during the week as well. There are a lot of details. Councilor Bushor stated she would prefer to do it in a meeting so everyone can hear the questions and responses. She is comfortable acting on this, but wants to discuss the full program more.

Mayor Weinberger stated the logic behind the properties identified here are that they will close out the program and create something contiguous. What is uncertain is what will happen when the demarcation between the Airport and the neighborhood is necessary. They have put some ideas out, but South Burlington has not yet responded.

Councilor Bushor noted a discrepancy between the memo and resolution. She requested these be corrected.

The motion passed unanimously.

5. Authorization for Budget Amendment for Parking Garage Repairs – DPW

Councilors Paul and Bushor made a motion to approve the repairs.

Councilor Paul inquired where the money for this is coming from. Pat Buteau, DPW, stated it will come from insurance.

The motion passed unanimously.

6. Authorization to Accept Stormwater Grants and Amend Budget - DPW

City Council President Shannon and Councilor Paul made a motion to authorize acceptance of the grant and the budget amendments.

Megan Moir, DPW, stated there have been plans to improve the College Street Stormwater Outfall for a number of years but they were unsure where to find funding. This grant will allow the plan to move forward. They hope to tie this into elements of PlanBTV to improve the streetscape. Mayor Weinberger inquired if this is located at the base of College St. Ms. Moir stated it is and it generates a lot of sediment because of pollutants in the stormwater. They will also be able to create a stormwater friendly driveway fact sheet to have available. She and Planning and Zoning receive a lot of questions about that and it will be a useful tool to have on hand.

Councilor Bushor stated she found this informative and though it may be small, it is important. She requested an explanation of how each grant would be linked to each project. Ms. Moir stated they are getting grant money, but only a portion will be used in FY13. That is why the numbers do not all match up. There is also some money available from previous grants that have already been accepted.

The motion passed unanimously.

7. Discussion of Standing Agenda Items and Use of Consent Agenda

Councilor Bushor suggested considering whether it would be advantageous to have a consent agenda for items on the Board of Finance agenda. Anyone could remove the items if they wanted to discuss them. They did that in the past and it was useful. She also stated there could be standing agenda items that are germane for the time. These could relate to the audit, BT, or any other issue that the Board may want a regular update on. That keeps items from getting lost.

Mayor Weinberger noted items on this agenda that could have been on a consent agenda.

Councilor Paul stated items involving money should not be on the consent agenda. In the past, the Council has put too many things on the consent agenda when they warrant time and discussion. She understands a small grant from the Library might not need to be discussed at length, but it does not take more time to approve it individually than it would on a consent agenda. She had previously asked for a monthly update on Pooled Cash, but has not seen one. It is important to see that information.

City Council President Shannon stated most of the time there are not too many items that she

would put on a consent agenda. There may be times with a longer agenda that it would work. This would work for items where they are accepting money.

Councilor Paul stated standing items are a good idea because it opens up conversation. There may be times when they do not address the standing items, and that is fine. The audit would be a good example.

Councilor Bushor stated the Board of Finance would be more valuable to the CAO if they could be given a forecast of how things are going. Updates on shortfalls and excess revenues are good and should be discussed. If the Board can understand where the problems are, they can determine how to make up that revenue. When there are surpluses, they could discuss how to spend that money. There could be standing or quarterly items to discuss these things.

Mayor Weinberger stated he agrees and the goal is to start doing this. With the migration to New World, it was really only in January that they were able to generate reports that were meaningful. Department heads have been able to start using these. The goal is to have monthly or quarterly budget vs. actual reports. This is a new capacity of the City.

Councilor Paul stated the past administration was not able to do that. This will also be helpful in making projections for the future.

Interim CAO Sisson stated they will have to develop a custom report that is manageable. The reports used now are broken down by department and compare each revenue and expense to the corresponding line items. That may be too much detail.

Councilor Bushor stated she would like to know if there is something glaring. It would be important to see. There also may be lines that are not broken down evenly each quarter. The Board of Finance would benefit from seeing the big picture.

Councilor Paul inquired if there are seasonal adjustments. Interim CAO Sisson stated there are not. Councilor Paul stated that would apply most to Parks and Recreation. They do not spend the same amounts in January as they do in July. Without that, the number will appear skewed.

Interim CAO Sisson stated the most important item is salaries and wages. They are watching that closely. So far everyone has remained in line. Moving forward, they can find a way to summarize problem areas. Mayor Weinberger stated they will attempt to do this. Interim CAO Sisson stated they can adjust their reporting based on what the Board wants.

Councilor Bushor stated she would like to develop an agenda that was meaningful that has pertinent items outside of what comes to them.

Interim CAO Sisson stated they started sending reports to Department Heads as of December 31 and will continue to do this monthly. Mayor Weinberger stated if they were to have an agenda with standing items, it would make sense to have these reports on it.

Mayor Weinberger stated they will add budget, financial reports, and audit as standing items

when it is appropriate. Councilor Paul stated this will be a good way to begin conversations and keep things on their minds. Mayor Weinberger stated they will begin to create a budget timeline.

Without objection, Mayor Weinberger adjourned the Board of Finance meeting at 5:43pm.

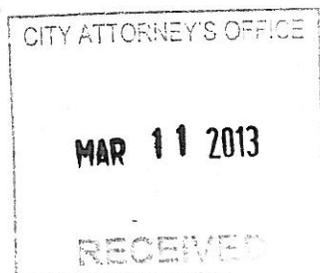
March 11, 2013

To Whom It May Concern, ^{March 5,}

On Town Meeting Day, I was informed that I had received 257 votes and that a write-in candidate, Kyle Dodson, received 253 votes. I was lead to understand that he would request a recount.

On Within a day I received a personal email from Councilor Vice Brennan requesting that I step down and allow my opponent to have the position. He stated that if I did not step down he would make his request public. I replied that I would serve if elected. In response to my reply he sent by email a request that my opponent's supporters put pressure on me to step down.

I understand the city councilors will be recounting the ballots tonight. I have a concern that Councilor Brennan has a conflict of interest in his role in counting the ballots. There is a question of trust. To ensure ^{the} integrity of the vote and the confidence of my constituents in the balloting process, I request that the Board of Civil Authority take every measure to ensure that conflict of interest does not enter into the recounting ballots process.



Respectfully,
Keith Pillsbury



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

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DECLARATION OF ELECTED CANDIDATES ANNUAL CITY ELECTION – MARCH 5, 2013

I, Scott Schrader, Assistant Chief Administrative Officer for the City of Burlington, Vermont do hereby declare the following candidates elected as a result of the Annual City Election held March 5, 2013:

<i>WARD 1</i>	<i>Office</i>	<i>Elected Candidate</i>	<i>% of Vote</i>
	City Councilor	Sharon Foley Bushor	68.90%
	School Commissioner	Keith Pillsbury	50.10%
	Inspector of Election (Three Year Term)	Altana Bullard	50.00%
<i>WARD 2</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Jane Knodell	52.23%
	School Commissioner	Meredith Woodward King	97.31%
	Inspector of Election (Three Year Term)	Tiffany Silliman	97.93%
	Inspector of Election (Two Year Term)	Andrew Champagne	99.21%
<i>WARD 3</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Vince Brennan	81.03%
	School Commissioner	Liz Curry	98.64%
	Ward Clerk	Charlie Giannoni	98.28%
	Inspector of Election (Three Year Term)	Catherine "Kit" Andrews	98.86%
	Inspector of Election (One Year Term)	none	
<i>WARD 4</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Dave Hartnett	89.51%
	School Commissioner	Ben Truman	62.13%
	Inspector of Election (Three Year Term)	George Gamache	93.25%
	Inspector of Election (One Year Term)	none	
<i>WARD 5</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Joan Shannon	82.73%
	School Commissioner	Miriam Stoll	98.53%
	Inspector of Election (Three Year Term)	Elisa Nelson	99.84%
	Inspector of Election (Two Year Term)	Michael Healy	99.32%
<i>WARD 6</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Norman R. Blais	98.34%
	School Commissioner	Alan Matson	97.01%
	Inspector of Election (Three Year Term)	none	
<i>WARD 7</i>	<i>Office</i>	<i>Elected Candidate</i>	
	City Councilor	Tom Ayres	52.93%
	School Commissioner	Greg Jenkins	95.19%
	Inspector of Election	Leo Grenon	97.65%

*Pursuant to Section 5 of the City Charter, City Council and School Commissioner Candidates must receive at least 40% of the votes cast to be declared elected.

Scott Schrader
Assistant Chief Administrative Officer

3/14/13

Date

The City of Burlington does not discriminate on the basis of political or religious affiliation, race, color, national origin, age, sex, sexual orientation, marital status, veteran status or disability. Persons with disabilities who require assistance or special arrangements to participate in programs and activities of the Clerk Treasurer's Office are encouraged to contact us at 865-7000 or 865-7142 (TTY) at least 72 hours in advance so that proper arrangements can be made.



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DECLARATION OF ELECTION RESULTS QUESTIONS ON THE BALLOT ANNUAL CITY ELECTION – MARCH 5, 2013

I, Scott Schrader, Assistant Chief Administrative Officer for the City of Burlington, Vermont do hereby declare the following candidates elected as a result of the Annual City Election held March 5, 2013:

Question 1. Approval of School Budget for Fiscal Year 2014

	<i>VOTES</i>	<i>% of VOTES</i>
YES	2,740	57.41%
NO	2,033	42.59%
TOTAL VOTES	4,773	100.00%
RESULT	APPROVED	Simple Majority Required

Question 2. Advisory Referendum Regarding Opposition to Tar Sands Oil Based on Environmental Impacts

	<i>VOTES</i>	<i>% of VOTES</i>
YES	3,183	67.71%
NO	1,518	32.29%
TOTAL VOTES	4,701	100.00%
RESULT	APPROVED	Simple Majority Required

Scott Schrader
Assistant Chief Administrative Officer

3/14/13

Date