

# DRAFT

## 2016-02-09 North Avenue Task Force Meeting #11 at Miller Center

CCTV Channel 17 recording:

<https://www.cctv.org/watch-tv/programs/north-avenue-task-force-meeting>

### **NATask Force Attendance**

Jason L'Ecuyer - Co-chair, Ward 7 Council Appointee

Paul Sisson - Co-chair, Ward 4 Council Appointee

Ben Bloom - Ward 3 NPA Alternate

Rich Nadworny - Ward 4 NPA Appointee

Patrick Kearney - Ward 4 NPA Alternate

RJ Lalumiere - Ward 7 NPA Appointee

Nicole Losch - Dept. of Public Works (DPW)

Alain Hirsch - Chittenden County Transit Authority (CCTA)

Jason Charest - Chittenden County Regional Planning Commission (CCRPC)

Marshall Distal - Chittenden County Regional Planning Commission (CCRPC)

Chris Dubin - Chittenden County Regional Planning Commission (CCRPC)

Kirsten Merriman-Shapiro - Community and Economic Development Office (CEDO)

### **City Council Attendance**

Tom Ayres - Ward 7

Sara Giannoni - Ward 3

### **Community Attendance**

Approximately 15 persons

## **Agenda**

### **Housekeeping**

- Next meeting is Mar. 8 2016 6-8PM at the Burlington Police Department Community Room.
- North Avenue Task Force (NATF) introduction by Paul Sisson.
- NATask Force members and public introduced themselves.
- ACTION: Approved agenda without modification.
- ACTION: Approved January minutes without modification.
- RJ Lalumiere volunteered to take notes.

### **Public Comment**

- None.

### **Councilor Comments**

- Tom Ayres: North Ave pilot is on the ballot meeting day as an advisory measure. Yes maintain status quo; No vote would advise to move the pilot forward. Question had to be changed from that which was on the petition because it was not framed as advisory so at the recommendation of the city attorney to council they rephrased the question. Her recommendation was that it not go on the ballot in the form it was submitted in.
  - Rich Nadworny what role does an advisory measure have?
  - Tom Ayres It is up to the city council as whole to way that advice but is not binding. Other thing folks should know is that by charter ballot questions are city wide. North Ave is a city wide road.
  - Rich Nadworny what are your intentions? Tom Ayres to see it go forward regardless of what the advisory referendum puts forward regardless of what the vote is in any given section of the city. Said that in putting on the ballot it was out of respect, but in the end the question and campaign itself is anti-democratic as it seeks to limit the access to facts to make reasoned decisions.
- SG: Voted against putting this on the ballot because it is a question of safety. In some cases safety and evidence and research needs to take precedence. It was a really hard vote to take. Will support the pilot going forward regardless of what the vote is.
  - Sara Giannoni City did say that as with all ballot measure the city will take steps to inform the public about them
  - Tom Ayres Mayor has publicly stated he will be going to all the NPAs he can to let folks no. He has also said that he will be voting NO on the measure, as have the bulk of the city councillors.
  - Paul Sisson clarify the ballot measure is only referring to the 4 lanes section and does not apply to any other segment of the project.
  - Tom Ayres 4 lanes may have willfully left out the fact that this is a pilot when framing the petition question.
  - Rich Nadworny 7 days quote “The goal prove to city that people are against pilot...”
- Rich Nadworny to Sara Giannoni will this be on your NPA as a debate style?
  - Sara Giannoni not that she knows of at this time.
- Tom Ayres noted that it is not good public policy to make infrastructure decisions based on referendum or emotion laden opposition.

### **Discussion about the revised ballot language and the Task Force’s role**

- Nicole Losch sent a series of questions to City Attorney office (read questions).
  - Summarized CA’s response (read the response):
    - can’t talk about the ballot item
    - Mayor can recommend a budget or use DPW funds

- gave the guidance city dept's have gotten re: ballot measures
  - collaborating w/ DPW: work together to collect data, report to council, etc
  - After vote is taken can provide more info
  - postcard may contain some advocacy
  - NATask Force cannot advocate
  - After March 3 can distribute info materials again
- Liam Griffin asked about details of appointment
- Rich Nadworny this is the City Attorney's opinion and may be right or wrong. NATask Force has never used public money.
  - Nicole Losch if using public funds cannot be for/against, merely informational.
  - Rich Nadworny is our role to act as a PM/facilitator between DPW/CCRPC?
    - Nicole Losch NPA, Police, Fire, School, CCTA, etc. Been meeting monthly to find out what the public needs to know.
    - Rich Nadworny poorly written resolution has made this more difficult than it is.
    - Rich Nadworny we're here to implement pilot; inherent in that is an element of advocacy.
- Rich Nadworny motion that at the end of this meeting we temporarily suspend the task force..., Patrick Kearney second.
  - Nicole Losch concern with disbanding is that all the appointments have been made, would be redone.
  - Rich Nadworny suspend not disband.
  - Tom Ayres not sure where he is on what is suggested. Task Force in unenviable position of being able to take a position on what the Task Force has been charged with doing. Also gets to some degree CA's point. Real conundrum.
    - Rich Nadworny attorney's are trying to minimize risk in every manner.
    - Rich Nadworny "join us" legal speak is advocacy.
    - Nicole Losch there is a whole group advocating about the item; it will be a whole campaign. Burden does not lie on this group.
    - Tom Ayres is task was to follow through on motion for the next 23 days it would presumably free up tF members to join up with those groups forming around this.
    - Rich Nadworny would it significantly impact workload ? No
    - Liam Griffin challenging to find folks to speak to NPA because of reticent to talk.
    - Woman thinks even if you cannot speak as Task Force get out to folks to be a support system. Lots of folks want to at least try and see if it works. AARP member, talk to other seniors.
    - Ron McGarvey not sure Task Force has credibility. City Council and Mayor need to be speaking for this.
    - Man: splitting hairs? Ballot measure makes no mention of pilot, is advocating for pilot the same as ballot measure.

- Paul Sisson group that formed he felt he couldn't go because they are advocating.
  - Rich Nadworny puts us in an untenable position. So let's just get rid of it.
  - Jason L'Ecuyer we've had 11 mtgs now; we're tasked with implementing, so we're saying why we think this is a good idea. If we didn't agree it was a good idea we would not be here.
  - Rich Nadworny disagree it is our task to sell it cause no one else is.
  - Tom Ayres website/postcard advocacy for pilot, not for/against ballot. So thinks OK.
  - Nicole Losch some of the info she gets sounds diff from Rich Nadworny from CA. Cannot advocate as Task Force members, as residents we can do whatever we like.
    - Rich Nadworny it stretches the boundary of believability. Do nothing, or free to do something?
- Kirsten Merriman-Shapiro CEDO one of the other dept's on Task Force . Worked for city many years, it is sometimes difficult the line between free speech and advocacy. Disclaimer "as a resident" can sometimes speak. Can't say "I'm Task Force and this is what I think of ballot item.". May be a chance for Task Force to step back and do less over this period. Has been on the end of where what she is working on has come up on ballot; can put forth factual info. Could be a perceived perception of bias.
  - Rich Nadworny should be our choice. All volunteers, not paid by the city. We are just here as citizens who think this is a good idea and we should give it a try.
- Rich Nadworny poll of public: from this meeting to March 8 suspend.
  - Kirsten Merriman-Shapiro recommends Mar 4 to allow for agenda etc
  - Man postponing may give up opportunity to get facts out. Talk to motorists about how it will be good to them.
  - Man well thought, but morning after? When folks hear this what will they think? Thinks there will be an outpouring of support, but methods of opposition..(?)
  - Tom Ayres if you suspend advocates of ballot question may spin that as victory. There is going to be a very focused concentrated PAC driven city wide communication plan to defeat this initiative.
  - good idea? 4
  - bad idea? 2
  - Rich Nadworny Bill Mcgrath what do you think?
    - Bill Mcgrath are we chasing our tail?
  - Kirsten Merriman-Shapiro disagree with where you're at w/ what she has said. Anyone can talk about factual issues; looking at safety enhancements. Thinks suspending the Task Force does provide some form of victory.
    - Paul Sisson re: memo feels his hands are tied.
    - Kirsten Merriman-Shapiro let others carry the water.



- Jason Charest - correct a fact; does not think good to talk about %age, talk about vtrans high crash location data. 11% is closer to 4.5%.
  - Rich Nadworny how should we portray that? What would you have us say?
  - Nicole Losch will send soundbite via email.
  - Jason Charest there are two High Crash Locations in the 4 lane section. Higher than expected amount of crashes given the type and volume. .6 mile Updated High Crash Location report 2010-14 still lists those locations; past three iterations of the report have had them both.
  - Katelin Brewer-Collie where do they rank statewide?
  - Jason Charest 126/647 & N is 369/647 HCL's
  - Jason Charest injuries weighted more heavily than just count.
- Paul Sisson motion to adjourn.
  - ACTION: unanimous vote in favor

### **Update and Discussion of DPW Implementation Plans**

Not discussed.

### **Discussion about Public Input**

Not discussed.

### **CCRPC Technical Updates**

Jason Charest gave an extremely abbreviated update just before adjourning.

### **Discuss Task Force talking points for community meetings about the pilot**

#### **Update "To-Do" List**

Not discussed.

### **Actions Taken**

- Approved agenda without modification.
- Approved January minutes without modification.
- Voted to adjourn.