



**TOWN OF HARTFORD
SPECIAL SELECTBOARD AGENDA
And Budget Workshop**

Thursday, January 9, 2020, 6:00pm
Hartford Town Hall
171 Bridge Street
White River Junction, VT 05001

I. Call to Order the Selectboard Meeting

II. Pledge of Allegiance

III. Local Liquor Control Board: N/A

IV. Order of Agenda

V. Selectboard

1. Public, Selectboard Comments and Announcements: TBD

2. Appointments: N/A

3. Town Manager's Report: None.

4. Board Reports, Motions & Ordinances

- a. Pool Construction Estimate (Information Only)
- b. Parking Facility Alternatives Construction Estimates (Information Only)
- c. Submittal of 2020 TIF Phased Project Implementation to Vermont Economic Progress Council (Motion Required)
- d. CIP (Motion Required)
- e. Budget Wrap Up (Information Only)
- f. Climate Advisory Committee Ballot Initiative (Motion Required)
- g. Welcoming Hartford Ordinance – Potential Amendment/ Retraction of Ballot Initiative (Motion Required)

- 5. Commission Meeting Reports: TBD**
- 6. Consent Agenda: N/A**
- 7. Executive Session: N/A**
- 8. Adjourn the Selectboard Meeting (Motion Required):**

All Meetings of the Hartford Selectboard are open to the public. Persons who are seeking action by the Selectboard are asked to submit their request and/or materials to the Selectboard Chair or Town Manager's office no later than noon on the Wednesday preceding the scheduled meeting date. Requests received after that date will be addressed at the discretion of the Chair. Citizens wishing to address the board should do so during the Citizen Comments period.

Sherman Manning Pool

White River Junction, VT

Schematic Design Report & Options



Prepared for:

Hartford Parks & Recreation
White River Junction, VT

Prepared by:

Bargmann Hendrie + Archetype, Inc.
Boston, MA



January 6, 2020

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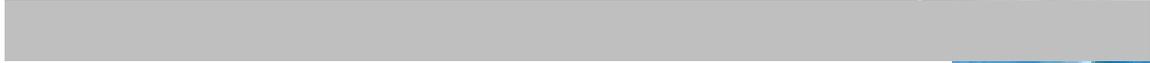
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Executive Summary



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Executive Summary

Background

The Schematic Design phase of the Sherman Manning Pool was intended to build upon the Town's previous investment in the October 2018 Pool Study. This Study provided a detailed analysis of the existing pool programming, size, and condition. The study concluded with 3 design options that became the basis for the schematic design effort.

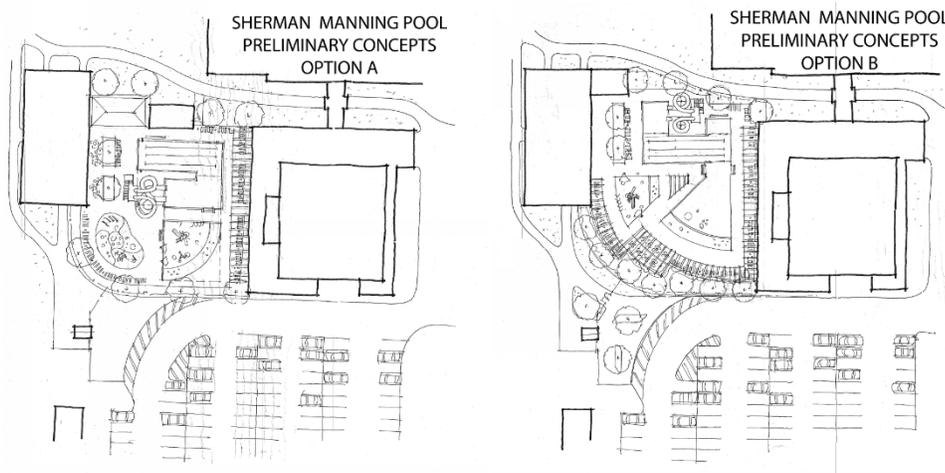
Conditions Update

There were a number of assumptions in the Study that required further evaluation. The Design Team performed on site investigations, reviewed conditions of the pool with a pool subcontractor previously involved in modifications of the pool, and analyzed the original 1966 construction drawings, 1997 modifications, and other documentation provided by the Town.

1. The pool structure shows signs of surface spall; not significant concrete degradation and can be used as formwork for a new pool.
2. The pool surface is in poor condition.
3. The limited cracks in the pool surface are most likely the result of freeze thaw and the restriction of movement in the joint from debris or similar material
4. The pool leaks and significant water loss during the last season was reported; the leaks appear to be through construction joints in the pool and possible between the gutter grout and top of the original pool wall.
5. Although the pool tank joints could be repaired, these would-be short-term fixes.
6. The deck is in poor condition but generally sound.
7. Settlement appears to be localized
8. There does not appear to be significant ground loss; no sign of large cracks or concrete damage.
9. New work will include replacement of all concrete decks including placement of compacted, well drained material beneath the decks.

Programming

The Design Team met with Town Staff and the Recreation Commission to discuss the design options, the public survey performed during the study, and operational concerns for the pool. It was determined that Options A and B from the Study meet the needs of the Town and will be the basis of design for Schematic Design



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Schematic Design Report
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Recommendations for Design Approach

Based on further investigation of the existing pool and the stated program desires of the Town, the following recommendations were made regarding the Schematic Design Options

Existing Pool Structure: Despite the leaks and deteriorated condition, the existing pool tank has structural integrity, does not show signs of collapse and can be used as the framework and formwork for new pools built within the existing pool footprint.

Soil Conditions: The soil conditions within the pool complex are a good quality gravel borrow and was suitable for backfill against and beneath the pool and decks. This is based on discussions with a contractor that performed deep excavations between the pool and building as well as the footing design of the new Field House.

Pool Decks: Based on recent observations, the pool decks are in poor condition but do not show signs of significant uplift or failure. The decks show the “history of the pool” from the original deck placed in 1966 to repairs made in 1997 and Field House Construction in 2014. The existing pool decks will be removed and replaced with new well drained concrete decks on a prepared gravel substrate.

Existing Filter Building: Despite the non-descript appearance of the building, the structure is sound, currently contains the water, sewer, and electrical connections for the pool complex, has a basement level that allows for flooded suction pool pumps, and is in an optimal location for filtration building.

Hazardous Materials: Hazardous materials were not observed in the filter building. The visible sealant on the deck was installed after 1997; material at this time was free of PCBs. Paint general remains in place; concrete that is removed will go to a facility that accepts concrete that is coated.

Access to Complex: Currently the pool complex is entered through the adjacent field house building. The field house also provides toilet and shower and shower facilities for the pool. The attendants located in the lobby of the field house have no visual connection with the pool complex. The Schematic Design options provide the following:

- Create a control point and two accessible toilets along the parking lot that is independent of the field house.
- The field house would still be used for toilet and shower facilities to meet code minimums.
- In our experience, the two unisex toilets at the entry will be heavily used.

Design Options

Two Schematic Design Options have been developed.

1. Option 1 Provides a single pool and a separate spray deck.
2. Options 2 Provides two pools, a main recreational pool and a wading pool. The wading pool offers water features.

Both options are generally constructed within the footprint of the existing pool to minimize demolition, earthwork, and facilitate construction.

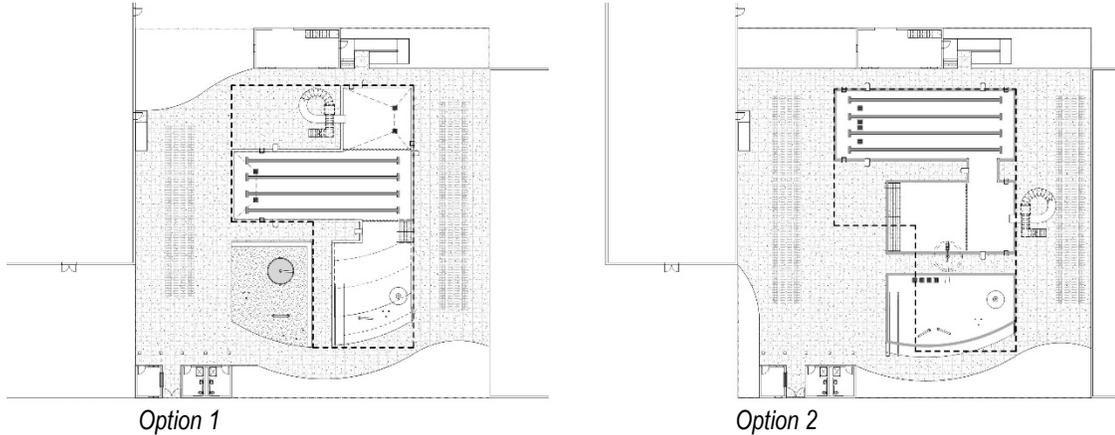
Both Options include renovation of the existing filter building, a new control building, shade trellises, concrete pool decks, lawn areas and fencing.



Option 1



Option 2



Dashed lines indicated foot print of existing pool

Estimate of Probable Construction Costs

An estimate has been prepared for Design Options 1 and 2. An additional estimate was prepared for slightly deeper swimming pools. The base options are a maximum of 5 feet deep; alternative options have an 8 feet maximum depth. At this early stage of design, we have used square foot unit costs for certain components of the building and swimming pool. Total project costs estimates were also prepared that included design fees, permitting requirements, fixtures, furnishing and equipment, technology, and other related design and construction costs.

Option 1 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,090,712 |
| 4% Escalation | \$ | 123,628 |
| Adjusted Total Project Cost | \$ | 3,214,340 |

Option 1 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,107,215 |
| 4% Escalation | \$ | 124,289 |
| Adjusted Total Project Cost | \$ | 3,231,504 |

Option 2 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,389,505 |
| 4% Escalation | \$ | 135,580 |
| Adjusted Total Project Cost | \$ | 3,525,085 |

Option 2 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,385,808 |
| 4% Escalation | \$ | 135,432 |
| Adjusted Total Project Cost | \$ | 3,521,240 |

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Existing Conditions



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Existing Conditions Update

Pool Tank and Decks

General Description



This report builds upon the previously prepared Pool Study completed in October 2018. This report uses the Study as a starting point for our analysis and approach to the replacement of the swimming pool complex. There are a number of assumptions made in the Study that required further evaluation.

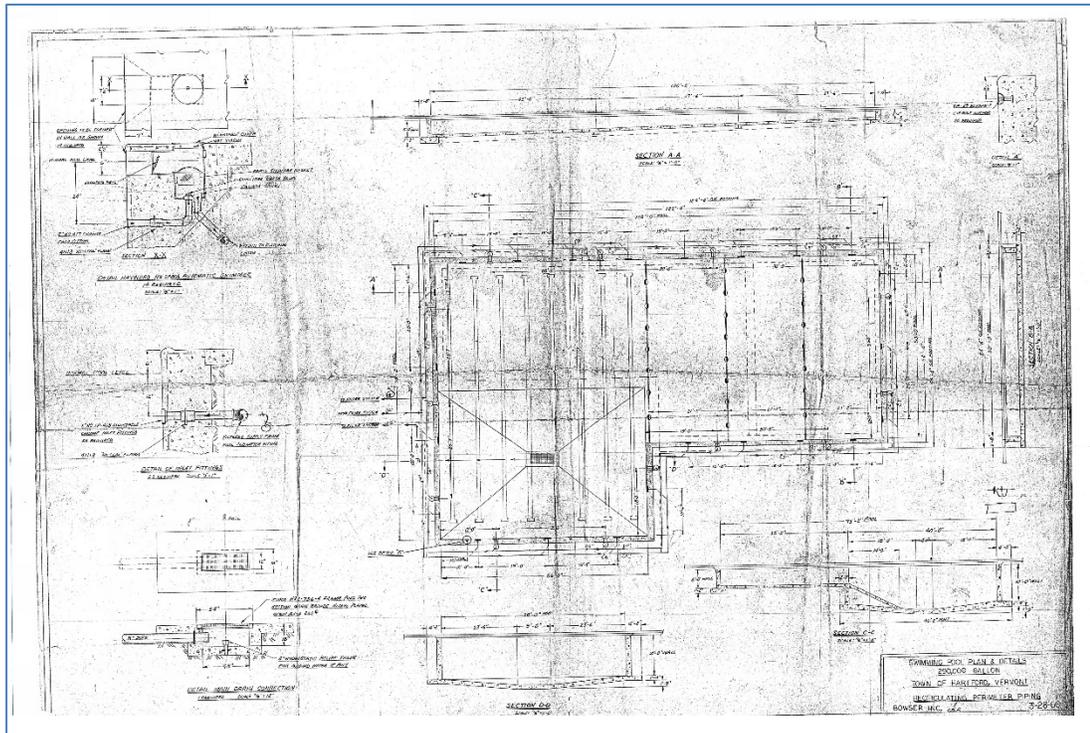
In addition to onsite investigation of the swimming pool, filter building, decks and related amenities, the following source material provided additional insight into the existing pool's condition:

- Swimming Pool shop drawings dated 1965 prepared by Bowser Inc.
- Filter Room Layout as-built drawing dated 1965 prepared by Bowser Inc.
- Paddock Pool Gutter Shop Drawing dated October 24, 1997
- Sketch of Gutter Replacement from 1997
- Original Filter Description Document from 1965
- Survey and Civil Drawings prepared for the New Field House Building
- Pool Operation Manual prepared by South Shore Gunitite dated June 24, 2016

Existing Pool Tank

We note the following:

- Pool tank is a reinforced concrete with a high build painted finish. The original pool was painted and not plastered
- A single large concrete mat that is 1'-4" thick forms the bottom of the original diving well
- Walls at the shallow portions of the pool sit on 1'-2" thick concrete footings that are roughly 3'-6" wide, creating a vertical cantilever. Walls at the diving well site on top of the concrete mat.
- A secondary slab makes the sloped transition between the main pool and the former diving area.
- The floor of the main pool is approximately 8 inches thick and sit on top of the footing; no water stop detail was shown; pools of this area used metal water stops. If rubber water stop was used, it will have exceeded its service life.
- Small continuous footings are located below the pool slab where construction joints are located.



1966 Pool Drawings

Conclusions:

1. Based on the drawings, and clearly defined joints in the pool floor, the pool did have expansion/construction joints. Water loss is most likely from failed water stops.
2. The pool structure shows signs of surface spall; not significant concrete degradation.
3. The limited cracks in the pool surface are most likely the result of freeze thaw and the restriction of movement in the joint from debris or similar material.
4. The pool leaks and significant water loss during the last season was reported; the leaks appear to be through construction joints in the pool and possible between the gutter grout and top of the original pool wall.
5. Although the pool tank joints could be repaired, these would-be short-term fixes.

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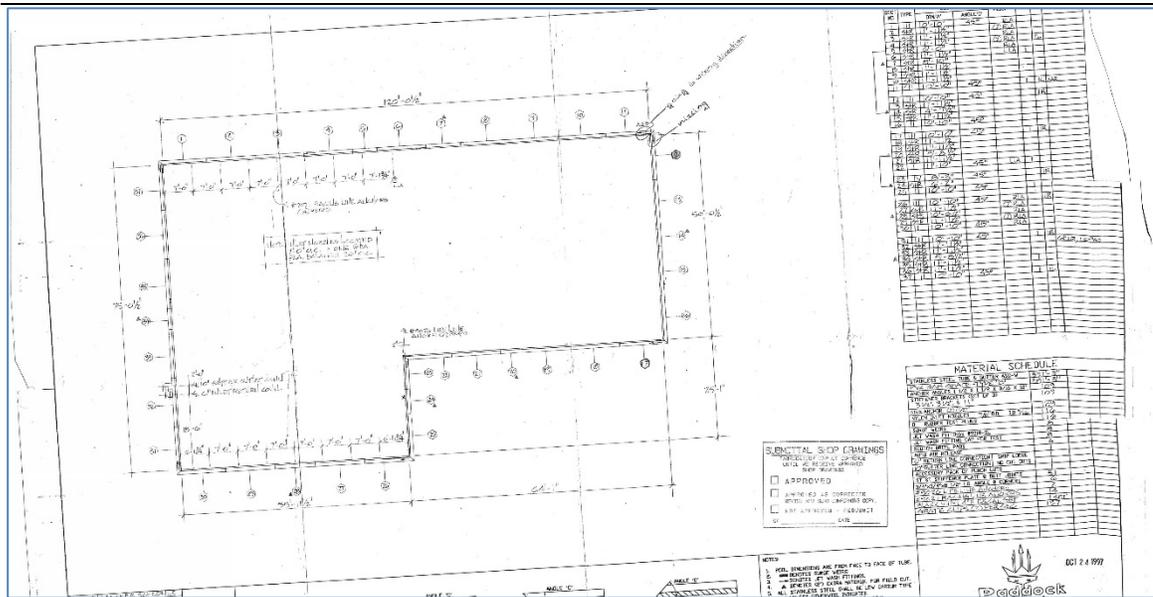
Pool Gutter

- The original pool had as series of skimmers around the pool perimeter.
- As part of the 1997 renovation, the top of the wall was removed and a stainless-steel gutter manufactured by Paddock Pools was installed.
- In accordance with a sketch from 1997, the backside of the pool beam may have been left in place
- A uniform area of concrete deck was removed to accommodate installation of the gutter.
- The new section of pool deck was poured integrally with the gutter; this is typical. The gutter relies on the concrete deck to support its top flange. Expansion joints are not typically provided behind gutters; however sealant is visible at the pool.
- The detail shows a typical gutter installation; gutter connected to the pool wall using expansion sleeves; a portion of the pool wall remains or is constructed behind the gutter for support; the space between the gutter and pool walls is grouted solid.
- A sealant joint is added between the lip of the gutter and pool wall to ensure a watertight joint.
- It was reported that the gutter leaked during operation.
- The main gutter channel is an open and relies of gravity for flow; the pressure tube of returned water is on the pool side of the assembly and would result on water leaking back into the pool.

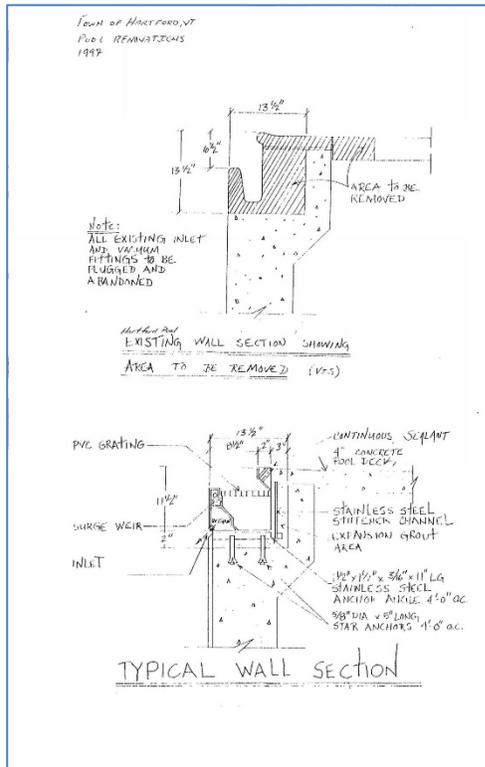


Photo of Pool Showing Skimmers and Cast in Place Pool Deck/Coping

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1997 Gutter Shop Drawing



Details from 1997 Installation

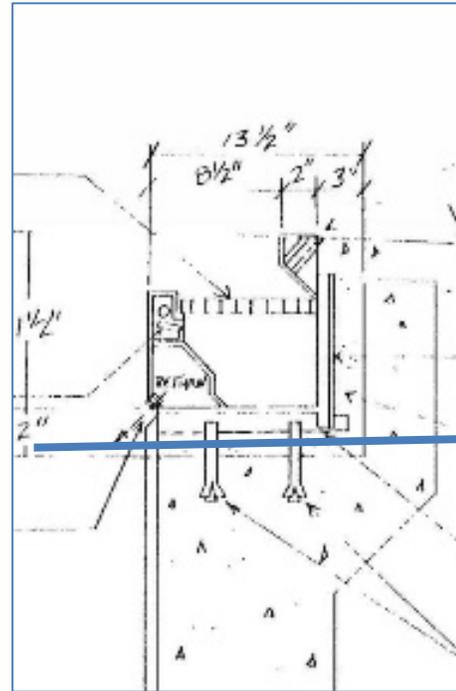
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Area of Deck Replaced when gutter was installed in 1997



Localized Settlement at Pool Deck in area replaced in 1997



Slope of Deck Behind Gutter – No signs of settlement/distress from ground loss. The blue arrow is the most likely cause of water loss.

Conclusions

1. The pool gutter installation appears to have been performed in accordance with standard practices in 1997 and today. The sealant joint behind the gutter at the deck does not appear to be a construction joint.
2. The extent of the pool beam remaining cannot be determined; The pool beam may not have been installed.
3. The pool decks around the gutter are not cracked or buckled which are normal signs of ground loss and collapse.
4. The amount of water movement from a leak in the gutter/grout/pool tank does not create enough pressure to create the scour needed to erode the substrate.
5. Water lost from a leak will slowly percolate in the gravel
6. If water is leaking from the gutter; the water would have saturated and settled the fines in the gravel; this could compromise the backfill material.
7. The actual design of the pool current pool beam does not affect the pool-in-pool approach to the design options. The gutter and top of the wall are being removed.

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Pool Decks

- Limited areas around the pool deck have settled (see photos above)
- The majority of the original pool deck is still in place
- The 1997 sections behind the gutter can be identified; they are defined by an added construction joint roughly 24 inches behind the gutter.
- Miscellaneous areas of concrete can be identified; piping replacement, Field House Construction, etc.



Typical Patchwork of Pool Deck Concrete

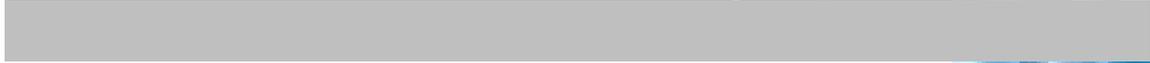
Conclusions:

1. The pool decks consist of numerous concrete placements.
2. The deck is generally sound but in poor condition.
3. Settlement appears to be localized
4. There does not appear to be significant ground loss; no sign of large cracks or concrete damage.
5. New work will include replacement of all concrete decks including placement of compacted, well drained material beneath the decks.

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Design Options



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Recommendations for Design Options

Pool Tank

Despite the significant leaks and deteriorated condition, the existing pool tank has structural integrity, does not show signs of collapse and can be used as the framework and formwork for new pools built within the existing pool footprint.

The significant leaks in the pool appear to be from the 45-year old water stops and joints between the concrete walls and slabs and construction joints.

Options for keeping the majority of the existing pool in place; using as formwork for a new pool(s) within the pool. We first applied this method in the early 1990's and in multiple projects found that we have been able to use the existing pool as the framework for new pools that save demolition and earthwork costs, ease permitting, increase the project schedule, and become part of a ground water control system.

- *Pool in Pool:* BH+A was one of the first firms to design a "pool in pool" method of pool replacement at the Greene Pool at the Fernald State School In Waltham. Utilizing the existing pool tank as formwork, a new dry mix shotcrete shell was constructed inside of the existing pool. This method saves on demolition, works well when the depth of the pool is decreased, or when the length (25 meters) might be longer than regulation (25 yards). This technique provides a means to manage ground water and accommodates construction of stairs and ramps without increasing the existing pool footprint. The Greene Pool project was featured in Aquatics International as an innovated technique. BH+A has utilized this method in Plainville, Attleboro, Milford and Southbridge, MA. This method has been adopted by the Department of Conservation and Recreation, particularly in areas subject to wetland restrictions, permitting constraints and budget limitations.



Pool-In-Pool Construction to Repair Tank and Shallow Deep End, saves on demolition, dewatering and foundation costs

The very large size of the Sherman Manning Pool allows for multiple configurations of swimming pools within the existing pool footprint. Using the existing pool footprint to locate the new pools is a significant benefit.

Soil Conditions

We visited the pool with South Shore Gunitite Pools, Chelmsford, MA. SSG has performed repair and renovation work on the pool including the main drains, gutter repairs, and filtration work.

The gentlemen from SSG that visited the site was directly involved in the previous work including a deep excavation and for piping replacement between the pool and filter building.

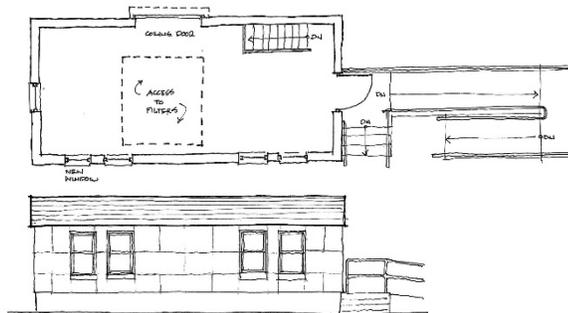
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Based on his observations, the soil conditions within the pool complex are a good quality gravel borrow and was suitable for backfill against and beneath the pool and decks.

Existing Filter Building

Despite the non-descript appearance of the building, the structure is sound, currently contains the water, sewer, and electrical connections for the pool complex, has a basement level that allows for flooded suction pool pumps, and is in an optimal location for filtration building.

We recommend upgrading the interior to accommodate a staff and first aid area; this will require an accessible ramp. Improvements to allow placement of new filtration equipment will be required. Additional windows and treatment of the exterior will create a better backdrop for the renovated pool.



The pool filtration will remain in the lower level; filtration equipment will be specified to allow access through the existing framed floor opening.

The addition of a rear coiling door, improvements to the floor access framing, are being considered.





Floor framing to allow access into basement level



The existing stainless DE filter can be incorporated as a surge tank or backwash storage tank saving the cost of removal.

Pool Decks

We assume that the all of the pool decks will be demolished and removed. This is necessary to accommodate pool demolition and construction, replace lifted and damaged concrete, increase pervious lawn areas within the pool enclosure, and improve drainage and treat stormwater.

Based on recent observations, the pool decks do not show signs of significant uplift or failure. The decks show the "history of the pool" from the original deck placed in 1966 to repairs made in 1997 and Field House Construction in 2014.

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Soil Conditions

- Soil conditions around the pool are not a significant concern for the proposed work.
- The pools are located within the existing pool footprint.
- The soil conditions experienced by the individuals responsible for replacing the main drain piping confirm that the soil is dense gravel.
- The proposed control building is located on the footprint of the former pool building.

Hazardous Materials

- Hazardous materials were not observed in the filter building.
- The visible sealant on the deck was installed after 1997; material at this time was free of PCBs.
- Paint general remains in place; concrete that is removed will go to a facility that accepts concrete that is coated.

Access to Complex

Currently the pool complex is entered through the adjacent field house building. The field house also provides toilet and shower and shower facilities for the pool.

- The attendants located in the lobby of the field house have no visual connection with the pool complex.
- All patrons must go into the fieldhouse to use the toilet and shower facilities.
- The fieldhouse is open to others not using the pool.

We recommend the following:

- Create a control point and two accessible toilets along the parking lot that is independent of the field house.
- The field house would still be used for toilet and shower facilities to meet code minimums.
- In our experience, the two unisex toilets at the entry will be heavily used.



Unisex (universally accessible) toilet shower facility (Lebanon, NH)



Typical Pool Control Entry



Control (Lebanon, NH)

Design Options

Common Work to Both Options

Filter Building

- New accessible ramp and entry stairs
- Additional Window Openings
- New Overhead Door Opening at rear of building for service
- Rework floor framing to accommodate access to filter level
- Create Designated First Aid Area
- New siding on exterior
- New ventilation and lighting

Control Building

- Wood Framed Structure with Office/Control Ticketing Functions
- Two unisex, family, toilet and showers
- Control Ticketing can provide ticket sales for stadium

Trellis

- Options provide large wood shade trellises on both sides of the pool

Lawn Areas

- Lawn areas for sunbathing are being created along the parking lot side of the site and adjacent to the filter building
- Low maintenance, drought tolerant planting will be located along the fence to help screen the parking lot

Pool Deck

- Cast in place concrete pitched to drain
- Drainage will be into storm system, portions will be recharged into the ground
- **Fencing**
- The existing fence posts can be reused and sleeved over with new vinyl clad posts.
- New rails, gates, and vinyl coated fence fabric will be provided.

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OPTION 1 – ONE POOL

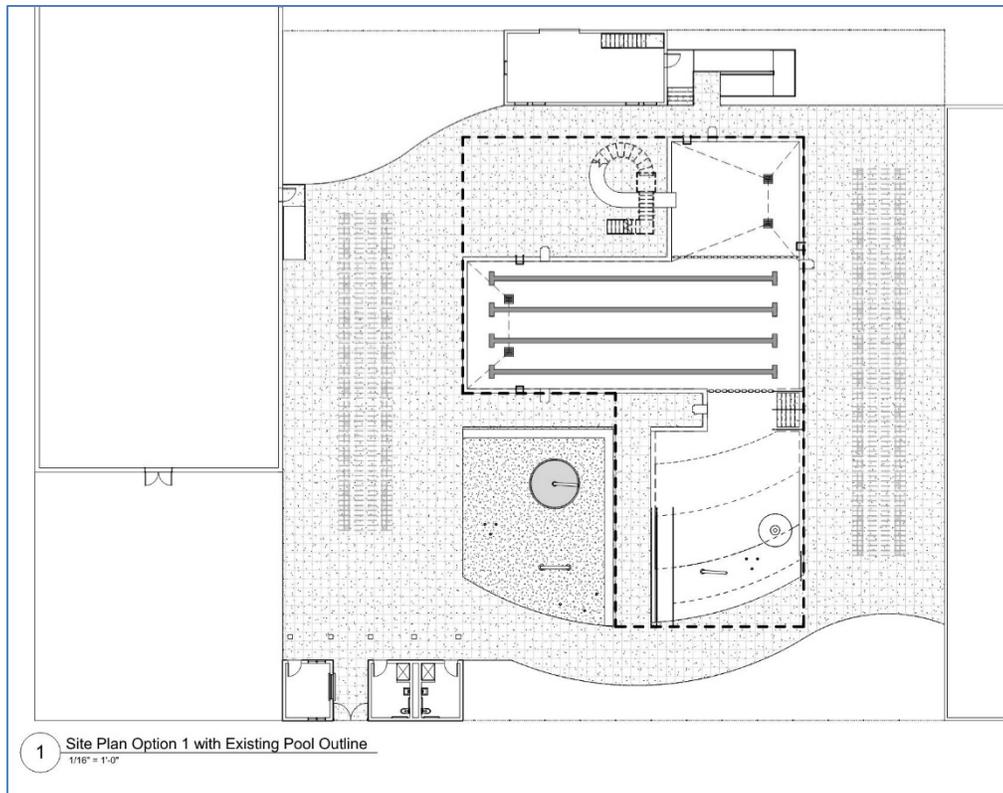
Option 1 Features the Following:

1. Four (4)- twenty-five-yard (75'-1") lap swimming lanes
2. Beach type (zero depth) entry at the shallow end of the pool
3. Accessible railings for individuals requiring an accessible entrance
4. Entry stairs along the long side of the pool
5. A slide splash down area that can be used as a teaching and exercise area when slide is not in use
6. Maximum depth is 5 feet at the main drains of the lap area
7. An alternate providing and 8 feet depth has been included; the 8th feet depth allows bathers to enter the pool feet first; it also allows for Red Cross training.
8. Modest vertical water features are included as well as deck level sprays along the beach entry.

Spray Deck

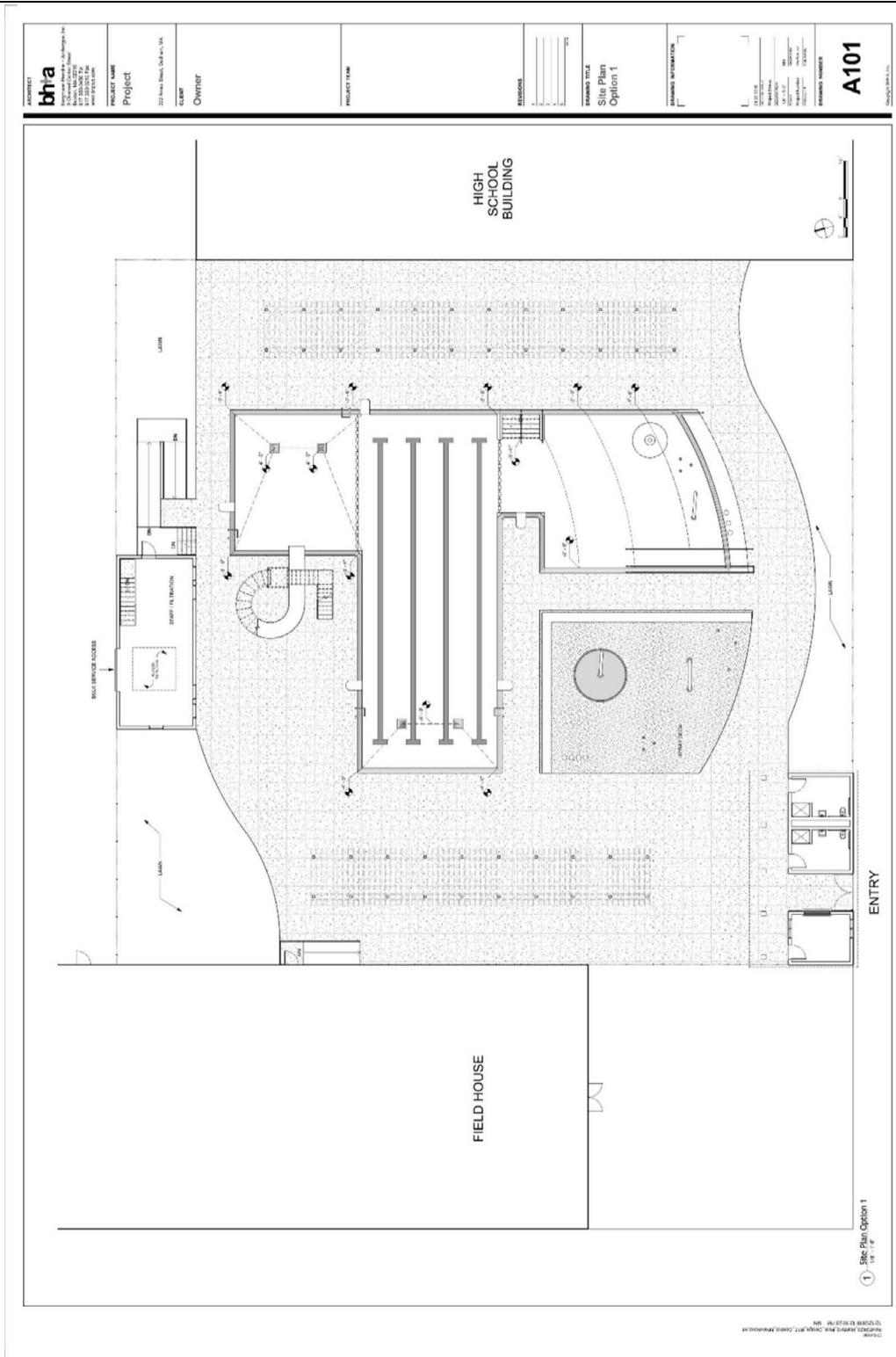
1. This design also includes a separate spray deck
2. The spray deck would have a separate water reservoir and filter system
3. The deck would have both vertical and deck level water features.
4. The spray deck can be opened when the pool is closed.

Option 1 Fits within the existing pool shown dashed

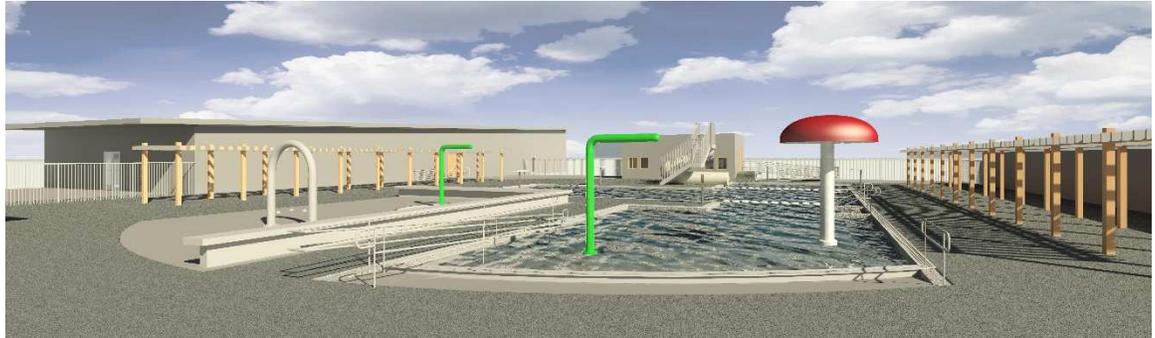


1 Site Plan Option 1 with Existing Pool Outline
 1/16" = 1'-0"

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Schematic Design Report**
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| | | | | | | | |
|---|---|------------------------|---------------------|------------------|--------------------------------------|----------------------------|--------------------------------------|
| ARCHITECT bh+a 100 South Main Street, Suite 200 White River Junction, VT 05795 Tel: 802.253.2622 Fax: 802.253.2623 www.bh+a.com | PROJECT NAME Project 222 Main Street, White River Junction, VT | CLIENT Owner | PROJECT TYPE | REVISIONS | DATE Site Plan Option 1 | PROJECT INFORMATION | PROJECT NUMBER A101 |
|---|---|------------------------|---------------------|------------------|--------------------------------------|----------------------------|--------------------------------------|



View of Option 1 Looking from Parking Lot



View of Option 1 from Entry



Aerial View Looking South West

OPTION 2 – TWO POOLS

Option 2 Features the Following:

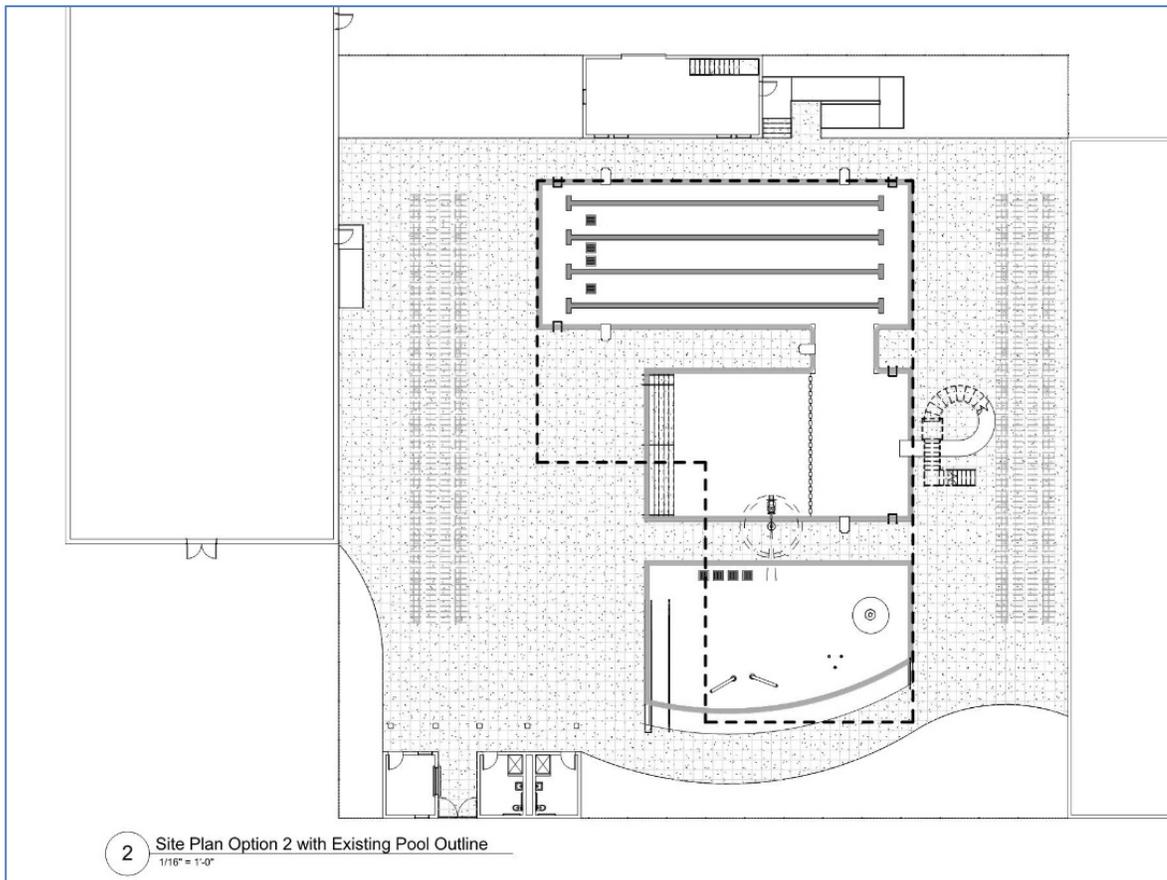
Main Pool

1. Four (4)- twenty-five-yard (75'-1") lap swimming lanes located at the far end of the pool
2. Entry stairs along the long side of the pool
3. A slide splash down area shared with the main body of the pool; the splash down area can be used as a teaching and exercise area when slide is not in use
4. Maximum depth is 5 feet at the main drains of the lap area
5. An alternate providing and 8 feet depth has been included; the 8th feet depth allows bathers to enter the pool feet first; it also allows for Red Cross training.
6. An accessible lift will be required at this pool

Wading Pool

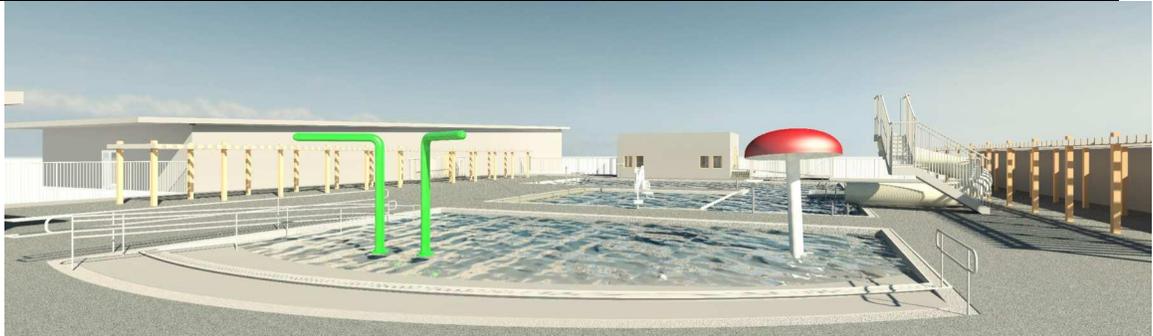
1. Beach type (zero depth) entry at the shallow end of the pool
2. Accessible railings for individuals requiring an accessible entrance
3. Modest vertical water features are included as well as deck level sprays along the beach entry.

Option 2 Fits within the existing pool shown dashed, the west of wall of the pool will require additional demolition.

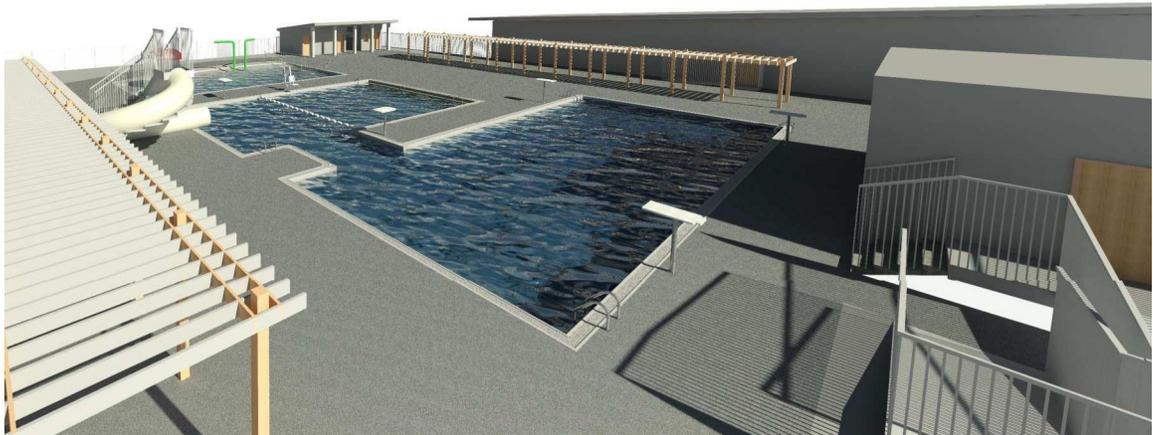


2 Site Plan Option 2 with Existing Pool Outline
 1/16" = 1'-0"

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Option 2 Looking from Parking Lot



Aerial View Looking Southwest

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Schematic Design Narrative- Basis of Design

GENERAL CONDITIONS

Schedule: A pool project should be scheduled to have bidding in late winter or early spring. Administrative tasks, submittals, site survey and similar work can begin during the spring. Construction would start and take advantage of the summer months; the contractor can complete the majority of the work before the weather turns. The contract would require the contractor to open the pool in the spring including the first season start-up. The contract would also include the first season shut-down. The second season start up would be within the one-year correction/warranty period of the Construction Contract.

Contracting: The Town has a few options to procuring the work.

1. We recommend negotiating directly with a qualified pool subcontractor to provide the pool, filtration, deck equipment, etc. The earthwork, paving, fencing, landscape and control building would be performed by a General Contractor that coordinates with the pool subcontractor. The GC would be selected by negotiation of bidding.
2. General Contractors bid the project and the Town identifies a preferred pool contractor to perform the pool work.
3. Bid the project to General Contractors and have the GC solicit pool subcontractors. This is the least desirable approach and provides little or no control over the pool subcontractor.

EXISTING CONDITIONS

Erosion and Sedimentation Control: Located along the east edge of the site.

- Straw bales, erosion fencing, or three-dimensional tubular control devices (wattles) will be required along the north edge of the site and parking lot.
- Assume that a water boom containment barrier will be located within the pond to prevent potential debris from

Removal/Demolition:

Existing swimming pool structure:

- Pool Decks
- Sawcut and remove top of pool wall and gutter
- Sawcut and remove portions of pool that will be in conflict with the new pool
- Keep main drains in place; cover with filter fabric and connect drain piping to new vertical well point. The drains can be used in the future to control ground water.
- Cap and seal existing piping
- Abandon existing main drains

Existing Filter Building

Selective demolition for masonry opening and other building elements required to improve accessibility, add fixtures and other required modifications.

Existing fencing; coordinate with temporary construction fencing.

Removal and salvage: turn over to Town; possible reuse on site (nothing of salvage determined at this time).

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Bath House and Entry Building

The finishes and equipment provided in the toilet, shower, and changing areas are selected for the following qualities:

- Function
- Compliance with Codes
- Ease of maintenance
- Vandal-Resistance
- Durability and service life.

Concrete *Substructure:* Cast-in-place concrete foundations and footings and retaining walls for portions of the building constructed into the hillside. Assume ordinary spread footings.

Miscellaneous: Cast-in place concrete housekeeping pads for pumps.

Slabs: Cast-in place concrete slabs on grade within structures. Concrete curb cast on top of slab below partitions.

General: Concrete shall be 4,000 psi mix, air-entrained: Cast-in-place concrete foundations and footings. Assume ordinary spread footings.

Floor Finishes: Acid etched and sealed concrete slabs or epoxy-urethane seamless quartz flooring

Wall Framing: 2 x4 and 2 x6 dimensional wood framing with plywood sheathing

Millwork: Cabinetry: Plastic Laminate clad base and upper cabinets at staff area built in cabinets.
 Counters: Solid-surface counters at staff service areas and counter tops.

Wall Exterior: Moisture barrier, back-primed and stained cedar clapboard or fiber-cement siding

Wall Interior: FRP panels. Fiberglass reinforced panels specifically designed for wet, sanitary applications. Work includes panels, fasteners, and trim pieces.



Roof Framing: Pre-engineered wooden roof trusses with plywood sheathing or conventional roof framing.

Roof Covering: 30 lb. roofing felt covered with 25-year, 3 tap asphalt/fiberglass shingles

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Asphalt Shingles: CertainTeed Grand Manor: UL Certification of ASTM D3462; conforms to ASTM D3018 Type 1-Self Sealing, ASTM D3161-03b, Class "F" Wind Resistance (110-mph), ASTM D3161-991, 110-mph Wind Resistance.

Sheet Metal Flashing and Trim:

Roof Drainage Accessories: Gutters/downspouts, factory finished aluminum. 0.32 inch at gutters, 0.24 inch at downspouts.

Wall Flashing: Aluminum Sheet: Two-Coat Fluoropolymer: 0.032 inch thick

Joint Sealants:

Low-Modulus Nonacid-Curing Silicone Sealant: For general exterior joints of louvers, door frames, masonry, wood trim, and siding, and all other joints not included otherwise

Mildew-Resistant Silicone Sealant: Joint between all plumbing fixtures and counters and their adjacent substrate.

Multi-component Urethane Sealant: Horizontal joints in interior and exterior slabs on grade, concrete sidewalks, and pool decks.

Specialized sealants for pool walls and slabs: All sealants used for pool walls or slabs shall be designed for use within submerged water environments and highly chlorinated environments

Doors:

Fiberglass Doors and Frames: Fiberglass reinforced plastic doors and frames with gel-coat finish. This includes all exterior doors and interior doors in wet areas including the bathhouse, filter room, storage room and doors in pool support building.

1. Tiger Door, LLC
2. Chem-Pruf Doors

Windows:

Fiberglass Windows: Pultruded fiberglass complying with AAMA/WDMA/CSA 101/I.S.2/A440 and with exposed exterior fiberglass surfaces finished with manufacturer's standard enamel coating complying with AAMA 613.

1. Marvin All-Ultrex (basis of design)
2. Fibertec Window and Door Manufacturing.
3. Inline Fiberglass Ltd.
4. Pella Corporation.

Access Doors and Frames:

Provide access doors and frames at all locations required to access valves, cleanouts, pull boxes, switches, devices that require monitoring, service and adjustment. Metallic-Coated Steel Sheet for Door, Nominal 0.064 inch (1.63 mm), 16 gage, and factory primed

Security Doors: Push-up, manual, galvanized steel overhead coiling doors and shutters to cover exterior windows

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- Door Hardware:** Stainless Steel, heavy duty. Cylinder locks on interior, mortise locks on exterior.
1. *Hinges:* Heavy weight, ball bearing, stainless steel 4 1/2" high; 2 pair for 8 ft. high doors.
 2. *Locksets:* ANSI A156.13, Grade 1 mortise locksets
 3. *Door closers:* Fully hydraulic, full rack and pinion action with a high strength cast iron cylinder.
 4. *Push Plates:* Push plates shall be 8" wide x 16" high
 5. *Door Pulls & Push Bars:* Pulls shall be 1" diameter solid bar stock, 10" center to center
 6. *Protective Plates:* Provide kick, mop, or armor plates with four beveled edges
 7. *Door Stops and Holders:* All wall mounted
 8. *Thresholds and Gasketing* at doors exposed to exterior; ADA compliant threshold.

Louvers: Fixed rain-resistant horizontal blade units including integral frame and insect screens. Aluminum Extrusions with two-coat fluoropolymer finish.

Ceiling: Cellular PVC or Cedar wood slat ceiling.

Painting and High-Performance Coatings

Interior Painted Wood: Semi-gloss, waterborne, exterior, acrylic enamel applied at spreading rate recommended by the manufacturer to achieve a total dry film thickness of not less than 2.4 mils (0.061 mm).

Interior Painted Walls: primer and two coats of paint (level 4 GWB finish)

Ferrous Metal: Semi-gloss, acrylic-latex, interior enamel applied at spreading rate recommended by the manufacturer to achieve a total dry film thickness of not less than 1.3 mils (0.033 mm).

Zinc-Coated Metal: Semi-gloss, exterior, acrylic-latex enamel applied at spreading rate recommended by the manufacturer to achieve a total dry film thickness of not less than 2.6 mils (0.066 mm).

Signage: Panel signs- One sign for each room and space. Cast-Acrylic Sheet. Complying with ADA Accessibility Guidelines and ICC/ANSI A117.1. Text shall be accompanied by Grade 2 braille.

Toilet Accessories: Stainless steel, heavy duty, vandal resistant accessories. High security type accessories are used when they provide the appropriate level of function and finish.

1. *Toilet and Shower Fixed Grab Bars:* Stainless steel, 1 1/2 inch diameter, peened grab sections
2. *Toilet Paper Dispenser:* Stainless steel multi-standard roll
3. *Sanitary Napkin Disposal:* Stainless steel, self-closing, removable receptacle.
4. *Robe Hook:* Stainless Steel, 2 prongs.
5. *Soap Dish:* Extra heavy One-Piece Brass Casting with bright polished chrome plated finish.
6. *Paper Towel Dispenser:* Stainless steel multi-fold
7. *Liquid Soap Dispenser:* Vertical tank liquid soap dispensers with hinged filler-top and unbreakable refill window.
8. *Shower Seat:* Stainless steel fold-down unit with padded seat
9. *Shower Assembly:* Stainless steel curtain rings, 72-inch-high by 70-inch-wide opaque white vinyl shower curtain
10. *Diaper-Changing Station:* Diaper-changing station with surface-mounted, mildew-resistant, molded polyethylene body that folds horizontally against wall when not in use

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11. *Mop and Broom Holder*: 36-inch-long unit stainless steel with shelf; three hooks for wiping rags; four spring-loaded, rubber hat, cam-type, mop/broom holders and rod suspended beneath shelf for drying rags.

Fire Protection Specialties:

UL Rating: 4A-60B: C Fire extinguishers; bracket mounted or semi-recessed non-rated cabinets on both levels.

SWIMMING POOL SPECIFICATIONS FOR PROPOSED WORK

Pool Tank

1. Dry or wet mix shotcrete pool tank including finish and markings.
2. Reinforced pneumatically applied concrete pool structures, including but not limited to:
 - a. Final hand trimming of excavation.
 - b. Formwork to supplement existing pool structure
 - c. Reinforcing steel.
 - d. Design and provide pools structure.
 - e. Pool finish
 - f. Installation of anchorage for deck equipment within the pool tank.

Pool Finish Option -1

The pool finish shall consist of two coats of plaster finish. The two coats of pool plaster shall together equal three-eighths (3/8) to one-half (1/2) inch thickness and shall be applied by hand troweling method to a smooth, dense, impervious surface

At ramps, stairs, and zero depth areas and areas indicated, provide a quartz aggregate pool finish equal to Diamond Brite™ manufactured by Southern Grouts & Mortars, Inc. Pompano Beach FL 800-641-9247. Architect to select from full range of options including multi-color aggregate and pigmented plaster.



Aggregate Pool Plaster



White Plaster with Tile Wall Targets and Racing Lines

All racing lines, gutter areas, wall targets, stair nosing and safety markings shall be ceramic tile.

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Tile size and color shall be based on the following American Olean products:

- Gutter tile: Glazed ceramic mosaic tile; 1x1 inch; provide bullnose units at edges.
- Stair treads and other markers: Unglazed porcelain Ceramic Mosaics; 2 x 2 inch with abrasive finish.
- Plaster control joint tile: Unglazed porcelain Ceramic Mosaics; 2 x 2 inch.
- Tile Colors: Colors to be selected by Engineer from "A" price Group (American Olean) or premium price group (3) (Daltile).

All in pool and deck level markings shall be equal to specialty tiles provided by Tiles with Marking at Graphics: Provide tiles manufactured by Tile Specialties, Spring Hill, Florida 904-686-8670 or approved equal. www.tilespecialties.com



Pool Finish Option 2 (Not Preferred)

Pool Paint:

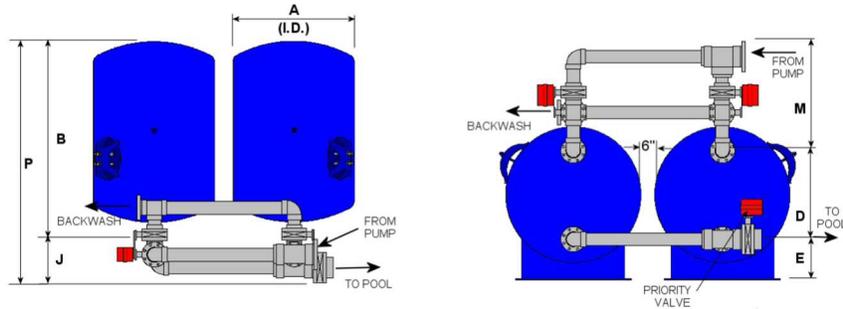
1. Full Intermediate Coat: Tnemec Series N69F Hi-Build Epoxoline II (thinned 5% and back roll) or approved equal, at 4.0 to 6.0 mils DFT to spot primed and remaining/prepared surfaces scheduled for painting.
2. Finish Coat: Tnemec Series N69F Hi-Build Epoxoline II or approved equal, at 4.0 to 6.0 mils DFT applied to all surfaces scheduled for painting.

Filtration Option1

1. Complete high rate sand filtration and recirculation systems including, stainless steel perimeter gutter, zero depth trench drain, balance pit, all piping and automatic chemical controls. Complete chemical treatment system that includes, but is not limited to, the following:
 - Automated backwashing control.
 - Strainer baskets
 - Recirculation pumps for pools
 - Flow meters
 - Gages
 - Filters
 - Valves
 - Sight glasses
 - All interconnecting piping for equipment within the filtration room
 - Backwash holding tanks
 - Control Panels
 - Sensors and Probes
2. Automatic water level controls and water fill devices.
3. Operation/Maintenance Manuals of all equipment and systems. Manuals shall include proper shutdown procedures.
4. Framed and mounted diagram of filter system operation and backwash procedures. Furnish and install numbered, equipment plates, valve tags and pipe labels to correspond to instructions.
5. Startup Service and instruction to the Owner's operating personnel shall be given upon completion of the Project.
6. Shelving and mounting boards required for pool equipment and accessories.

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7. Final plumbing connection of fresh water line to pool make-up equipment.



Typical configuration of dual tanks

Filtration Option 2

Over the past 10 years, regenerative media filters have seen resurgence in use. Multiple manufacturers now make new regenerative filters making them more competitive and easily bid as part of a public construction contract.

Regenerative filters are capable of filtering out materials as small as the 1 to 5-micron size range. Filtering water to this level results in extremely clean and clear water. The more material a filter removes from swimming pool water, the less material there is in the water that must be disinfected or oxidized by chemicals in the water, such as chlorine. The end result is cleaner water with lower amounts of chlorine needed to maintain proper free available chlorine levels of 1 to 3 ppm. This should result in somewhat lower chemical costs. Another benefit of filtering such small particles is the removal of parasites such as cryptosporidium (crypto). In a swimming pool, fecal accidents may introduce this highly contagious parasite into the pool.

Water consumption is another significant benefit of regenerative media filtration over traditional sand filters. The only water loss associated with the regenerative media filter is the volume of the filter tank itself. When it is time to replace the perlite material in the tank, after several regenerative cycles, the volume of an entire tank is wasted twice to ensure removal of all dirty perlite.



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Filter VFD Variable Frequency Drive (VFD) shall be provided with each filter and feature pumps (one per filter pump and feature) for control of the filter and feature pump motor. The VFD shall include a dial potentiometer to set ramp up/down speed of the pump motor. The VFD shall be wired into the RMF controller for on/off and run confirm functions.

The VFD shall be equipped with a bypass. SED2 bypass options shall send the motor to bypass mode based on an easily accessible door-mounted selector or based on the drive's programmable relay. A bypass pilot light shall provide indication of the bypass mode. The bypass mode shall provide overload protection. Contactors shall be electrically and mechanically interlocked. An essential services mode shall send the motor to bypass regardless of the selected mode.

Automatic Chemical Controller

Reuse existing CAT Controller and supplement with a second controller if two pools are provided.

Other options include:

BECS Technology Sys3

DCM 500- ProMINENT FLUID CONTROLS Pittsburgh PA 412-788-7900

The controller shall automatically activate the appropriate chemical feeders in order to maintain the sanitizer level within +/- 0.1 parts per million (PPM) or +/- 10 mV (millivolts) of Oxidation Reduction Potential (ORP) and the pH within +/- 0.1 pH unit of the set points selected by the operator. All set point and calibration levels shall be adjustable with a numeric keypad mounted on the front panel of the unit. The unit can be tied to a building management software. In the event of a trouble single from the pool, notifications can be sent via email or text to Town staff.

Chlorinator

Existing Equipment: The system shall be designed to feed low concentrations of calcium hypochlorite in solution intermittently or continuously as required. The system shall be a single pre-assembled, package unit with a welded aluminum frame consisting of chlorinator, electrical box, centrifugal pump, and balance tank for ease of installation and operation. The basis of the specification for this product is the Accu-tab PowerBase 3140 AT. Unit shall be NSF certified for up to 22 lbs./hour of chlorine. Unit shall have 140 lbs. of on-board storage.

An alternate Bromine system can be considered. Bromine commonly used in indoor pool and hot tubs/spas. While both are a sanitizer there are distinct differences:

- Chlorine generates a waste product called chloramines. Chloramines can create unpleasant odor and cause irritations to humans. This is not typically the case with outdoor pools.
- Bromine generates less noxious bromamines
- Chlorine works more quickly than bromine.
- Bromine works slower but will last longer.

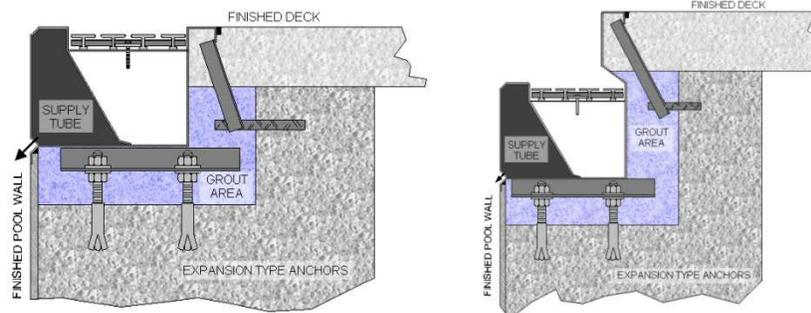
Filtration

Acceptable Filtration Equipment Manufacturers are:

1. Evoqua, Neptune Benson, Inc. West Warwick, RI
2. EPD Filter Equipment
3. Paddock Pool Equipment
4. Aquatic Development Group- Whitten Pool Equipment, ADG

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Pool Gutter Options



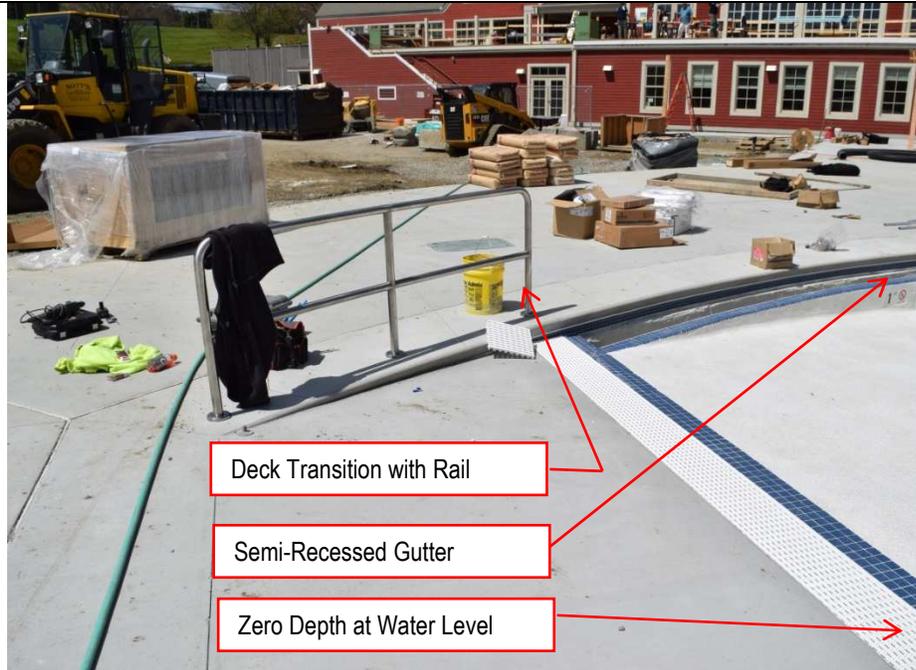
Deck Level Semi- Recessed Gutter

The semi-recessed gutter would be typical around the pool. This gutter provides a visible vertical edge to the pool which is important to lap swimmers and is the location for in pool depth markers. The gutter would transition at the zero-depth area to deck level gutter. Transitions would be protected by a guard rail as shown below.



Zero Depth Entry Examples

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Zero Depth Entry with Deck Transition from Semi-Recessed to Deck Level Gutter

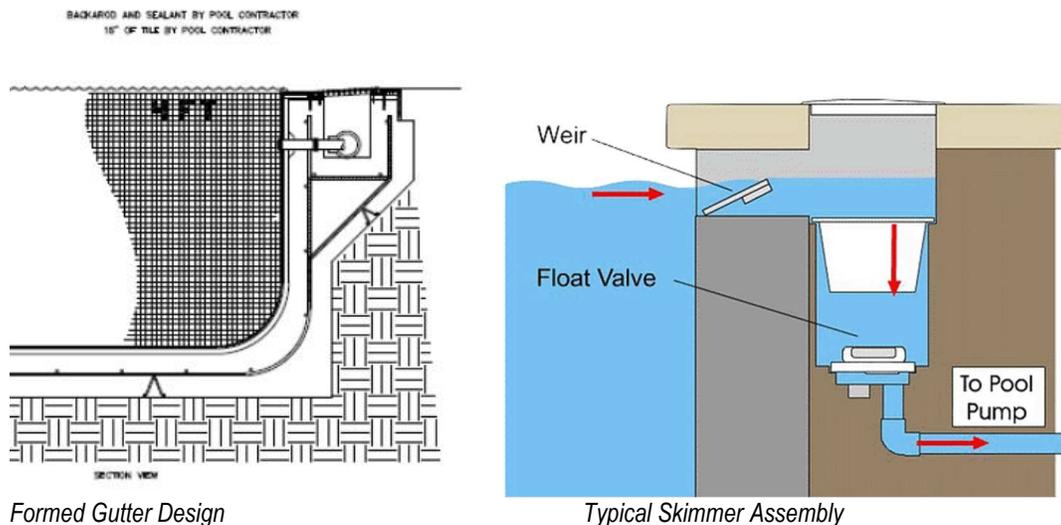
Gutter Options

Options for formed in place gutters as well as traditional skimmer options should be considered during preparation of construction documents in the future. Some pool subcontractors have been able to field construct perimeter gutters in combination with standard skimming units to provide a code compliant, more cost-effective approach to surface skimming. Skimmers would be only acceptable in a separate wading pool.



Formed Pool Gutter at the Quechee Club Outdoor Pool

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Pool Deck Equipment

Acceptable Manufacturers of Deck and Safety Equipment:

1. Paragon Aquatics, 341 Route 55, LaGrangeville, NY 12540-5105; ASD. Tel: (914) 452-5500, Fax: (914) 452-5426, Website: <http://www.paragonaquatics.com>
2. S.R. Smith Inc., 105 Challenger Dr. Portland, Tennessee 37148, Tel: (615) 325-0770, Fax (615) 325-0775, Website: <http://www.srsmith.com>.
3. Spectrum Pool Products, 7100 Spectrum Lane, Missoula, MT 59808, Tel: (406) 543-5309, Fax (406) 728-7143, Website: <http://www.spectrumproducts.com>.

Pool Deck Equipment Includes:

1. **Custom Fabricated Ramp Handrails and Guard:** Provide Custom fabrication, including anchorage, for the HCP Access Ramp Handrails as indicated. Provide Type 304 polished to Assist Rails: Provide custom fabrication. KDI Paragon 1.5 inch by 0.120-inch wall thickness rails. Anchorage shall be cast bronze No. 28102 with escutcheon plate No.28302.
2. **Ladders** shall be heavy duty and cross-braced. Provide number of steps as indicated and to accommodate depth at locations shown. Stainless steel pipe shall have a 0.109-inch wall thickness. Ladder Width shall be 24 inches.
3. **High Platform Lifeguard Chairs:** 6-foot-high Paraflyte Lookout Chair by KDI Paragon, Chairs shall include devices for holding a life ring and umbrella. Refer to drawings for quantity and location. Contractor must confirm final location and quantity with the Owner prior to fabrication and installation.

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Water Features

General: The water features are based on products by the Rain Drop Fountain manufactured by Sonar International, 2001 S Street N.W., Suite 250, Washington DC 20009, telephone 800/343-6063.

Water feature work in the proposed design includes the following Options:

1. **Pop jets, Basket weave and Slant Fins:** Base proposal, these are provided to assist the flow of water in the zero-depth area.



Pop Jets



Basket weave

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Slant Fins

2. **Tumble Buckets:** Alternate work: Feature infrastructure is carried in the base proposal; feature is an alternate price.



Tumble Buckets in use

3. **Rain Drop** Alternate work: Feature infrastructure is carried in the base proposal; feature is an alternate price.



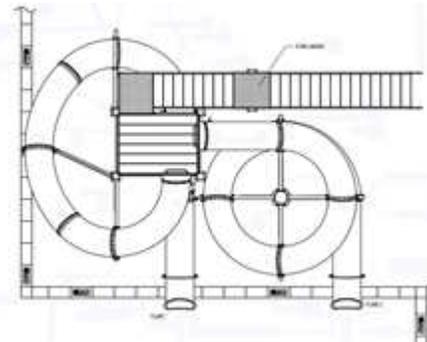
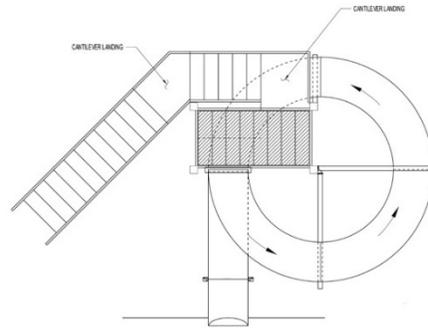
Rain Drop



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Slides

Many slides are available for the project; space availability and budget are the design parameters for selection.



Maintenance and Safety Equipment

Loose Deck, maintenance, and safety equipment will be required to license and operate the pool. These items are typically not carried in the base construction contract. Equipment is typically obtained under goods and services procurement methods.

Acceptable Manufacturers of Deck and Safety Equipment:

1. Paragon Aquatics, 341 Route 55, LaGrangeville, NY 12540-5105; ASD. Tel: (914) 452-5500, Fax: (914) 452-5426, Website: <http://www.paragonaquatics.com>
2. S.R. Smith Inc., 105 Challenger Dr. Portland, Tennessee 37148, Tel: (615) 325-0770, Fax (615) 325-0775, Website: <http://www.srsmith.com>.
3. Spectrum Pool Products, 7100 Spectrum Lane, Missoula, MT 59808, Tel: (406) 543-5309, Fax (406) 728-7143, Website: <http://www.spectrumproducts.com>.
4. Seton Identification Products, 20 Thompson Road, Branford, CT 06405, Tel (800) 243-6624, Fax: 800-345-7819, Website: <http://www.seton.com>.

Equipment may include the following:

1. **Removable Lane Lines:** 4" diameter disks X 75'. Recreonics No. 14-330 Competitive Racing Lane Line or equal. Color to be selected by Architect from full range of colors. Submit sample legends for approval.
2. **Floats:** Spectrum Pool Products Handi-Lock Floats: 5 by 9 inches for ½ inch diameter rope. Color to be determined. Rope for Floats: ½ inch diameter, white, polypropylene rope. Provide length to span pool and prevent slippage of the hook end. Hook End for Rope: Spectrum straight clamp rope hook model 58030. Provide hook at each end of rope.
3. **Ring Buoys:** 24-inch diameter, United States Coast Guard approved ring buoy. Solid closed-cell plastic throughout body with four two-inch wide webs for securing a continuous length of rope. Buoy, straps, and rope shall be white. Spectrum No. 72310.
4. **Throw Ropes:** ¼ inch floating polypropylene rope with attached float. Rope shall be 60 ft. length. Rope shall be safety yellow with red float. Open end of rope shall be provided with a "lemon foot" to hold the line after throwing. Spectrum No. 72360.
5. **Rescue Tube:** Wrap-around rescue tube made of high quality Ensolite foam and covered with a heavy-duty vinyl skin. Skin shall be water, rot, and mildew resistant. Provide quick-release buckle, 6 ft. towline with looped line end. Spectrum No. 72000.
6. **Life Hook and Pole:** Double crook life hook made of heavy-duty anodized aluminum. Pole shall be made from unbreakable rigid fiberglass. Provide two 8-foot poles with connector for a maximum length of 16 feet. Spectrum No. 70100.
7. **Backboard/Spine board:** X-ray translucent, bright yellow high-density polyethylene board. Board shall be 16 inches wide, 72 inches long and minimum 1 3/8 inch thick. Provide standard three strap restraints.
8. **Head Immobilizer:** 100% X-ray lucent head immobilizer with a durable, water and stain resistant material that are removable and washable. Immobilizer shall be compatible with backboard.
9. **First Aid Kit:** 36-unit American Red Cross Approved unitized first aid kit. Kit shall be of corrosion resistant construction, with rubber gasket, carrying handle, and mounting bracket.

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10. **Emergency Eye Wash Stations:** Eyesaline® Emergency Eyewash Station Style No. 47243. Wall mounted unit with two (2) 32 oz. Single use bottles. Unit includes two-sided tape and screw mounting. Unit shall be rated for secondary (personal) use. Provide two Eyesaline 32 oz. Refills, Style No. 50347.
 11. **Signage:** Provide signage at entry to pool facility indicating the Rules and Regulations for pool usage. Coordinate location with Architect in the field. Recreonics Public Pool Rules 12-203.
 12. **Portable Vacuum:** Spectrum Standard Vacuum Pump with Stainless Steel Cart. Model No. 11130. 1 hp electric pump, wired for 115 VAC, 13.6 Amp, with a 100' heavy-duty cord and waterproof switch. The pump shall have barbed hose connectors on the intake and discharge. Cart shall be type 304 stainless steel with two semi-pneumatic wheels. Vacuum shall include all required hoses, handles, fittings, and couplings required for a complete installation.
 13. Spectrum No. 13240.
 14. **Aluminum Telescopic Handle:** Drawn aluminum tube with twist action locking assembly. Pole shall be 12 ft. capable of extension to 24 ft.

Operation/Maintenance Manuals of all equipment and systems. Manuals shall include proper start-up and shutdown procedures.

Operating Diagram: Framed and mounted diagram of filter system operation and backwash procedures. Furnish and install numbered, equipment plates, valve tags and pipe labels to correspond to instructions.

Maintenance: Startup and Shut down Service and instruction to the Owner's operating personnel shall be given upon completion of the Project.

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PLUMBING

Lavatories: Wall mounted units with time metered mixing fixtures, code compliant, low gallons per flush toilets.

Toilet/Urinal Flush-o-meters Recessed sensor operated units. Hardwired installation. Exposed sensor flush-o-meters would be required for battery operation.

Shower Fittings: Symmons Hyd-a-pipe System. Thru-ceiling supply, non-adjustable institutional head; push button control.

Exterior Shower (Rinse Station) Drain to storm: location to be determined, assume two at either end of the pool complex
 "Most Dependable Fountain" unit, Model TW 500SM or 565 SM with cold water only



HVAC

General: The work under this section shall include all labor, materials, accessories, services, and equipment necessary to furnish and install:

1. All fans.
2. All ductwork.
3. All duct fittings.
4. All ductwork accessories.
5. All air inlet and outlet equipment.
6. Testing, Adjusting and Balancing

Ductwork: All ductwork shall be fabricated of G-60 coated galvanized steel of lock forming grade and conforming to ASTM standards A-525 and A-527, unless otherwise noted, and shall be constructed in accordance with the latest SMACNA standards.

Sequence of Operations for Exhaust fans

1. Control Building Exhaust Fans shall be energized when the lights in the spaces they serve are switched on.
2. Filter Area Exhaust Fan shall be energized when:
 - a. When the carbon dioxide detector senses CO2 levels in excess of 1000 parts per million.
 - b. When the manual switch is put in the "ON" position.

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ELECTRICAL:

Existing pool filtration is drawn for field house building at 240/408, a step-down transformer is used for filter room power at 120/240.

A second sub-panel will be needed for the control building.

Complete grounding system as required by Article 250 of the National Electrical Code.

Wiring of Pool Filter Equipment

Light Fixtures: Vapor-tight, vandal-resistant LED light fixtures. Wall or ceiling mounted to suit location and application.

Site Lighting: Include site lighting of access way, parking lot pedestrian way to second level, year-round spaces and entry way to pool

Pool Bonding

Furnish all labor, materials, and equipment necessary to complete all work as shown on drawings and specified. This work is to include but not limited to the following: furnish and install common pool bonding grid, wire and bonding to swimming pool and all pool equipment.

References:

1. All work shall conform to the NFPA National Electrical Code
2. *NEC Article 680 Swimming Pools, Fountains, and Similar Installations* applies to this work.
3. All products shall be UL listed.

SITE WORK

Site Preparation: Strip and stockpile loam.

Construction Dewatering: The Contractor shall be responsible for providing all site dewatering and groundwater control without limitation necessary for constructing the project. The Contractor shall employ methods such as, but not limited to pumping from sumps, well points and gravel packed wells. Dewatering must comply with potential site and land use restrictions.

Backfill: Backfill site to achieve new rough grade elevation using free-draining gravel; and Ordinary borrow shall not be used in area of existing pool or as backfill

Under lawn areas, ordinary borrow may be used meeting the following requirements:

1. It shall be free of organic or other weak or compressible materials, of frozen materials, and stones larger than six inches maximum dimension and not more than 35 percent passing the number 200 sieve.

Pool Sub-base: Dense graded crushed stone shall consist of angular material derived from a stone quarry that is hard, durable and free of deleterious materials. Material shall be free from clay, loam or other plastic material. Extend pool sub-base beyond the pool footprint to create drainable subgrade.

Reclaimed crushed and prepared concrete from existing pool and decks may be used as part of the sub-base.

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Geotextile: Below the pool sub-base, place Mirafi 140N or approved equal.

Sub-Base for Decking: Provide minimum 8 inches of processed gravel consisting of inert natural non-recycled material that is hard, durable stone, gravel and coarse sand, free from loam and clay, surface coatings, and deleterious materials

Insulation: High density rigid insulation beneath deck and zero depth areas of pool to prevent frost penetration beneath structure and decking.

EXTERIOR IMPROVEMENTS

Asphalt Paving: 3-inch-thick asphalt paving where indicated on drawings

- **Binder course:** Mix 4.5 to 5.5 percent of asphalt cement by weight in mixture in accordance with AASHTO T 195.
- **Finish course:** Mix 5.0 to 8.5 percent of asphalt cement by weight in mixture in accordance with AASHTO T 195.

Portland Cement Concrete Paving at Sidewalks and Pool Deck: 4,000 PSI, air entrained concrete; with lamp black added at 2 lbs. per cubic yard. Plain steel welded wire fabric reinforcing; sleeved expansion dowels at deck expansion joints. 12-inch thick downturns all perimeters.

Fencing: 9-gage, vinyl coated chain link fence fabric with 1 – ½ -inch weave. Top rail, intermediate rail, and bottom rail. Corner and line posts, vertical bracing at corners.

- 8ft. perimeter fencing

Lawns: Loam and seed. Lawn areas will not be irrigated; existing lawn areas need to be aerated and replanted.

Plantings:

Maintenance of Trees: Selective removal and pruning of existing trees. An allowance should be carried in a budget for modest landscape along the entry walk and aquatic facility entry.

SITE UTILITIES

Deck Drainage: Decks shall typically drain to the perimeter lawn areas. Deck areas between the pool and buildings that cannot sheet drain will be designed with small deck or trench drains. The drain structures

Sanitary Sewer: New ASTM D 3034 SDR35 PVC gravity sewer pipe; 10 feet from face of bathhouses structures, connected into existing sanitary manholes/line.

Domestic Water. New domestic water connection, meter and backflow assembly between existing building and Main Bathroom building.

Electrical: New sub panel feed to control building.

Telephone: New conduit and punch down panel into control building.

Estimates of Probable Construction Costs



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Estimates of Probable Construction Costs

Estimate of Probable Construction Costs

An estimate has been prepared for Design Options 1 and 2. An additional estimate was prepared for slightly deeper swimming pools. The base options are a maximum of 5 feet deep; alternative options have an 8 feet maximum depth. At this early stage of design, we have used square foot unit costs for certain components of the building and swimming pool.

The following assumptions have been made:

- The site and building portions of the work would be competitively bid to qualified general contractors.
- Unit Prices are based on current construction costs in the eastern Vermont.

Pool Subcontractor Quality Control

- We recommend negotiating directly with a qualified pool subcontractor to provide the pool, filtration, deck equipment, etc. The earthwork, paving, fencing, landscape and control building would be performed by a General Contractor that coordinates with the pool subcontractor.
- General Contractors bid the project and the Town identifies a preferred pool contractor to perform the pool work.
- Bid the project to General Contractors and have the GC solicit pool subcontractors. This is the least desirable approach and provides little or no control over the pool subcontractor.
- Unit Prices are based on current construction costs in the Metro Boston Area

Total Project Costs

Total project cost sheets have been included for both options. Total project costs include the following:
Architectural/Engineering fees

- Act 250 Permitting Costs
- Bidding, Web based Project Management
- Fixtures, Furnishings, and Equipment for the office spaces, safety and maintenance equipment
- Technology including access control, telephone, computer, WAPS, etc.
- A full site survey will be needed
- Utility Company Charges to modify power telephone, data
- Miscellaneous Administrative Costs

Contingency

The schematic level of the design warrants the inclusion of contingencies in the estimates. A 15% design contingency is included in the Estimate of Probable Construction Cost

Escalation

Bidding and contracting may be affected by changes in the bidding climate. Cost estimators use 4% per annum.

Summary of Estimates

Option 1 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,090,712 |
| 4% Escalation | \$ | <u>123,628</u> |
| Adjusted Total Project Cost | \$ | 3,214,340 |

Option 1 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,107,215 |
| 4% Escalation | \$ | <u>124,289</u> |
| Adjusted Total Project Cost | \$ | 3,231,504 |

Option 2 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,389,505 |
| 4% Escalation | \$ | <u>135,580</u> |
| Adjusted Total Project Cost | \$ | 3,525,085 |

Option 2 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|------------------|
| Construction Cost | \$ | 3,385,808 |
| 4% Escalation | \$ | <u>135,432</u> |
| Adjusted Total Project Cost | \$ | 3,521,240 |

OPTION 1 - MAXIMUM FIVE FEET DEPTH

ESTIMATE OF PROBABLE CONSTRUCTION COSTS

6-Jan-20

SITWORK

| | | | |
|----------------------------------|-----------|-------------|-----------|
| Site Clearing & Prep | 1,000 cy | \$8.00 | \$8,000 |
| Selective Demolition | | | |
| Pool Decks | 12,700 sf | \$1.50 | \$19,050 |
| Pool Beam Sawcut | 460 lf | \$15.00 | \$6,900 |
| Pool Beam Removal | 460 lf | \$25.00 | \$11,500 |
| Portions of Existing Pool | 400 gsf | \$10.00 | \$4,000 |
| Pool Equipment | 1 allow | \$10,000.00 | \$10,000 |
| Pool Deck Equipment | 1 allow | \$4,000.00 | \$4,000 |
| Site Fencing | 325 lf | \$12.00 | \$3,900 |
| Modifications to Filter Building | 10,560 sf | \$1.25 | \$13,200 |
| Structural Fill at Swimming Pool | 518 cy | \$40.00 | \$20,720 |
| 12 inches of gravel at walkways | 302 cy | \$18.00 | \$5,436 |
| Concrete walk/pool deck | 12,000 sf | \$12.00 | \$144,000 |
| loam and seed | 2,400 sf | \$1.20 | \$2,880 |
| New Site Utilities | 1 allow | \$50,000.00 | \$50,000 |
| Trellis | 1,100 sf | \$120.00 | \$132,000 |
| New Fencing | 340 lf | \$86.00 | \$29,240 |
| Bench at Spray Deck | 74 lf | \$150.00 | \$11,100 |
| Allow for Lanscaping | 1 allow | \$20,000.00 | \$20,000 |

Sitework subtotal **\$495,926**

Bathhouse Structure

| | | | |
|---------------------------------------|--------|----------|-----------|
| Wood framed structure | 800 sf | \$310.00 | \$248,000 |
| Foundation, framing | | | |
| Framing | | | |
| Exterior and Interior finishes | | | |
| Equipment | | | |
| Mechanical Electrical & Plumbing Work | | | |

Building Subtotal **\$248,000**

POOL & SPRAY DECK

| | | | |
|---------------------------------|-----------|-------------|-----------|
| Shop Drawings & Submittals | 1 ea | \$30,000.00 | \$30,000 |
| Gunite Pool with Plaster Finish | 4,600 sf | \$183.00 | \$841,800 |
| Formed Gutter Assembly | 362 lf | \$180.00 | \$65,160 |
| Pool Filtration | 1 package | \$80,000.00 | \$80,000 |
| Pool Water Features | 3 ea | \$20,000.00 | \$60,000 |
| Slide | 1 ea | \$75,000.00 | \$75,000 |
| Pool Bonding | 1 allow | \$25,000.00 | \$25,000 |

Spray Deck Pad, Finish, Features, Pump ε 1,350 sf \$75.00 \$101,250

Pool Subtotal **\$1,278,210**

Subtotal **\$2,022,136**

General Conditions, OH&P @ 25% \$505,534

Contingency at 15% \$379,151

Escalation at 4% per annum \$0

Total Estimate of Probable Construction Costs **\$2,906,821**

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OPTION 1- MAXIMUM 8 FEET DEPTH

ESTIMATE OF PROBABLE CONSTRUCTION COSTS

6-Jan-20

SITWORK

| | | | |
|---|-----------|-------------|-----------|
| Site Clearing & Prep | 1,000 cy | \$8.00 | \$8,000 |
| Selective Demolition | | | |
| Pool Decks | 12,700 sf | \$1.50 | \$19,050 |
| Pool Beam Sawcut | 460 lf | \$15.00 | \$6,900 |
| Pool Beam Removal | 460 lf | \$25.00 | \$11,500 |
| Portions of Existing Pool | 400 gsf | \$10.00 | \$4,000 |
| Pool Equipment | 1 allow | \$10,000.00 | \$10,000 |
| Pool Deck Equipment | 1 allow | \$4,000.00 | \$4,000 |
| Site Fencing | 325 lf | \$12.00 | \$3,900 |
| Modifications to Filter Building | 10,560 sf | \$1.25 | \$13,200 |
| Construct Wellpoint with existing main drains | 1 allow | \$4,500.00 | \$4,500 |
| Structural Fill at Swimming Pool | 450 cy | \$40.00 | \$18,000 |
| 12 inches of gravel at walkways | 302 cy | \$18.00 | \$5,436 |
| Concrete walk/pool deck | 12,000 sf | \$12.00 | \$144,000 |
| loam and seed | 2,400 sf | \$1.20 | \$2,880 |
| New Site Utilities | 1 allow | \$50,000.00 | \$50,000 |
| Trellis | 1,100 sf | \$120.00 | \$132,000 |
| New Fencing | 340 lf | \$86.00 | \$29,240 |
| Bench at Spray Deck | 74 lf | \$150.00 | \$11,100 |
| Exterior Rinse Stations | 2 each | \$2,000.00 | \$4,000 |
| Allow for Lanscaping | 1 allow | \$20,000.00 | \$20,000 |

Sitework subtotal **\$501,706**

Bathhouse Structure

| | | | |
|---------------------------------------|--------|----------|-----------|
| Wood framed structure | 800 sf | \$310.00 | \$248,000 |
| Foundation, framing | | | |
| Framing | | | |
| Exterior and Interior finishes | | | |
| Equipment | | | |
| Mechanical Electrical & Plumbing Work | | | |

Building Subtotal **\$248,000**

Modify Existing Filter Building

| | | | |
|----------------------|--------|-------------|----------|
| new ramp | 1 ls | \$35,000.00 | \$35,000 |
| New masonry openings | 125 sf | \$65.00 | \$8,125 |
| Coiling Door | 1 ea | \$1,200.00 | \$1,200 |
| New Door | 1 ea | \$850.00 | \$850 |
| New Windows | 4 ea | \$500.00 | \$2,000 |
| Misc. Improvements | 525 sf | \$90.00 | \$47,250 |

Building Subtotal **\$94,425**

POOL & SPRAY DECK

| | | | |
|---|-----------|-------------|-----------|
| Shop Drawings & Submittals | 1 ea | \$30,000.00 | \$30,000 |
| Gunite Pool with Plaster Finish | 4,600 sf | \$185.00 | \$851,000 |
| Forned Gutter Assembly | 362 lf | \$180.00 | \$65,160 |
| Pool Filtration | 1 package | \$85,000.00 | \$85,000 |
| Pool Water Features | 3 ea | \$20,000.00 | \$60,000 |
| Slide | 1 ea | \$75,000.00 | \$75,000 |
| Pool Bonding | 1 allow | \$25,000.00 | \$25,000 |
| Spray Deck Pad, Finish, Features, Pump and Filtration | 1,350 sf | \$75.00 | \$101,250 |
| Precast Spray Deck Reservoir | 1 ea | \$25,000.00 | \$25,000 |

Pool Subtotal **\$1,317,410**

Subtotal **\$2,161,541**

General Conditions, OH&P @ 25% \$540,385

Contingency at 15% \$405,289

Escalation at 4% per annum \$0

Total Estimate of Probable Construction Costs **\$3,107,215**

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OPTION 2- MAXIMUM 5 FEET DEPTH

ESTIMATE OF PROBABLE CONSTRUCTION COSTS

6-Jan-20

SITWORK

| | | | |
|---|-----------|-------------|-----------|
| Site Clearing & Prep | 1,000 cy | \$8.00 | \$8,000 |
| Selective Demolition | | | |
| Pool Decks | 12,700 sf | \$1.50 | \$19,050 |
| Pool Beam Sawcut | 460 lf | \$15.00 | \$6,900 |
| Pool Beam Removal | 460 lf | \$25.00 | \$11,500 |
| Portions of Existing Pool | 750 gsf | \$10.00 | \$7,500 |
| Pool Equipment | 1 allow | \$10,000.00 | \$10,000 |
| Pool Deck Equipment | 1 allow | \$4,000.00 | \$4,000 |
| Site Fencing | 325 lf | \$12.00 | \$3,900 |
| Modifications to Filter Building | 10,560 sf | \$1.25 | \$13,200 |
| Construct Wellpoint with existing main drains | 1 allow | \$4,500.00 | \$4,500 |
| Structural Fill at Swimming Pool | 680 cy | \$40.00 | \$27,200 |
| 12 inches of gravel at walkways | 302 cy | \$18.00 | \$5,436 |
| Concrete walk/pool deck | 11,600 sf | \$12.00 | \$139,200 |
| loam and seed | 2,400 sf | \$1.20 | \$2,880 |
| New Site Utilities | 1 allow | \$50,000.00 | \$50,000 |
| Trellis | 1,000 sf | \$120.00 | \$120,000 |
| New Fencing | 340 lf | \$86.00 | \$29,240 |
| Bench at Spray Deck | 50 lf | \$150.00 | \$7,500 |
| Exterior Rinse Stations | 2 each | \$2,000.00 | \$4,000 |
| Allow for Landscaping | 1 allow | \$20,000.00 | \$20,000 |

Sitework subtotal **\$494,006**

Bathhouse Structure

| | | | |
|---------------------------------------|--------|----------|-----------|
| Wood framed structure | 800 sf | \$310.00 | \$248,000 |
| Foundation, framing | | | |
| Framing | | | |
| Exterior and Interior finishes | | | |
| Equipment | | | |
| Mechanical Electrical & Plumbing Work | | | |

Building Subtotal **\$248,000**

Modify Existing Filter Building

| | | | |
|----------------------|--------|-------------|----------|
| new ramp | 1 ls | \$35,000.00 | \$35,000 |
| New masonry openings | 125 sf | \$65.00 | \$8,125 |
| Coiling Door | 1 ea | \$1,200.00 | \$1,200 |
| New Door | 1 ea | \$850.00 | \$850 |
| New Windows | 4 ea | \$500.00 | \$2,000 |
| Misc. Improvements | 525 sf | \$90.00 | \$47,250 |

Building Subtotal **\$94,425**

POOL & SPRAY DECK

| | | | |
|---|-----------|--------------|-----------|
| Shop Drawings & Submittals | 1 ea | \$30,000.00 | \$30,000 |
| Gunite Pool with Plaster Finish- Main Pool | 3,914 sf | \$183.00 | \$716,262 |
| Formed Gutter Assembly | 375 lf | \$180.00 | \$67,500 |
| Gunite Pool with Plaster Finish- Wading Pox | 1,728 sf | \$183.00 | \$316,224 |
| Formed Gutter Assembly | 175 lf | \$180.00 | \$31,500 |
| Pool Filtration | 1 package | \$140,000.00 | \$140,000 |
| Pool Water Features | 6 ea | \$20,000.00 | \$120,000 |
| Slide | 1 ea | \$75,000.00 | \$75,000 |
| Pool Bonding | 1 allow | \$25,000.00 | \$25,000 |
| Spray Deck Pad, Finish, Features, Pump and Filtration | 0 sf | \$75.00 | \$0 |
| Precast Spray Deck Reservoir | 0 ea | \$25,000.00 | \$0 |

Pool Subtotal **\$1,521,486**

Subtotal **\$2,357,917**

General Conditions, OH&P @ 25% \$589,479

Contingency at 15% \$442,109

Escalation at 4% per annum \$0

Total Estimate of Probable Construction Costs **\$3,389,506**

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OPTION 2- MAXIMUM 8 FEET DEPTH

ESTIMATE OF PROBABLE CONSTRUCTION COSTS

6-Jan-20

SITWORK

| | | | |
|---|-----------|-------------|-----------|
| Site Clearing & Prep | 1,000 cy | \$8.00 | \$8,000 |
| Selective Demolition | | | |
| Pool Decks | 12,700 sf | \$1.50 | \$19,050 |
| Pool Beam Sawcut | 460 lf | \$15.00 | \$6,900 |
| Pool Beam Removal | 460 lf | \$25.00 | \$11,500 |
| Portions of Existing Pool | 750 gsf | \$10.00 | \$7,500 |
| Pool Equipment | 1 allow | \$10,000.00 | \$10,000 |
| Pool Deck Equipment | 1 allow | \$4,000.00 | \$4,000 |
| Site Fencing | 325 lf | \$12.00 | \$3,900 |
| Modifications to Filter Building | 10,560 sf | \$1.25 | \$13,200 |
| Construct Wellpoint with existing main drains | 1 allow | \$4,500.00 | \$4,500 |
| Structural Fill at Swimming Pool | 420 cy | \$40.00 | \$16,800 |
| 12 inches of gravel at walkways | 302 cy | \$18.00 | \$5,436 |
| Concrete walk/pool deck | 11,600 sf | \$12.00 | \$139,200 |
| loam and seed | 2,400 sf | \$1.20 | \$2,880 |
| New Site Utilities | 1 allow | \$50,000.00 | \$50,000 |
| Trellis | 1,000 sf | \$120.00 | \$120,000 |
| New Fencing | 340 lf | \$86.00 | \$29,240 |
| Benches | 50 lf | \$150.00 | \$7,500 |
| Exterior Rinse Stations | 2 each | \$2,000.00 | \$4,000 |
| Allow for Landscaping | 1 allow | \$20,000.00 | \$20,000 |

Sitework subtotal **\$483,606**

Bathhouse Structure

| | | | |
|---------------------------------------|--------|----------|-----------|
| Wood framed structure | 800 sf | \$310.00 | \$248,000 |
| Foundation, framing | | | |
| Framing | | | |
| Exterior and Interior finishes | | | |
| Equipment | | | |
| Mechanical Electrical & Plumbing Work | | | |

Building Subtotal **\$248,000**

Modify Existing Filter Building

| | | | |
|----------------------|--------|-------------|----------|
| new ramp | 1 ls | \$35,000.00 | \$35,000 |
| New masonry openings | 125 sf | \$65.00 | \$8,125 |
| Coiling Door | 1 ea | \$1,200.00 | \$1,200 |
| New Door | 1 ea | \$850.00 | \$850 |
| New Windows | 4 ea | \$500.00 | \$2,000 |
| Misc. Improvements | 525 sf | \$90.00 | \$47,250 |

Building Subtotal **\$94,425**

POOL & SPRAY DECK

| | | | |
|---|-----------|--------------|-----------|
| Shop Drawings & Submittals | 1 ea | \$30,000.00 | \$30,000 |
| Gunite Pool with Plaster Finish- Main Pool | 3,914 sf | \$185.00 | \$724,090 |
| Formed Gutter Assembly | 375 lf | \$180.00 | \$67,500 |
| Gunite Pool with Plaster Finish- Wading Pox | 1,728 sf | \$183.00 | \$316,224 |
| Formed Gutter Assembly | 175 lf | \$180.00 | \$31,500 |
| Pool Filtration | 1 package | \$140,000.00 | \$140,000 |
| Pool Water Features | 6 ea | \$20,000.00 | \$120,000 |
| Slide | 1 ea | \$75,000.00 | \$75,000 |
| Pool Bonding | 1 allow | \$25,000.00 | \$25,000 |
| Spray Deck Pad, Finish, Features, Pump and Filtration | 0 sf | \$75.00 | \$0 |
| Precast Spray Deck Reservoir | 0 ea | \$25,000.00 | \$0 |

Pool Subtotal **\$1,529,314**

Subtotal **\$2,355,345**

General Conditions, OH&P @ 25% \$588,836

Contingency at 15% \$441,627

Escalation at 4% per annum \$0

Total Estimate of Probable Construction Costs **\$3,385,808**

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Sherman Manning Pool - Hartford VT
ESTIMATED TOTAL PROJECT COST

OPTION 1- 5 FEET MAXIMUM DEPTH **\$3,091,000**

| ITEM # | DESCRIPTION | UNIT | QUANTITY | UNIT COST | EXTENSION | SUBTOTALS |
|---|--|------|----------|-----------|-----------|--------------------|
| Construction | | | | | | |
| 1.0 Construction Costs (Total Estimated Cost of Construction, today's \$) | | | | | | \$3,091,000 |
| Architect/Engineers | | | | | | |
| 2.0 Architect Basic Services | | | | | | \$200,000 |
| | Current Contract Amount | LS | 1 | \$0 | \$0 | |
| | Adjusted Contract Amount to New Construction Value | LS | 1 | \$200,000 | \$200,000 | |
| 2.1 A/E Additional Services | | | | | | \$35,000 |
| | Hazmat Consultant | LS | 1 | \$0 | \$0 | |
| | Environmental Permitting | LS | 1 | \$0 | \$0 | |
| | Act 250 Permit Material | LS | 1 | \$35,000 | \$35,000 | |
| | Professional Cost Estimate (In base fee) | LS | 1 | \$0 | \$0 | |
| 2.3 Architect Reimbursables | | | | | | \$6,500 |
| | General Expenses Adjusted to Construction Value | LS | 1 | \$6,000 | \$6,000 | |
| | Pre-Qualification | LS | 1 | \$0 | \$0 | |
| | Bid Document Printing/Web Hosting | LS | 1 | \$5,000 | \$5,000 | |
| | Bid Advertisements | LS | 1 | \$500 | \$500 | |
| FF&E and Technology | | | | | | |
| 4.0 Design FF&E | | | | | | \$2,500 |
| 4.1 FF&E | | | | | | \$20,000 |
| | Kitchen & Vending Equipment | LS | 1 | \$0 | \$0 | |
| | Fitness Equipment | LS | 1 | \$0 | \$0 | |
| | All other FF&E | LS | 1 | \$20,000 | \$20,000 | |
| 4.2 Design Technology | | | | | | \$0 |
| 4.3 Technology | | | | | | \$10,000 |
| Support Services | | | | | | |
| 5.0 Structural Peer Review | | | | | | \$0 |
| 5.1 Materials Testing Services | | | | | | \$5,000 |
| | Concrete, Steel, etc. | LS | 1 | \$5,000 | \$5,000 | |
| | Environmental Monitoring | LS | 1 | \$0 | \$0 | |
| 5.2 Geotechnical Services, etc. | | | | | | \$0 |
| | Soils Report/Borings | LS | 1 | \$0 | \$0 | |
| | Water Flow/Pressure Test | LS | 1 | \$0 | \$0 | |
| 5.3 Surveying | | | | | | \$7,500 |
| 5.4 Moving | | | | | | \$0 |
| 5.5 LEED® Commissioning (fundamental) | | | | | | \$0 |
| Administrative | | | | | | |
| 6.0 Permits | | | | | | \$0 |
| 6.1 Bond Underwriting | | | | | | \$0 |
| 6.2 Insurance and Legal | | | | | | \$0 |
| | Legal Fees | LS | 1 | \$0 | \$0 | |
| | Builders Risk Insurance (Included by GC) | LS | 1 | \$0 | \$0 | |
| 6.3 Utility Company Charges | | | | | | \$20,000 |
| 6.4 Administrative Costs | | | | | | \$2,000 |
| 6.5 Clerk-of-the-Works/OPM | | | | | | \$0 |

TOTAL ESTIMATED PROJECT COST (TODAY'S \$) **\$3,399,500**

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Sherman Manning Pool Hartford VT
ESTIMATED TOTAL PROJECT COST

OPTION 1- 8 FEET MAXIMUM DEPTH **\$3,107,215**

| ITEM # | DESCRIPTION | UNIT | QUANTITY | UNIT COST | EXTENSION | SUBTOTALS |
|---|--|------|----------|-----------|-----------|--------------------|
| Construction | | | | | | |
| 1.0 Construction Costs (Total Estimated Cost of Construction, today's \$) | | | | | | \$3,107,215 |
| Architect/Engineers | | | | | | |
| 2.0 Architect Basic Services | | | | | | \$200,000 |
| | Current Contract Amount | LS | 1 | \$0 | \$0 | |
| | Adjusted Contract Amount to New Construction Value | LS | 1 | \$200,000 | \$200,000 | |
| 2.1 A/E Additional Services | | | | | | \$35,000 |
| | Hazmat Consultant | LS | 1 | \$0 | \$0 | |
| | Environmental Permitting | LS | 1 | \$0 | \$0 | |
| | Act 250 Permit Material | LS | 1 | \$35,000 | \$35,000 | |
| | Professional Cost Estimate (In base fee) | LS | 1 | \$0 | \$0 | |
| 2.3 Architect Reimbursables | | | | | | \$6,500 |
| | General Expenses Adjusted to Construction Value | LS | 1 | \$6,000 | \$6,000 | |
| | Pre-Qualification | LS | 1 | \$0 | \$0 | |
| | Bid Document Printing/Web Hosting | LS | 1 | \$5,000 | \$5,000 | |
| | Bid Advertisements | LS | 1 | \$500 | \$500 | |
| FF&E and Technology | | | | | | |
| 4.0 Design FF&E | | | | | | \$2,500 |
| 4.1 FF&E | | | | | | \$20,000 |
| | Kitchen & Vending Equipment | LS | 1 | \$0 | \$0 | |
| | Fitness Equipment | LS | 1 | \$0 | \$0 | |
| | All other FF&E | LS | 1 | \$20,000 | \$20,000 | |
| 4.2 Design Technology | | | | | | \$0 |
| 4.3 Technology | | | | | | \$10,000 |
| Support Services | | | | | | |
| 5.0 Structural Peer Review | | | | | | \$0 |
| 5.1 Materials Testing Services | | | | | | \$5,000 |
| | Concrete, Steel, etc. | LS | 1 | \$5,000 | \$5,000 | |
| | Environmental Monitoring | LS | 1 | \$0 | \$0 | |
| 5.2 Geotechnical Services, etc. | | | | | | \$0 |
| | Soils Report/Borings | LS | 1 | \$0 | \$0 | |
| | Water Flow/Pressure Test | LS | 1 | \$0 | \$0 | |
| 5.3 Surveying | | | | | | \$7,500 |
| 5.4 Moving | | | | | | \$0 |
| 5.5 LEED® Commissioning (fundamental) | | | | | | \$0 |
| Administrative | | | | | | |
| 6.0 Permits | | | | | | \$0 |
| 6.1 Bond Underwriting | | | | | | \$0 |
| 6.2 Insurance and Legal | | | | | | \$0 |
| | Legal Fees | LS | 1 | \$0 | \$0 | |
| | Builders Risk Insurance (Included by GC) | LS | 1 | \$0 | \$0 | |
| 6.3 Utility Company Charges | | | | | | \$20,000 |
| 6.4 Administrative Costs | | | | | | \$2,000 |
| 6.5 Clerk-of-the-Works/OPM | | | | | | \$0 |

TOTAL ESTIMATED PROJECT COST (TODAY'S \$) **\$3,415,715**

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Sherman Manning Pool Hartford VT
ESTIMATED TOTAL PROJECT COST

OPTION 2- 5 FEET MAXIMUM DEPTH **\$3,389,500**

| ITEM # | DESCRIPTION | UNIT | QUANTITY | UNIT COST | EXTENSION | SUBTOTALS |
|---|--|------|----------|-----------|-----------|--------------------|
| Construction | | | | | | |
| 1.0 Construction Costs (Total Estimated Cost of Construction, today's \$) | | | | | | \$3,389,500 |
| Architect/Engineers | | | | | | |
| 2.0 Architect Basic Services | | | | | | \$200,000 |
| | Current Contract Amount | LS | 1 | \$0 | \$0 | |
| | Adjusted Contract Amount to New Construction Value | LS | 1 | \$200,000 | \$200,000 | |
| 2.1 A/E Additional Services | | | | | | \$35,000 |
| | Hazmat Consultant | LS | 1 | \$0 | \$0 | |
| | Environmental Permitting | LS | 1 | \$0 | \$0 | |
| | Act 250 Permit Material | LS | 1 | \$35,000 | \$35,000 | |
| | Professional Cost Estimate (In base fee) | LS | 1 | \$0 | \$0 | |
| 2.3 Architect Reimbursables | | | | | | \$6,500 |
| | General Expenses Adjusted to Construction Value | LS | 1 | \$6,000 | \$6,000 | |
| | Pre-Qualification | LS | 1 | \$0 | \$0 | |
| | Bid Document Printing/Web Hosting | LS | 1 | \$5,000 | \$5,000 | |
| | Bid Advertisements | LS | 1 | \$500 | \$500 | |
| FF&E and Technology | | | | | | |
| 4.0 Design FF&E | | | | | | \$2,500 |
| 4.1 FF&E | | | | | | \$20,000 |
| | Kitchen & Vending Equipment | LS | 1 | \$0 | \$0 | |
| | Fitness Equipment | LS | 1 | \$0 | \$0 | |
| | All other FF&E | LS | 1 | \$20,000 | \$20,000 | |
| 4.2 Design Technology | | | | | | \$0 |
| 4.3 Technology | | | | | | \$10,000 |
| Support Services | | | | | | |
| 5.0 Structural Peer Review | | | | | | \$0 |
| 5.1 Materials Testing Services | | | | | | \$5,000 |
| | Concrete, Steel, etc. | LS | 1 | \$5,000 | \$5,000 | |
| | Environmental Monitoring | LS | 1 | \$0 | \$0 | |
| 5.2 Geotechnical Services, etc. | | | | | | \$0 |
| | Soils Report/Borings | LS | 1 | \$0 | \$0 | |
| | Water Flow/Pressure Test | LS | 1 | \$0 | \$0 | |
| 5.3 Surveying | | | | | | \$7,500 |
| 5.4 Moving | | | | | | \$0 |
| 5.5 LEED® Commissioning (fundamental) | | | | | | \$0 |
| Administrative | | | | | | |
| 6.0 Permits | | | | | | \$0 |
| 6.1 Bond Underwriting | | | | | | \$0 |
| 6.2 Insurance and Legal | | | | | | \$0 |
| | Legal Fees | LS | 1 | \$0 | \$0 | |
| | Builders Risk Insurance (Included by GC) | LS | 1 | \$0 | \$0 | |
| 6.3 Utility Company Charges | | | | | | \$20,000 |
| 6.4 Administrative Costs | | | | | | \$2,000 |
| 6.5 Clerk-of-the-Works/OPM | | | | | | \$0 |

TOTAL ESTIMATED PROJECT COST (TODAY'S \$) **\$3,698,000**

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Sherman Manning Pool Hartford VT
ESTIMATED TOTAL PROJECT COST

OPTION 2- 8 FEET MAXIMUM DEPTH **\$3,385,808**

| ITEM # | DESCRIPTION | UNIT | QUANTITY | UNIT COST | EXTENSION | SUBTOTALS |
|---|--|------|----------|-----------|-----------|--------------------|
| Construction | | | | | | |
| 1.0 Construction Costs (Total Estimated Cost of Construction, today's \$) | | | | | | \$3,385,808 |
| Architect/Engineers | | | | | | |
| 2.0 Architect Basic Services | | | | | | \$200,000 |
| | Current Contract Amount | LS | 1 | \$0 | \$0 | |
| | Adjusted Contract Amount to New Construction Value | LS | 1 | \$200,000 | \$200,000 | |
| 2.1 A/E Additional Services | | | | | | \$35,000 |
| | Hazmat Consultant | LS | 1 | \$0 | \$0 | |
| | Environmental Permitting | LS | 1 | \$0 | \$0 | |
| | Act 250 Permit Material | LS | 1 | \$35,000 | \$35,000 | |
| | Professional Cost Estimate (In base fee) | LS | 1 | \$0 | \$0 | |
| 2.3 Architect Reimbursables | | | | | | \$6,500 |
| | General Expenses Adjusted to Construction Value | LS | 1 | \$6,000 | \$6,000 | |
| | Pre-Qualification | LS | 1 | \$0 | \$0 | |
| | Bid Document Printing/Web Hosting | LS | 1 | \$5,000 | \$5,000 | |
| | Bid Advertisements | LS | 1 | \$500 | \$500 | |
| FF&E and Technology | | | | | | |
| 4.0 Design FF&E | | | | | | \$2,500 |
| 4.1 FF&E | | | | | | \$20,000 |
| | Kitchen & Vending Equipment | LS | 1 | \$0 | \$0 | |
| | Fitness Equipment | LS | 1 | \$0 | \$0 | |
| | All other FF&E | LS | 1 | \$20,000 | \$20,000 | |
| 4.2 Design Technology | | | | | | \$0 |
| 4.3 Technology | | | | | | \$10,000 |
| Support Services | | | | | | |
| 5.0 Structural Peer Review | | | | | | \$0 |
| 5.1 Materials Testing Services | | | | | | \$5,000 |
| | Concrete, Steel, etc. | LS | 1 | \$5,000 | \$5,000 | |
| | Environmental Monitoring | LS | 1 | \$0 | \$0 | |
| 5.2 Geotechnical Services, etc. | | | | | | \$0 |
| | Soils Report/Borings | LS | 1 | \$0 | \$0 | |
| | Water Flow/Pressure Test | LS | 1 | \$0 | \$0 | |
| 5.3 Surveying | | | | | | \$7,500 |
| 5.4 Moving | | | | | | \$0 |
| 5.5 LEED® Commissioning (fundamental) | | | | | | \$0 |
| Administrative | | | | | | |
| 6.0 Permits | | | | | | \$0 |
| 6.1 Bond Underwriting | | | | | | \$0 |
| 6.2 Insurance and Legal | | | | | | \$0 |
| | Legal Fees | LS | 1 | \$0 | \$0 | |
| | Builders Risk Insurance (Included by GC) | LS | 1 | \$0 | \$0 | |
| 6.3 Utility Company Charges | | | | | | \$20,000 |
| 6.4 Administrative Costs | | | | | | \$2,000 |
| 6.5 Clerk-of-the-Works/OPM | | | | | | \$0 |

TOTAL ESTIMATED PROJECT COST (TODAY'S \$) **\$3,694,308**

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Operating Costs



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Operating Costs

The report includes a review of required staffing and changes to the pool that may affect operating costs. The following was reviewed with Town Staff:

Pool Season

The desired schedule for seasonal use shall be:

- Memorial Day Weekend – Saturday, Sunday, Monday (full operations)
- 3 Weeks After Memorial Day – Evening and Weekends Only
- Full Operation through Labor Day Weekend (11 Weeks) The existing pool operated for 9 weeks before it closed in 2018.

Parameters

1. The minimum wage in Vermont in 2020, is \$10.96 per hour as of January 1, 2020.
2. There are no internal department charge backs for items like mowing, landscaping, trash removal, etc.
3. Operational projections are consistent with “typical” weather patterns for region.
4. Winterization and de-winterization will be conducted by a third-party independent pool contractor.
5. The Town will have a full-time staff member that will spend a minimum of 20 hours per week at the pool working with the filtration system and pool chemicals.
6. A custodian will be on-site 3 hours a day, 7 days a week. Other custodial task will be the responsibility of part-time staff.
7. Typical lifeguard schedules are based on usage, which is to say the number of lifeguards varies by time of the day and program taking place at the facility. It is also important to note that we have adopted a philosophy in the operational plan that has a lifeguard on duty at any time an individual is in the water.
8. Food Assumptions: Food through concessions would be available at the elsewhere

Part Time Staffing Rates

| Positions | Hourly Rate |
|--------------------------|--------------------|
| Front Desk Attendant | \$10.96 |
| Pool Attendant | \$10.96 |
| Lifeguard | \$12.00 to \$14.00 |
| Head Lifeguard | \$14.00 |
| Pool Supervisor | \$16.00 |
| | |
| Aquatic Ex. Instructors | \$16.00 |
| Swim Instructors | \$14.00 |
| Birthday Party Attendant | \$10.96 |
| | |

Sherman Manning Pool
White River Junction, VT
Schematic Design Report
 January 6, 2010

- Early arrival, late departure, are assumed for part-time staff to allow for setting the pool deck and provide training windows for lifeguards and instructors.
- Pool Supervisor would be responsible for the full operation and when on-site would supervise the front desk and concession operations. The ideal scenario would be this position to work at peak use times Mon-Sun. During those peak use times there would also be a Head Lifeguard in place to oversee pool deck operations.
- Head Lifeguard, in absence of the Pool Supervisor this position would function as the supervisor for the pool operations, concessions, and front desk

Pool Rates from 2017:

Passes/Membership: What were the existing membership rates?

| Type | Resident | Non-Resident |
|-------------------------------|-------------------------|---------------|
| Family Pass Up to 4 | \$95 + \$10 | \$110 + \$10 |
| Youth/Senior Pass | Youth \$45/Seniors \$25 | |
| Adult Pass | \$55 | \$70 |
| Lap Swim Only Individual Pass | Same as daily | Same as daily |

Daily Admission:

| Type | Resident | Non-Resident |
|--------------------------|----------|--------------|
| Family | \$5 | \$5 |
| Youth/Senior | \$5 | \$5 |
| Adult | \$5 | \$5 |
| Lap Swim Only Individual | \$5 | \$5 |

Program Fees:

| Type | Resident | Non-Resident |
|-------------------|----------|--------------|
| Group Swim Lesson | \$35 | \$50 |

- Group Swim Lessons – assumes 8, 35-minute classes running Mon-Thu.
- Private Swim Lessons – assumes 4, 30-minute classes scheduled w/ instructor while pool is available, excluding private rentals.
- Group Exercise – assumes 8, 60-minute classes running Mon/Wed or Tue/Thu.

Sherman Manning Pool
White River Junction, VT
Schematic Design Report
 January 6, 2010

Typical Schedule

Please provide your existing or desired schedule.

Typical Weekday Schedule (Mon-Friday)

- 7:00A-11:30A – Lanes Available for Lap Swim
- 8:00A-9:00A – Group Exercise Class
- 9:00A-12:00P – Swim Lessons
- 12:00P-7:00P – Open Swim
- 8:00-10:00P – Rental Availability

Typical Saturday Schedule

- 9:00A-12:00P – Lanes Available for Lap Swim
- 12:00P-6:00P – Open Swim
- 7:00-9:00P – Rental Availability

Typical Sunday Schedule

- 10:00A-12:00P – Staff Training
- 12:00P-6:00P – Open Swim
- 7:00-9:00P – Rental Availability

Staffing Projections

A **cashier** would be required Monday through Sunday, roughly 7 hours per day. 49 hours per week, split through 2 or 3 employees.

A **Head life guard** would be required for the hours indicated below for total of 53 hours per week.

| | |
|-----------|---------|
| Thurs-Fri | 2 hours |
| Mon-Fri | 7 hours |
| Sat-Sun | 7 hours |

Lifeguards would be required as noted below for a total of 286 hours per week.

| | | |
|--------------|---------|--------------|
| Mon-Fri | | |
| 8AM to 10AM | 2 hours | 2 Lifeguards |
| 10AM to Noon | 2 hours | 4 Lifeguards |
| Noon to 5PM | 5 hours | 6 Lifeguards |
| Sat-Sun | | |
| 10AM to Noon | 2 hours | 4 Lifeguards |
| Noon to 5PM | 5 Hours | 6 Lifeguards |

Staffing of the proposed pools by lifeguards generally remains the same as the existing pool. Relocating the cashier to the new control building allows for a single staff member; back-up and assistance can easily be provided with the better visual control the location offers.

Sherman Manning Pool
White River Junction, VT
Schematic Design Report
 January 6, 2010

Operational Expenses

Water Usage

The volume of the existing pool is approximately 331,400 gallons.

Option 1

| | |
|----------------------|----------------|
| Single Volume | 98,700 gallons |
| Spray Deck Reservoir | 6,000 gallons |

Option 2

| | |
|-------------|-----------------|
| Main Pool | 104,000 gallons |
| Wading Pool | 13,000 gallons |

Both designs will use significantly less water. The current pools water loss during operation was significant and will be eliminated with the new pool(s).

Pool Pumps

There were two pumps operating in the filter room. A 25 hp pump for the main pool filtration and a small 2 hp pump for the wading pool.

Option 1

Main Pool

20 hp pump for pool filtration.
 3 hp pump for water features
 1.5 hp slide pump

Spray Deck

3 hp pump for reservoir circulation
 5 hp pump for spray deck water features

Option 2

Main Pool

15 hp pump for pool filtration.
 1.5 hp slide pump

Wading Pool

5 hp pump for filtration
 5 hp pump for spray deck water features

Observations

- All pumps will have variable frequency drives (VFD's)
- Filtration pumps are run continually
- Slide pumps run continually when slide is in use
- Feature pumps run intermittently as features are activated by user.

Sherman Manning Pool
White River Junction, VT
Schematic Design Report
 January 6, 2010

Operation and Maintenance

The Certified Pool Operator (CPO) is part of the Town staff and will take care of day to day maintenance of the pool(s). For the pool(s) seasonal start-up, shutdown, and emergency service calls, the Town will engage a qualified swimming pool subcontractor to provide these services.

Revenue

Using the 2016 season as a baseline for usage, the goal for the new pool would be as follows:

Days Open: 63 to 70

Seasonal Pass Sales 200 Adult
 500 Youth
 700 Family
 100 Senior
 1500 Total Sales (1,480 sold in 2016)

Daily Pass Sales 250 Adult
 400 Youth
 50 Senior
 700 Total Sales (710 sold in 2016).

Revenue Based on Daily and Seasonal Pass Sales from 2016 and 2017 rates:

| | | | | |
|---|----|---------|------------|---------------------|
| Daily Fees | | | | |
| Adult | \$ | 5.00 | 250 | \$ 1,250.00 |
| Youth | \$ | 5.00 | 400 | \$ 2,000.00 |
| Senior | \$ | 5.00 | 50 | \$ 250.00 |
| | | | 700 | \$ 3,500.00 |
| Summer Passes | | | | |
| Adult | | \$55.00 | 200 | \$ 11,000.00 |
| Youth | | \$45.00 | 500 | \$ 22,500.00 |
| Senior | | \$25.00 | 100 | \$ 2,500.00 |
| Family | | \$95.00 | <u>700</u> | \$ 66,500.00 |
| | | | 1500 | \$ 102,500.00 |
| Total Sales of Daily and Summer Passes | | | | \$106,000.00 |

Sherman Manning Pool
White River Junction, VT
Schematic Design Report
January 6, 2010

Other Revenue Sources

The pool design and features in both options, as well as the pool entry separated from the field house, allows for other revenue opportunities.

Birthday Parties

Provide a designated area within the pool enclosure, typically under a shaded area (the trellis) with tables and offer a birthday party vendor. The patron would have a designated area to hold the party segregated and secure from other bathers, and use of the pool(s) for a set period of time. Parties can be held during normal pool hours. Typical rates, including an attendant range from \$100 to \$125 hour.

Private Swim Lessons

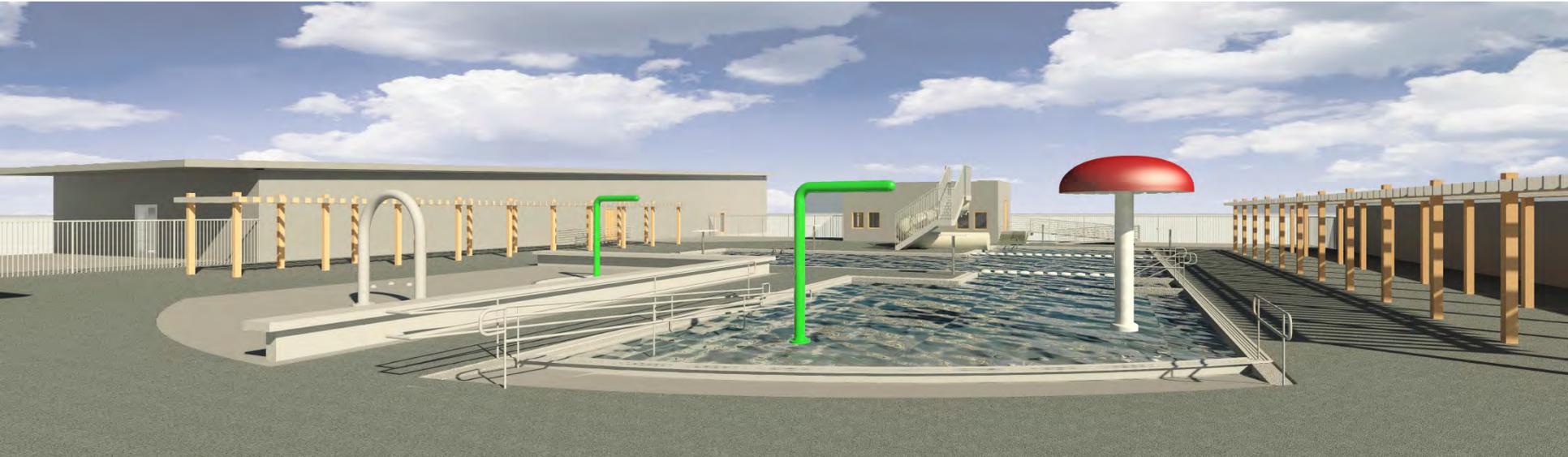
Typical swimming lessons in a municipal pool are organized as a group lesson ranging from 4 to 8 bathers. Pools can offer private, one on one lessons. The lesson can be given by a staff member and the rates average \$35 to \$40 an hour.

Early Morning Exercise

The separate entry and unisex toilet/showers separated from the field house, as well as dedicated 25-yard lap lanes, open the possibility for early morning swims. Adults looking to exercise before work can enter the pool complex, change, and exercise with minimal staff (1 guard) and not require access into the Field House.

Sherman Manning Pool White River Junction, VT Selectboard Meeting

January 9, 2020



BH+A Public Pools

* Pools in red Indicates pool-in pool construction

Rosemary Recreation Complex, Needham, MA

Forest River Park Pool, Salem, MA

Underwood Pool, Belmont, MA

Department of Conservation & Recreation Pools:

Spatcher Pool, Attleboro, MA

Connell Pool, Weymouth, MA

Casey Pool, Milford, MA

Andrew J. Petro Pool, Southbridge, MA

John J. Thompson Memorial Pool, Ludlow, MA

Gold Star Mothers' Pool, Cambridge, MA

Vietnam Veterans Memorial Pool, Chelsea, MA

Holden Community Pool, Holden, MA

Alice Corson Park Pool, West Springfield, MA

Memorial Pool and Bathhouse, West Springfield, MA

3 Boston Public High School Pools, Boston, MA

Fernald State School, Greene Pool, Waltham, MA

Kirrane Pool, Brookline, MA

Briggs Park Pool and Bathhouse, Attleboro, MA

Springs Brook Park Pond and Bathhouse, Bedford, MA

Plainville Pool and Bathhouse, Plainville, MA

MacPherson Park Pool and Bathhouse, Lowell, MA

Worcester Boys & Girls Club, Worcester, MA

West 59th Street Rec Center, New York, NY

Orangetown, NY Aquatic & Community Center

Smith Clove Park Pool, Monroe, NY

Berkshire Community College Pool, Pittsfield, MA

Storrow Park Pool, Lawrence, MA

Jaye Pool, Stoughton, MA

Greenwood Memorial Pool, Gardner, MA

Riley Aquatic Center, Weymouth, MA

Veterans Memorial Pool, South Windsor, CT

Mill Woods Pond & Willard Pool, Wethersfield, CT

Squamscott Community Commons, Exeter, NH

Raco Theodore Park Pool, Manchester, NH

Livingston Park Pool, Manchester, NH

Veterans Memorial Pool, Lebanon, NH

Wiscasset Community Center, Wiscasset, ME

Beth Pancoe Pool, Bangor, ME

Passamaquoddy Tribe, Perry, ME

Addison Park Pool, Glastonbury, CT

SPARK Community Pool, Fairfield, CT

Burlington Community Pool, Burlington, VT

Greater Burlington YMCA, Burlington, VT

Maple Park Pool, Essex Junction, VT

The Swimming Hole, Stowe, VT

McDermott Pool, Warwick, RI

Old East Suffolk Community Center, Suffolk, VA

Smith Aquatic & Wellness Center, Charlottesville, VA

Veteran's Memorial Pool

Lebanon, NH



Quechee Club

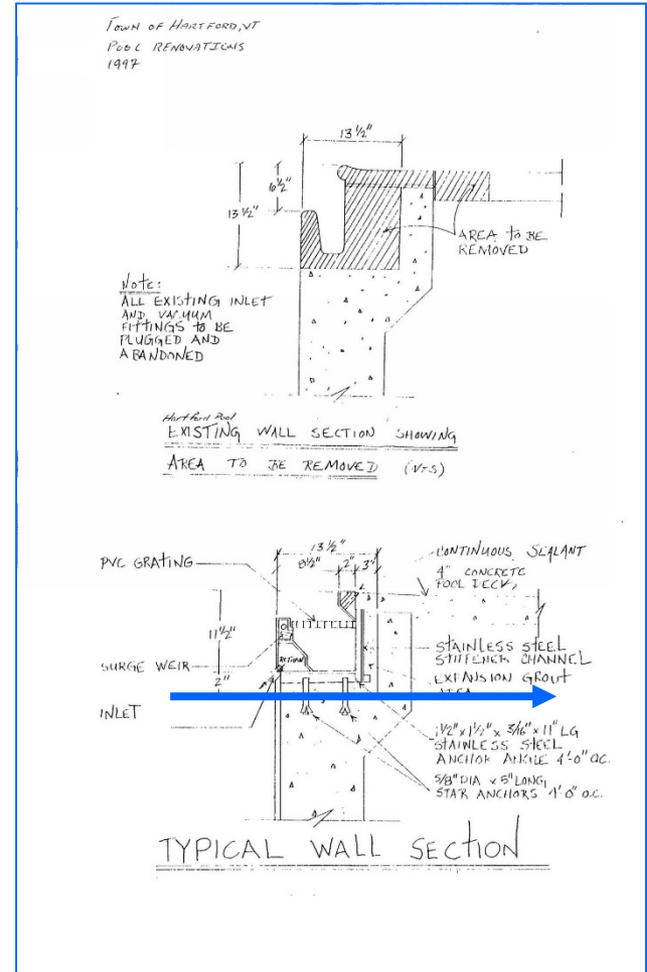




Existing Conditions

- *Pool Tank*
- *Subgrade*
- *Filter Building*
- *Entry*

Existing Decks



Pool-In-Pool Construction



Filter Building

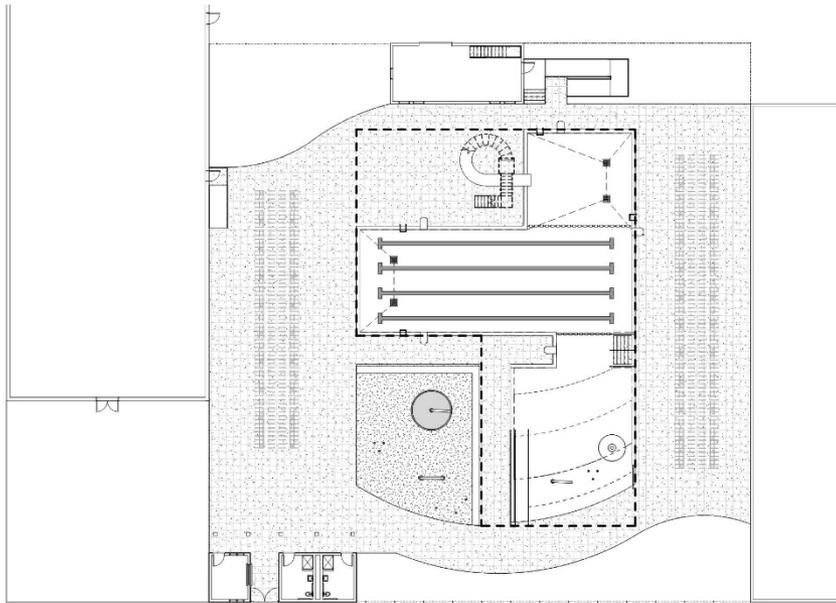


Conceptual Study

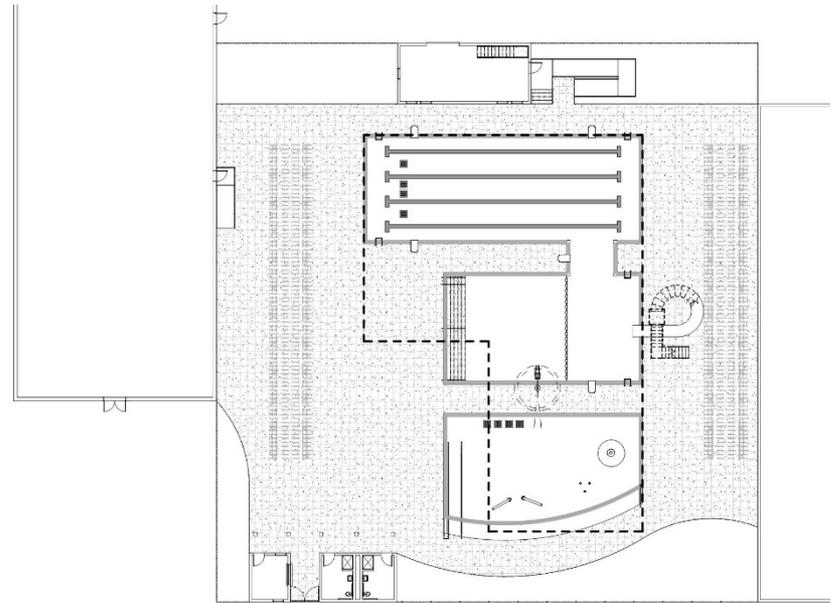


Schematic Design Options 1 & 2

Existing and New Pool Footprints



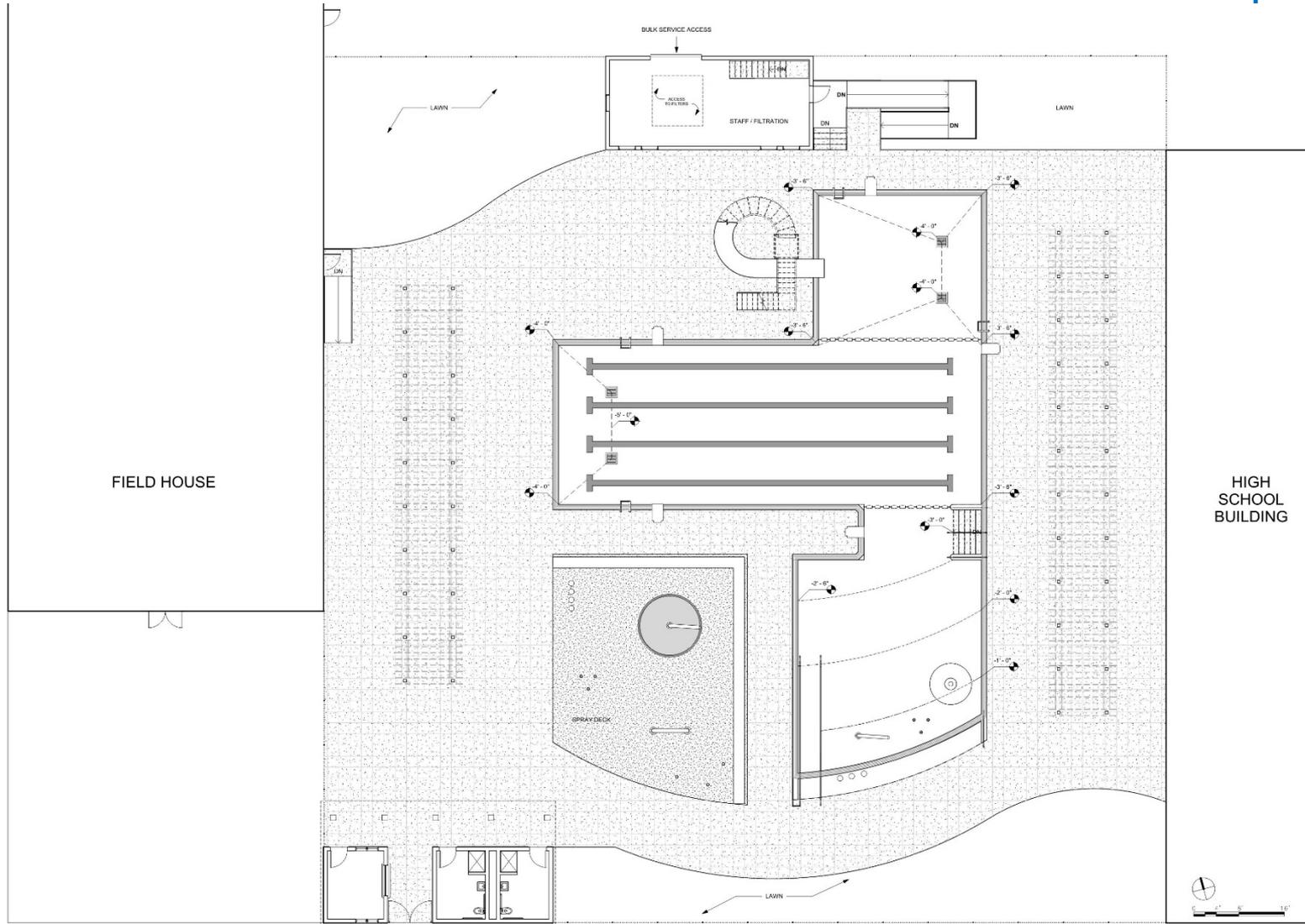
1 Site Plan Option 1 with Existing Pool Outline
1/16" = 1'-0"



2 Site Plan Option 2 with Existing Pool Outline
1/16" = 1'-0"

- Pool Access Control
- Coordination with School Activities in Field House
- Dedicated Unisex Toilets and Showers for the Pool
- Dual Use- Potential Ticket Booth
- For Athletic Field

Option 1



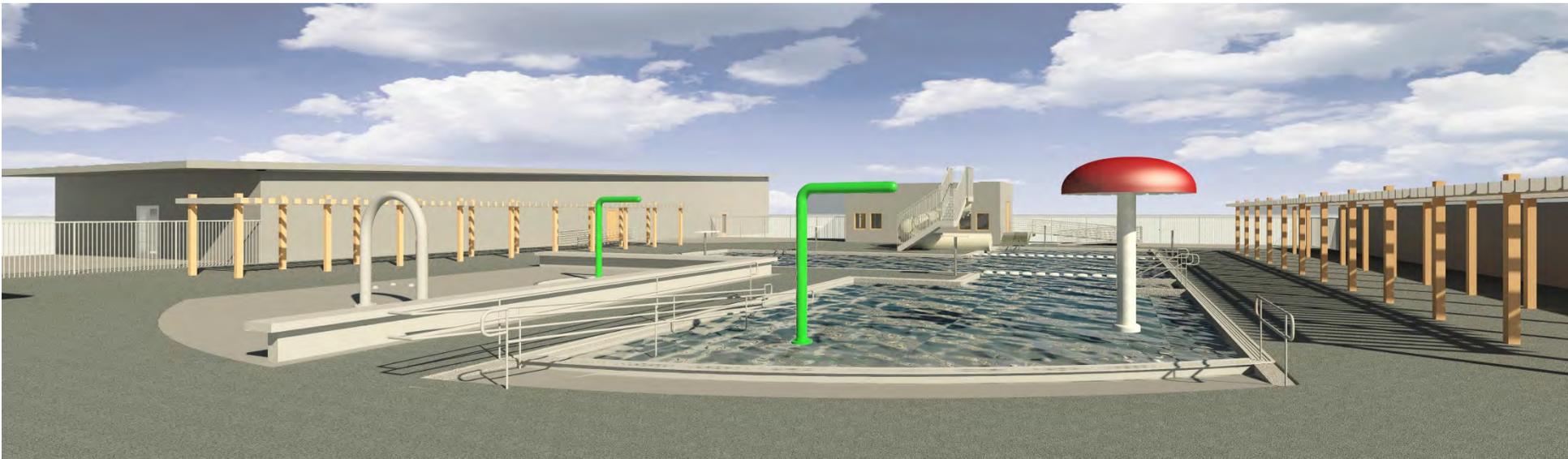
1 Site Plan, Option 1
1/8" = 1'-0"

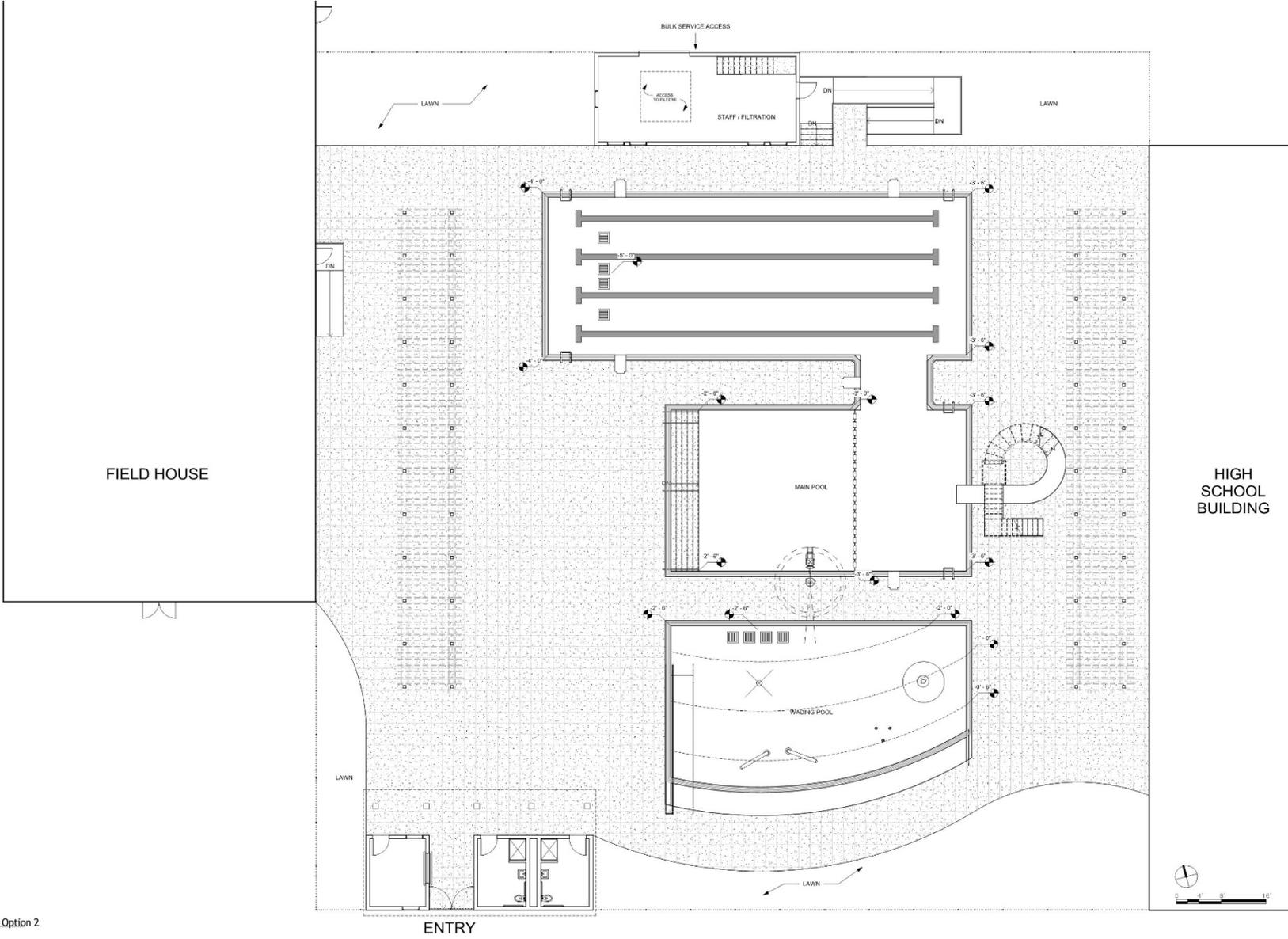
ENTRY

Option 1



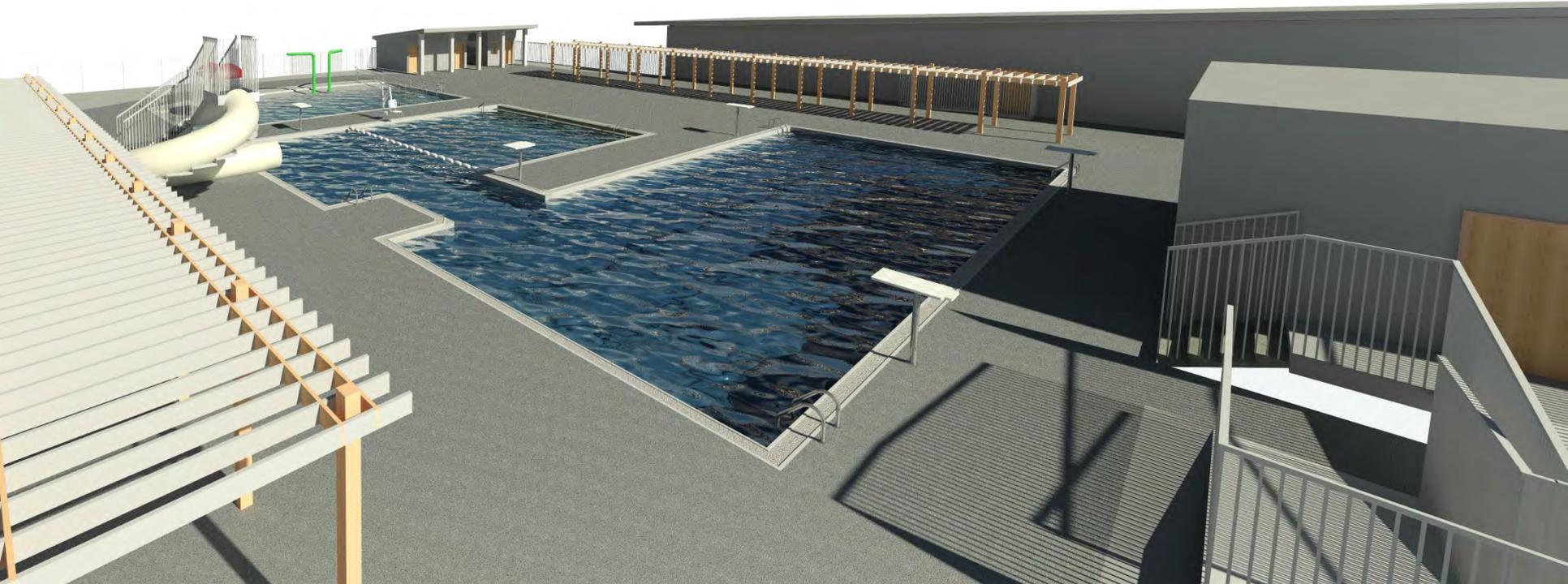
Option 1





1 Site Plan Option 2
1/8" = 1'-0"

Option 2





Pool Features



Spray Decks





Budget

Project Budgets

Option 1 with Maximum 5 ft Depth

| | | |
|----------------------------------|-----------|------------------|
| Site Work | \$ | 504,426 |
| Bathhouse | \$ | 248,000 |
| Modifications to Filter Building | \$ | 94,425 |
| Pools and Spray Deck | \$ | 1,303,210 |
| General Conditions at 25% | \$ | 537,515 |
| Contingency at 15% | \$ | 403,136 |
| Construction Total | \$ | 3,090,712 |

Soft Costs

| | | |
|------------------------------------|-----------|----------------|
| Basic A/E Fee | \$ | 200,000 |
| Act 250 Permitting | \$ | 35,000 |
| Filing Fees/Bid Hosting/Documents | \$ | 6,500 |
| Fixtures Furnishings and Equipment | \$ | 32,500 |
| Materials Testing | \$ | 5,000 |
| Utility Work/Admin Costs | \$ | 22,000 |
| Survey | \$ | 7,500 |
| Soft Cost Total | \$ | 308,500 |

Total Estimate of Probable Project Cost **\$** **3,399,212**

Option 1 with Maximum 8 ft Depth

| | | |
|----------------------------------|----|-----------|
| Site Work | \$ | 501,706 |
| Bathhouse | \$ | 248,000 |
| Modifications to Filter Building | \$ | 94,425 |
| Pools and Spray Deck | \$ | 1,317,410 |
| General Conditions at 25% | \$ | 540,385 |
| Contingency at 15% | \$ | 405,289 |
| Construction Total | \$ | 3,107,215 |

Soft Costs

| | | |
|------------------------------------|-----------|----------------|
| Basic A/E Fee | \$ | 200,000 |
| Act 250 Permitting | \$ | 35,000 |
| Filing Fees/Bid Hosting/Documents | \$ | 6,500 |
| Fixtures Furnishings and Equipment | \$ | 32,500 |
| Materials Testing | \$ | 5,000 |
| Utility Work/Admin Costs | \$ | 22,000 |
| Survey | \$ | 7,500 |
| Soft Cost Total | \$ | 308,500 |

Total Estimate of Probable Project Cost **\$** **3,415,715**

Option 2 with Maximum 5 ft Depth

| | | |
|----------------------------------|-----------|------------------|
| Site Work | \$ | 494,006 |
| Bathhouse | \$ | 248,000 |
| Modifications to Filter Building | \$ | 94,425 |
| Pools and Spray Deck | \$ | 1,521,486 |
| General Conditions at 25% | \$ | 589,479 |
| Contingency at 15% | \$ | 442,109 |
| Construction Total | \$ | 3,389,505 |

Soft Costs

| | | |
|------------------------------------|-----------|----------------|
| Basic A/E Fee | \$ | 200,000 |
| Act 250 Permitting | \$ | 35,000 |
| Filing Fees/Bid Hosting/Documents | \$ | 6,500 |
| Fixtures Furnishings and Equipment | \$ | 32,500 |
| Materials Testing | \$ | 5,000 |
| Utility Work/Admin Costs | \$ | 22,000 |
| Survey | \$ | 7,500 |
| Soft Cost Total | \$ | 308,500 |

Total Estimate of Probable Project Cost **\$** **3,698,005**

Option 2 with Maximum 8 ft Depth

| | | |
|----------------------------------|----|-----------|
| Site Work | \$ | 483,606 |
| Bathhouse | \$ | 248,000 |
| Modifications to Filter Building | \$ | 94,425 |
| Pools and Spray Deck | \$ | 1,529,314 |
| General Conditions at 25% | \$ | 588,836 |
| Contingency at 15% | \$ | 441,627 |
| Construction Total | \$ | 3,385,808 |

Soft Costs

| | | |
|------------------------------------|-----------|----------------|
| Basic A/E Fee | \$ | 200,000 |
| Act 250 Permitting | \$ | 35,000 |
| Filing Fees/Bid Hosting/Documents | \$ | 6,500 |
| Fixtures Furnishings and Equipment | \$ | 32,500 |
| Materials Testing | \$ | 5,000 |
| Utility Work/Admin Costs | \$ | 22,000 |
| Survey | \$ | 7,500 |
| Soft Cost Total | \$ | 308,500 |

Total Estimate of Probable Project Cost **\$** **3,694,308**

Project Budgets



Escalation to Fall 2020 at 4%

Option 1 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|-------------------------|
| Construction Cost | \$ | 3,090,712 |
| 4% Escalation | \$ | <u>123,628</u> |
| Adjusted Total Project Cost | \$ | <u>3,214,340</u> |

Option 1 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|-------------------------|
| Construction Cost | \$ | 3,107,215 |
| 4% Escalation | \$ | <u>124,289</u> |
| Adjusted Total Project Cost | \$ | <u>3,231,504</u> |

Option 2 with Maximum 5 ft Depth

| | | |
|------------------------------------|-----------|-------------------------|
| Construction Cost | \$ | 3,389,505 |
| 4% Escalation | \$ | <u>135,580</u> |
| Adjusted Total Project Cost | \$ | <u>3,525,085</u> |

Option 2 with Maximum 8 ft Depth

| | | |
|------------------------------------|-----------|-------------------------|
| Construction Cost | \$ | 3,385,808 |
| 4% Escalation | \$ | <u>135,432</u> |
| Adjusted Total Project Cost | \$ | <u>3,521,240</u> |



QUESTIONS



Downtown Parking Alternatives





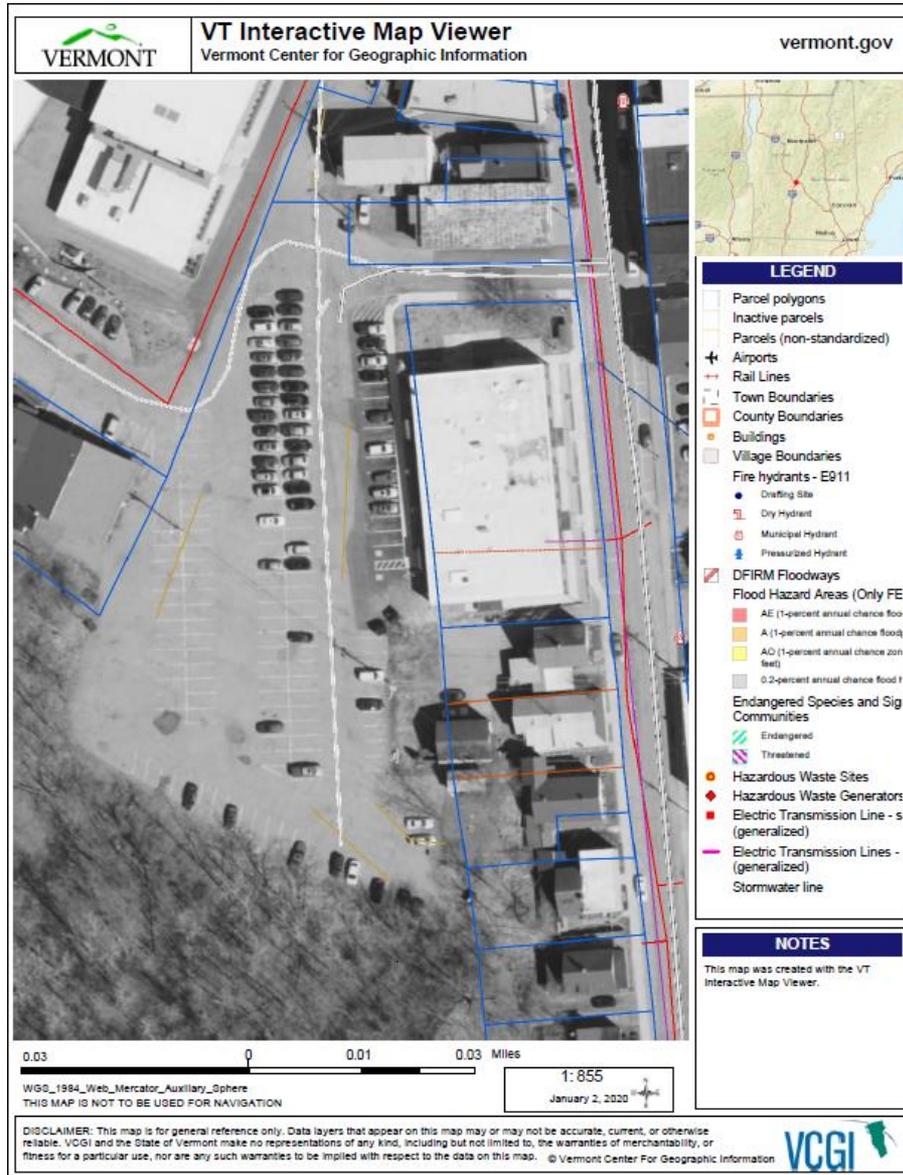
Background



The purpose of this presentation is to provide an overview of the downtown parking alternatives identified in the 2017 Vital Communities Parking Study



Former American Legion Lot





Former American Legion Lot



- Currently owned, controlled, and maintained by the Town
- Lot geometry and topography well suited for parking
- In desperate need of surface, traffic flow, safety, stormwater, and lighting improvements
- Surface improvement investments minimize increased maintenance burden on the Town



Former American Legion Lot



Project Highlights

- Retaining wall facilitates a maximum of 50 additional parking spaces
- Addresses existing deficiencies:
 - Improved lighting plan decreases safety concerns and brings lot lighting into compliance with Town zoning regulations, potentially eliminates overhead utilities
 - Stormwater improvements increase downtown resilience and brings lot into compliance with current standards
 - Safety and traffic flow improvements facilitate traffic flow, pedestrian usage, and emergency service response



Former American Legion Lot



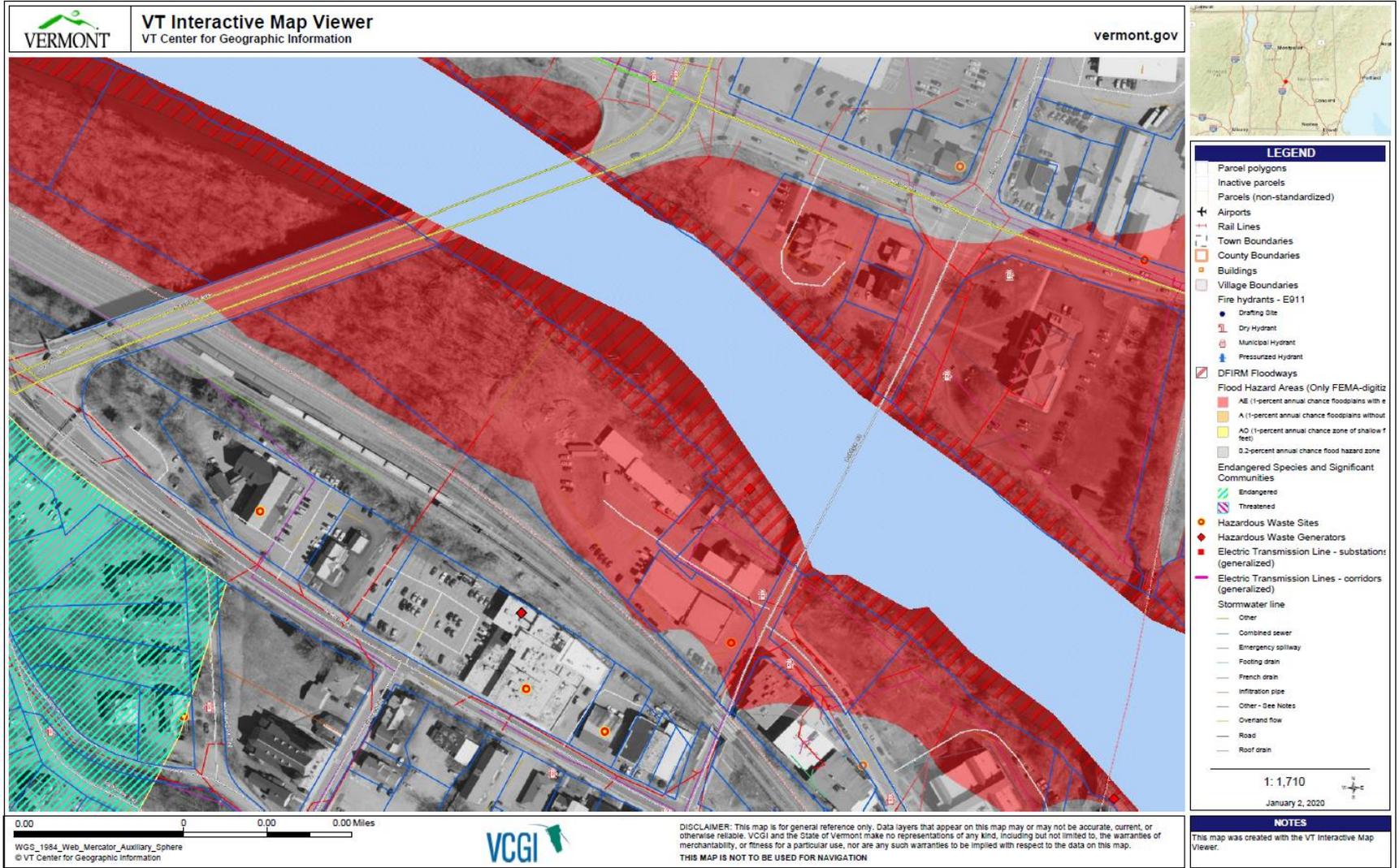
OPINION OF PROBABLE CONSTRUCTION COST

| Item | DESCRIPTION | UNIT | UNIT COST | Surface Parking | |
|---|---|------|---------------|-----------------|-----------------------|
| | | | | QUANTITY | AMOUNT |
| Surface Parking Area | | | | | |
| 1 | Mobilization/Demobilization (10% of Construction) | LS | \$ 72,872.75 | 1 | \$ 72,872.75 |
| 2 | Clearing And Grubbing | LS | \$ 5,000.00 | 1 | \$ 5,000.00 |
| 3 | Traffic Control (Traffic & Pedestrian) | LS | \$ 4,000.00 | 1 | \$ 4,000.00 |
| 4 | Pavement Removal, Recycling | SY | \$ 2.50 | 5828 | \$ 14,570.00 |
| 5 | Common Excavation ¹ | CY | \$ 13.00 | 280 | \$ 3,640.00 |
| 5a | Urban Soils Excavation, Disposal (Landfill) | TON | \$ 58.00 | 0 | \$ - |
| 5b | Urban Soils Excavation, Disposal (Town Location) | CY | \$ 20.00 | 0 | \$ - |
| 6 | Remove Utility Pole and Guy Poles | LS | \$ 150,000.00 | 1 | \$ 150,000.00 |
| 7 | Common Excavation, Conventional Pavement ¹ | CY | \$ 13.00 | 2670 | \$ 34,710.00 |
| 8 | Subgrade Prep | LS | \$ 5,000.00 | 1 | \$ 5,000.00 |
| 9 | Subbase of Crushed Gravel, Coarse Graded | CY | \$ 40.00 | 1380 | \$ 55,200.00 |
| 10 | Subbase Of Crushed Gravel, Fine Graded | CY | \$ 30.00 | 790 | \$ 23,700.00 |
| 11 | Bituminous Concrete Pavement | TON | \$ 130.00 | 1013 | \$ 131,625.00 |
| 12 | Curbing | LF | \$ 50.00 | 1590 | \$ 79,000.00 |
| 13 | Catch Basin | EA | \$ 4,000.00 | 4 | \$ 16,000.00 |
| 14 | Stormwater Piping | LF | \$ 50.00 | 350 | \$ 17,500.00 |
| 15 | Line Striping | LS | \$ 4,500.00 | 1 | \$ 4,500.00 |
| Porous Pavement | | | | | |
| 16 | Common Excavation, Porous Pavement ¹ | CY | \$ 13.00 | 4,170 | \$ 54,210.00 |
| 17 | Reservoir Layer | CY | \$ 35.00 | 1,220 | \$ 42,700.00 |
| 18 | Underdrain Pipe, 6" | FT | \$ 40.00 | 1,180 | \$ 47,200.00 |
| 19 | Pea Stone | CY | \$ 50.00 | 310 | \$ 15,500.00 |
| 20 | Subbase of Crushed Gravel, Coarse Graded | CY | \$ 40.00 | 1,220 | \$ 48,800.00 |
| 21 | Subbase Of Crushed Gravel, Fine Graded | CY | \$ 30.00 | 810 | \$ 24,300.00 |
| 22 | Porous Pavement | TON | \$ 200.00 | 1,235 | \$ 247,050.00 |
| 23 | Topsoil | CY | \$ 40.00 | 100 | \$ 4,000.00 |
| 24 | Seed | LB | \$ 8.00 | 50 | \$ 400.00 |
| 25 | Fertilizer | LB | \$ 5.00 | 50 | \$ 250.00 |
| Electric and Lighting | | | | | |
| 26 | Service Riser | LS | \$ 600.00 | 1 | \$ 600.00 |
| 27 | Service Conduit and Wiring | LF | \$ 10.00 | 200 | \$ 2,000.00 |
| 28 | Service Pedestals -200A | EA | \$ 3,000.00 | 1 | \$ 3,000.00 |
| 29 | Lighting Control | EA | \$ 600.00 | 1 | \$ 600.00 |
| 30 | Ground Rods | EA | \$ 150.00 | 2 | \$ 300.00 |
| 31 | Site Lighting Conduit and Wiring | LF | \$ 10.00 | 1,740 | \$ 17,400.00 |
| 32 | Concrete Light Bases (precast) | EA | \$ 600.00 | 10 | \$ 6,000.00 |
| 33 | Lighting ² | EA | \$ 1,500.00 | 10 | \$ 15,000.00 |
| 34 | Receptacles - GFCI Pole Mounted | EA | \$ 70.00 | 10 | \$ 700.00 |
| 35 | Receptacles - WP in Use-Covers | EA | \$ 50.00 | 10 | \$ 500.00 |
| 36 | Electric Charging Stations | EA | \$ 12,000.00 | 2 | \$ 24,000.00 |
| 37 | Relocate Existing Electric Charging Stations | EA | \$ 8,000.00 | 2 | \$ 16,000.00 |
| Landscaping | | | | | |
| 38 | Topsoil | CY | \$ 40.00 | 50 | \$ 2,000.00 |
| 39 | Seed | LS | \$ 8.00 | 25 | \$ 200.00 |
| 40 | Plantings | LS | \$ 4,000.00 | 1 | \$ 4,000.00 |
| Retaining Wall | | | | | |
| 41 | Retaining Wall ³ | LS | \$ 336,300.00 | 1 | \$ 336,300.00 |
| Construction Subtotal | | | | | \$1,530,327.75 |
| Construction Contingency (15%) | | | | | \$229,549.16 |
| Permitting | | | | | \$15,000.00 |
| Construction Phase Services not included in Design Contract (5%) | | | | | \$76,516.39 |
| Project Total | | | | | \$1,851,393.30 |

- Estimated eligible TIF project costs \$1,822,600.



Home Comfort Warehouse





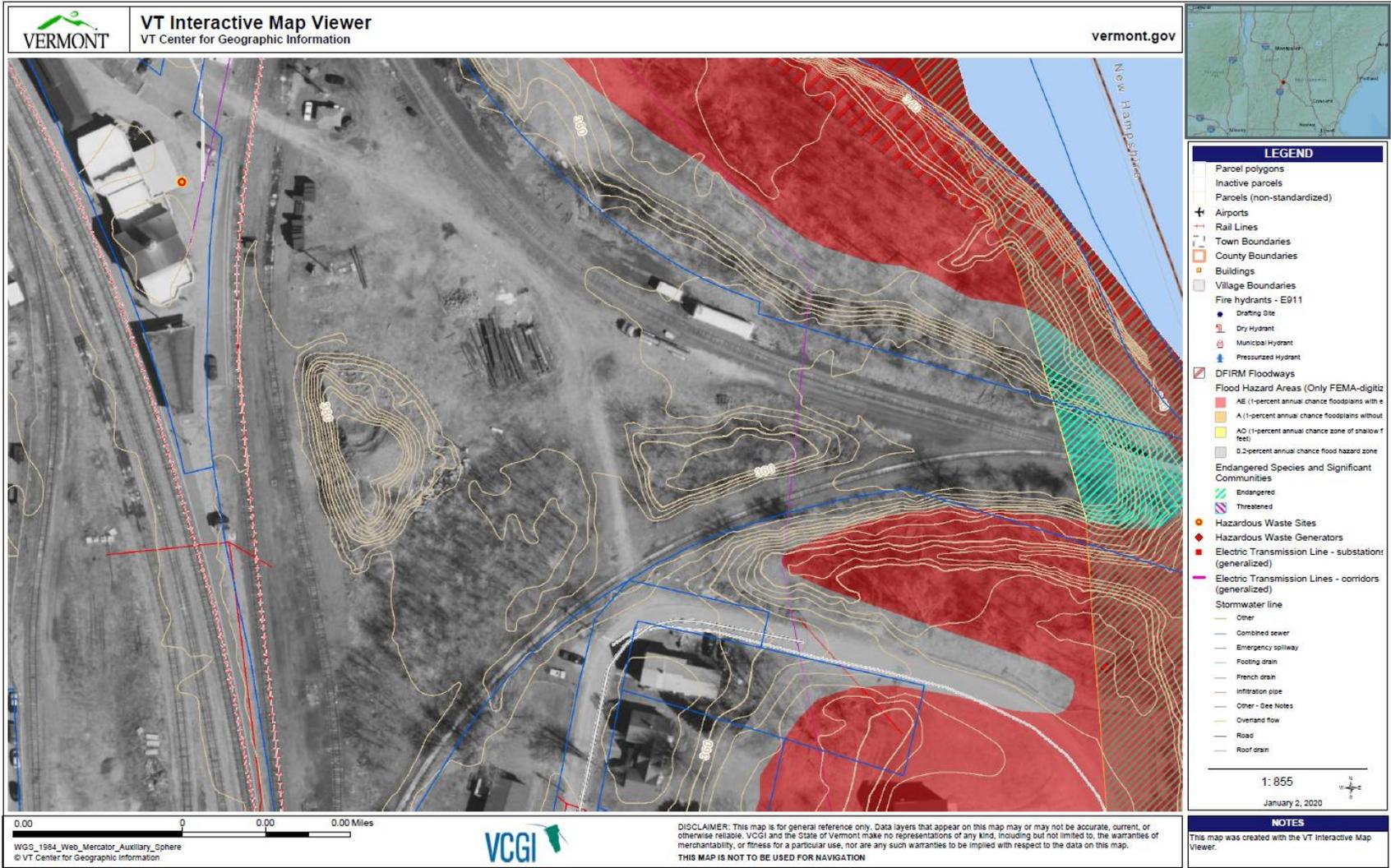
Home Comfort Warehouse



- Located in the flood way, flood plain, riparian buffer, designated wetlands, and wildlife habitat
- Access issues, existing safety concerns at Bridge Street
- Privately owned
- Located on a former hazardous waste generation site
- Proximal to VTrans access and easements for the Urban Bridge
- Primary outfall for the 'north end drainage' runs under that parcel
- Minimal net gain for number of public spaces, would require a public-private partnership to improve private infrastructure.



'Y' Lot





'Y' Lot



- Access issues and practical inconvenience of location across active rail lines
- Lot is currently State/Railway owned
- Potential hazardous waste site
- Previous negotiations have failed
- Rail has asked for us to relocate existing industrial storage usage to a nearby location
- Requires street and pedestrian access improvements
- Remote location
- Security concerns



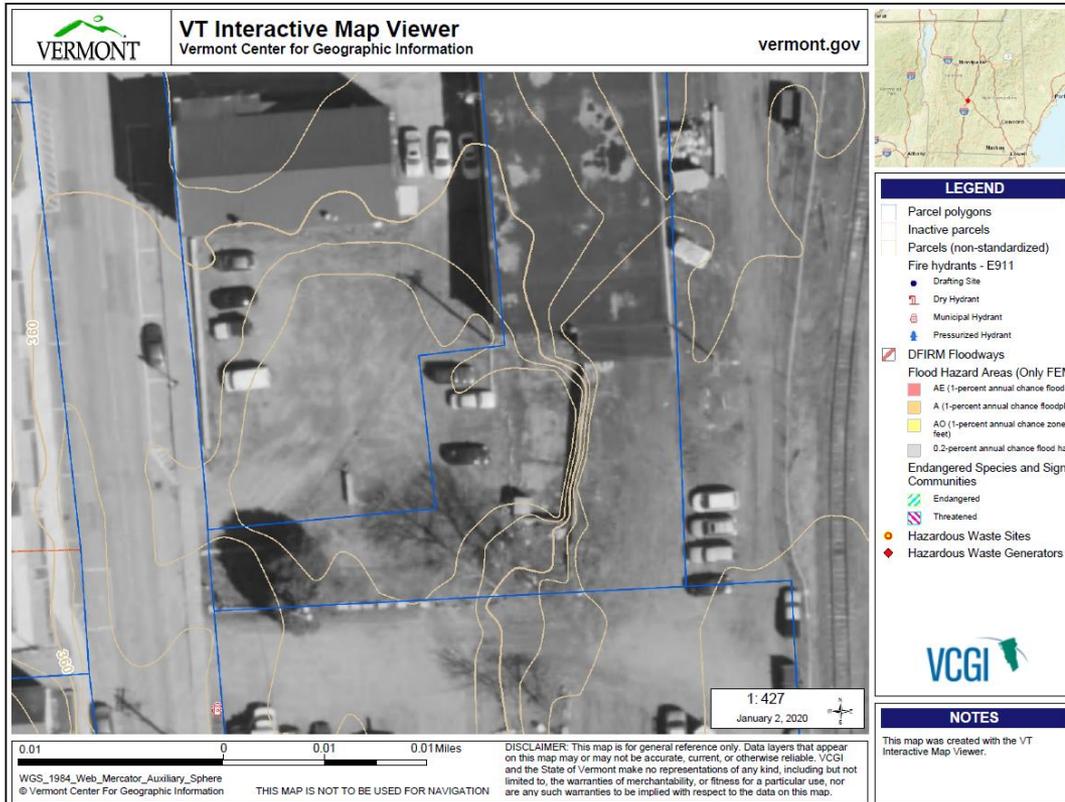
Lot Behind Elixir/VT Salvage



- Spaces now tied to existing/approved developments with long term leases



Lot Across from Former Legion



- Lot now dedicated to proposed '132 South Main Street' development



Consolidated/St. Anthony Church Lot



- Privately owned
- Currently meeting private parking needs in downtown so little net gain to public space count without removing adjacent buildings
- Public-private partnership



Other Considerations

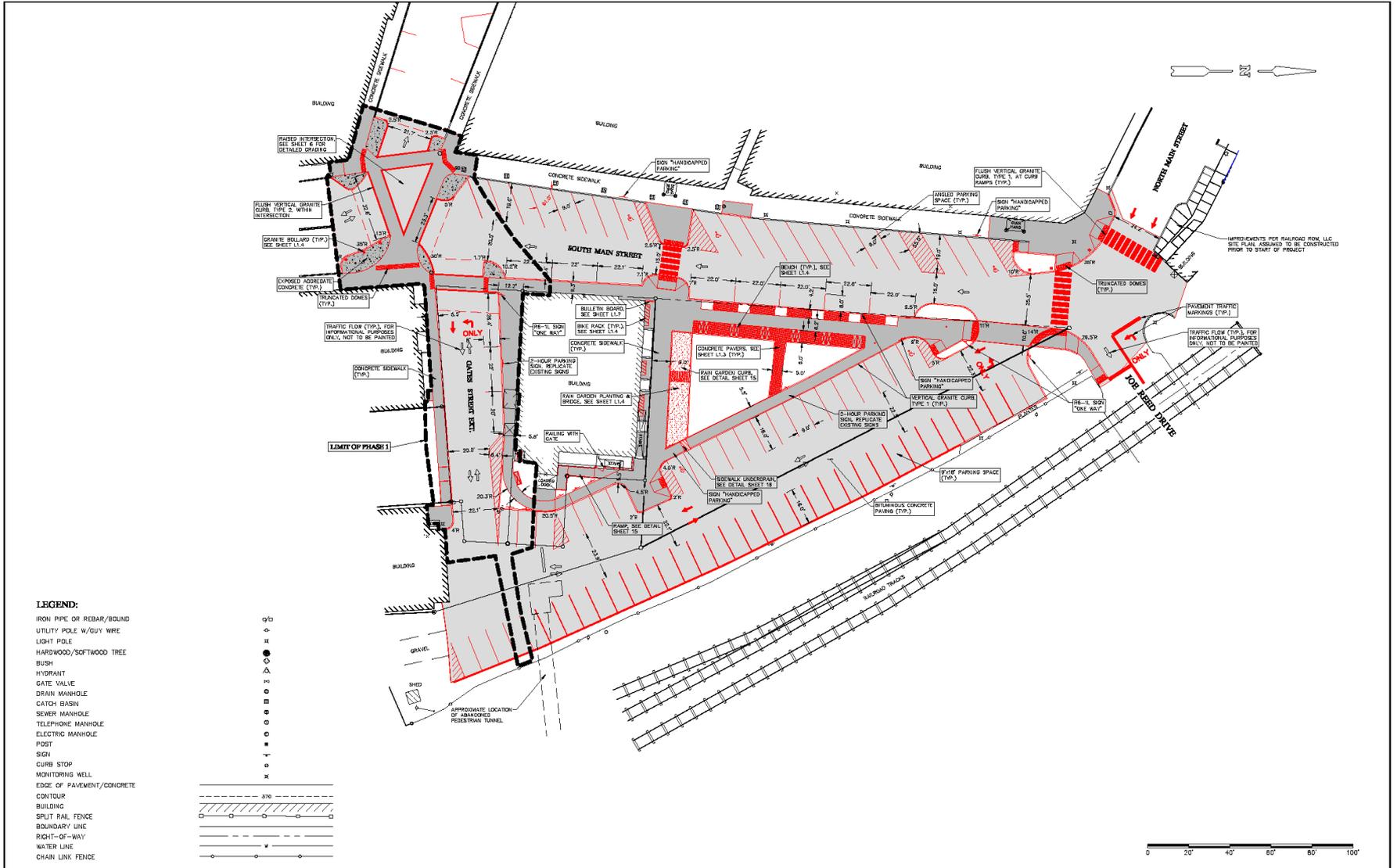


- South Main/North Main/Gates Project will most likely lead to a loss of on-street parking due to green stormwater infrastructure, bump outs, street-scaping features, and bringing into compliance with current ADA standards. Will also minimize usage of 'illegal' spaces
- Implementation of parking meters will shift usage off-street and may increase usage of the Former Legion Lot/South Main Street





Town Square Parking Lot



LEGEND:

- IRON PIPE OR REBAR/BOUND
- UTILITY POLE W/GUY WIRE
- LIGHT POLE
- HARDWOOD/SOFTWOOD TREE
- BUSH
- HYDRANT
- GATE VALVE
- DRAIN MANHOLE
- CATCH BASIN
- SEWER MANHOLE
- TELEPHONE MANHOLE
- ELECTRIC MANHOLE
- POST
- SIGN
- CURB STOP
- MONITORING WELL
- EDGE OF PAVEMENT/CONCRETE
- CONTOUR
- BUILDING
- SPLIT RAIL FENCE
- BOUNDARY LINE
- RIGHT-OF-WAY
- WATER LINE
- CHAIN LINK FENCE

| REVISION NO. | DATE | DESCRIPTION | MADE BY | CHECKED BY | APPROVED BY |
|--------------|------|-------------|---------|------------|-------------|
| | | | | | |
| | | | | | |
| | | | | | |

LAYOUT PLAN FOR
BRIGGS PARK & GATES STREET EXTENSION IMPROVEMENTS
 HARTFORD, VERMONT

PATHWAYS CONSULTING, LLC
 240 MECHANIC STREET, SUITE 100
 LEBANON, NEW HAMPSHIRE 03758
 (603) 448-2200

SCALE: 1" = 20'
 DESIGNED BY: CLT
 DRAWN BY: CLT
 CHECKED BY: RJF
 DATE: 02/14
 PROJ. NO. 12381

3

SHEET 3 OF 16



Town Square Parking Lot



For March 2020 TIF Bond Consideration

- Town Square Municipal Parking Lot/Park Construction (Between Joe Reed Dr and Gates St)- Implement reconstruction plan approved by Selectboard in 2014 - Current Est. = \$811,700
 - Address deteriorated condition of parking lot.
 - Install missing sidewalk along South Main Street side of parking lot.
 - Improve vehicle/pedestrian circulation/safety
 - Improve drainage, parking layout, lighting, landscaping, and handicapped accessibility.
 - Bring back the sense of a village square and integrate greenspace into South Main Street.
 - No net increase in public parking spaces



'Gates' Lots





'Gates' Lots



- Relatively small space due to topography
- Loss of historic structures, housing, and small business space
- Loss of long term tax revenue, potential impact to TIF increment revenue
- Small isolated lot that adds maintenance and may only serve a small demographic
- 160 Gates Street:
 - Approximate gain of 20 spaces
 - Contains two housing units and one office space
 - Current tax value \$179,500
- 178 Gates Street:
 - Approximate gain of 10 spaces
 - Contains four housing units
 - Current tax value \$132,500



Questions?
Comments?



AGENDA MEMORANDUM

January 9, 2020

Town Selectboard Item: 4.c.

Submitted by: Lori Hirshfield, Director, Department of Planning & Development

- Subject:** Submittal of Hartford's Tax Increment Financing (TIF) District Phased Project Implementation to Vermont Economic Development Council
- Background:** Hartford's TIF District Plan approval is based on financing the approved infrastructure improvements over time. Prior to voter approval of incurring debt for each project, the Town is required to go back to the Vermont Economic Progress Council (VEPC) to confirm that the project and financing continue to meet the approved/amended TIF District Plan and TIF program requirements. If there are substantial changes, the Town also must obtain VEPC approval of these changes.
- Discussion:** The following are the next set of projects to continue to support economic development in Downtown WRJ, for consideration at the March 3, 2020 Town Meeting vote. Total estimated cost is \$2,666,600, which includes related costs.
- Town Square Municipal Parking Lot/Park (Between Joe Reed Dr and Gates St): Reconstruction including drainage, layout, lighting, handicapped accessibility vehicular/pedestrian circulation & safety, sidewalks, paving, and landscaping. Estimate = \$811,700.
 - South Main Street Municipal Surface Parking: Reconstruction and additional surface parking. Estimate = \$1,822,600
 - Maple Street Along #87 and #101: Sidewalk, curbing, lighting and green strip. Estimate = \$32,300
- The Town Square parking lot will require substantial change approval given an increase in project cost from the \$275,000 in the TIF District Plan, due to increases in construction costs since 2011 and design changes.
- Financial Impact:** The projects will be financed with new tax revenue in the TIF District generated from new development since the inception of the TIF District in 2011. The Town would be pledging its credit to secure indebtedness evidenced by general obligation bonds or notes, and to make direct payments from the tax increment and other revenue generated within Hartford's TIF District. The financial analysis presented at the January 7, 2020 Selectboard meeting, anticipates TIF increment will be sufficient to cover this debt.
- Recommendation:** Authorize the Town Manager to submit to VEPC on January 10, 2020, the TIF phased filing and substantial change request for the next set of TIF projects, conditioned on Selectboard approval on January 14, 2020 following the required public hearing.


Town Manager



Capital Improvement Plan

**Selectboard Budget Workshop
January 9, 2020**



Balancing Capital Priorities



General Fund Capital Needs (as defined by):

- Selectboard Rubric Prioritization of New Capital Projects
- Existing/Previously Planned Capital Projects and Programmed Reserve Fund Appropriations
- Selectboard Strategic Priorities

Funding Sources/Revenue:

- Local Option Tax
- Unassigned Fund Balance
- Current Operating Revenue
- TIF Bonds
- General Obligation Bonds

Assessment of Debt Capacity:

- Debt Service as a Percentage of Operating Budget
- Trend Analysis and Forecast of Annual Operating Revenues



New Capital Projects for FY21 – FY26 CIP



- Bridge Projects Reserves
- Fire Radio System Upgrade - Simulcast
- Downtown WRJ Revitalization Infrastructure
- Quechee Main Sidewalk, Willard Rd. crosswalk to reserves
- Rt. 5 Bike Ped Path
- Fairview/Gates Design + Implementation
- Upper Sykes Bike/Ped Path
- Hartford Riverwalk
- Bugbee Part 1: air sealing, insulation, ceiling
- Quechee Repeater
- Bugbee Sr. Ctr. Part 2: heat pumps
- Outdoor Pool
- Wright's Reservoir Engineer. + Implementation
- Parking Lot Improvements/Deck
- WRJ Salt/Sand Shed Roof (tarp)
- Quechee Salt/Sand Shed Reserves - replaces undersized, unsecured shed
- Maxfield Safety Netting between Softball and Baseball fields
- Maxfield Softball Field Lighting
- Maxfield In-ground Ballfield Irrigation
- Kilowatt Master Plan Implementation - dock, boat ramp, launch area improv.
- Bugbee Sr. Ctr. Part 3: floor, water htr.,kitchen hood,stove, boiler controls
- Village Sq. Parking Lot (Briggs Park)
- Maxfield Parking/Drives
- Communications Center Flooring



CIP Funding Sources



| | <u>FY20</u> | <u>FY21(prop.)</u> |
|---------------------------|-------------|------------------------|
| • Local Option Tax | \$396,650 | \$360,000 |
| • Unassigned Fund Balance | \$863,013 | \$689,472 ¹ |
| • Operating Revenue | \$228,313 | \$585,348 |
| • TIF Bonds | \$5,477,000 | \$3,797,000 |
| • General Obligation Debt | \$0 | \$3,300,000 |

If we issued no additional G.O. Debt, and retired the existing debt (P = \$12.3M + I = \$3.5M), our annual debt service as a percentage of the GF Budget FY20 – FY26:

| <u>FY20</u> | <u>FY21</u> | <u>FY22</u> | <u>FY23</u> | <u>FY24</u> | <u>FY25</u> | <u>FY26</u> |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 7.1% | 6.0% | 5.7% | 5.6% | 5.5% | 5.2% | 4.9% |

¹ Adds Upper Sykes (\$50,000) and Rt. 5 (\$44,000) to be added to \$595,472 in TM's draft Budget for FY21



Scenario Analysis



- Evaluated Several CIP Scenarios with different funding sources and timing of capital projects across the FY21 – FY26 time period
- Two options keep annual Debt Service Under 10% of Budget until final CIP Year (FY26)

Option 1

- Accomplishes most of new project priorities over 3 fiscal years (FY21-FY23)
- Includes G.O. Bonding in FY21, FY22 and FY23 (possibly FY26, if parking deck is debt-funded)
- Comes close to 10% limit with 3rd Debt Issue in FY23

| <u>FY20</u> | <u>FY21</u> | <u>FY22</u> | <u>FY23</u> | <u>FY24</u> | <u>FY25</u> | <u>FY26</u> |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 7.1% | 7.6% | 8.7% | 9.7% | 9.4% | 9.1% | 13% |

- Includes Pool, Fairview/Gates, Riverwalk, Wright’s Reservoir, Maxfield Projects for G.O. Funding
- Pushes Parking Lot (\$10M) to FY26 with G.O. Funding, but exceeds 10% target
- The “cut line” for FY21 is below Outdoor Pool
- For FY21, funds new projects as follows:
 - Bridge reserves: operating revenue
 - Fire Simulcast Radio: LOT
 - Downtown Infrastructure: TIF Bond
 - Rt. 5 Bike/Ped: Unassigned Fund Balance
 - Fairview Gates (Design): Unassigned Fund Balance
 - Upper Sykes Bike/Ped: Unassigned Fund Balance
 - Bugbee Sr. Ctr. Phase 1: Unassigned Fund Balance
 - Outdoor Pool: G.O. Bond



Option 1



| | FY20 | FY21 | FY22 | FY23 | FY24 | FY25 | FY26 |
|---|---|-----------|-----------|-----------|------|------|------------|
| Selectboard CIP Rubric-Ranked Projects | | | | | | | |
| 1 | Bridge Projects Reserves | 125,000 | 295,000 | 295,000 | | | |
| 2 | Fire Radio System Upgrade - Simulcast | 200,000 | | | | | |
| 3 | Downtown WRJ Revitalization Infrastructure - Village Sq. Pkg Lot (\$811,700), S. Main Pkg Lot Surface Improvements (\$1,822,600), Maple St. Sidewalk (\$32,300), additional project (\$1,130,400) | 3,797,000 | | | | | |
| 4 | Quechee Main Sidewalk, Willard Rd. crosswalk to reserves | | 760,000 | | | | |
| 5 | Rt. 5 Bike Ped (add'l \$44K for FY21) | 44,000 | | | | | |
| 6 | Fairview/Gates Design + Implementation | 200,000 | 3,140,000 | | | | |
| 7 | Upper Sykes Bike/Ped (add'l \$50K for FY21) | 50,000 | | | | | |
| 8 | Hartford Riverwalk | | 0 | 1,200,000 | | | |
| 9 | Bugbee Part 1: air sealing, insulation, ceiling | 107,819 | | | | | |
| 10 | Quechee Repeater (see line 16, project reserves began in FY20) | | | | | | |
| 11 | Bugbee Sr. Ctr. Part 2: heat pumps | | 78,000 | | | | |
| 12 | Outdoor Pool | 3,300,000 | 0 | | | | |
| 13 | Wright's Reservoir Engineer. + Implementation | | | 600,000 | | | |
| 14 | Parking Lot Improvements/Deck (see priority #3) | | | | | | 10,000,000 |
| 15 | WRJ Salt/Sand Shed Roof (tarp) | | | 54,000 | | | |
| 16 | Quechee Salt/Sand Shed Reserves - replaces undersized, unsecured shed | | | 250,000 | | | |
| 17 | Maxfield Safety Netting between Softball and Baseball fields | | | 38,000 | | | |
| 18 | Maxfield Softball Field Lighting | | | 150,000 | | | |
| 19 | Maxfield In-ground Ballfield Irrigation | | | 30,000 | | | |
| 20 | Kilowatt Master Plan Implementation - dock, boat ramp, launch area improv. | | | 100,000 | | | |
| 21 | Bugbee Sr. Ctr. Part 3: floor, water htr., kitchen hood, stove, boiler controls | | | 48,525 | | | |
| 22 | Village Sq. Parking Lot (Briggs Park) (see priority #3) | | | | | | |
| 23 | Maxfield Parking/Drives | | | 150,000 | | | |
| 24 | Communications Center Flooring | | | 50,000 | | | |

"cut line"





Scenario Analysis



2 Options to keep annual Debt Service Under 10% of Budget until final CIP Year (FY26)

Option 2

- Accomplishes most of new project priorities over 4 fiscal years (FY21-FY24)
- Includes G.O. Bonding in FY21, FY22 (potentially FY26)
- Maintains DS/Budget to under 9%, except for FY26

| <u>FY20</u> | <u>FY21</u> | <u>FY22</u> | <u>FY23</u> | <u>FY24</u> | <u>FY25</u> | <u>FY26</u> |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 7.1% | 7.6% | 8.7% | 8.6% | 8.4% | 8.0% | 12.3% |

- Includes Pool and Fairview/Gates for G.O. Funding
- Avoids third debt issue by sliding projects below “cut line” to FY23 and FY24
- Pushes Parking Lot (\$10M) to FY26 with G.O. Funding
- The “cut line” for FY21 is below Outdoor Pool; same as Option 1, but spreads projects below the cut line out further, and funds them with LOT and Unassigned FB instead of G.O. Debt
- For FY21, funds new projects as follows:
 - Bridge reserves: operating revenue
 - Fire Simulcast Radio: LOT
 - Downtown Infrastructure: TIF Bond
 - Rt. 5 Bike/Ped: Unassigned Fund Balance
 - Fairview Gates (Design): Unassigned Fund Balance
 - Upper Sykes Bike/Ped: Unassigned Fund Balance
 - Bugbee Sr. Ctr. Phase 1: Unassigned Fund Balance
 - Outdoor Pool: G.O. Bond

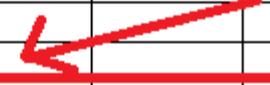


Option 2



| | FY20 | FY21 | FY22 | FY23 | FY24 | FY25 | FY26 |
|---|---|-----------|-----------|---------|---------|-----------|------------|
| Selectboard CIP Rubric-Ranked Projects | | | | | | | |
| 1 | Bridge Projects Reserves | 125,000 | 295,000 | 295,000 | | | |
| 2 | Fire Radio System Upgrade - Simulcast | 200,000 | | | | | |
| 3 | Downtown WRJ Revitalization Infrastructure - Village Sq. Pkg Lot (\$811,700), S. Main Pkg Lot Surface Improvements (\$1,822,600), Maple St. Sidewalk (\$32,300), additional project (\$1,130,400) | 3,797,000 | | | | | |
| 4 | Quechee Main Sidewalk, Willard Rd. crosswalk to reserves | | 760,000 | | | | |
| 5 | Rt. 5 Bike Ped (add'l \$44K for FY21) | 44,000 | | | | | |
| 6 | Fairview/Gates Design + Implementation | 200,000 | 3,140,000 | | | | |
| 7 | Upper Sykes Bike/Ped (add'l \$50K for FY21) | 50,000 | | | | | |
| 8 | Hartford Riverwalk | | | | | 1,200,000 | |
| 9 | Bugbee Part 1: air sealing, insulation, ceiling | 107,819 | | | | | |
| 10 | Quechee Repeater (see line 16, project reserves began in FY20) | | | | | | |
| 11 | Bugbee Sr. Ctr. Part 2: heat pumps | | 78,000 | | | | |
| 12 | Outdoor Pool | 3,300,000 | | | | | |
| 13 | Wright's Reservoir Engineer. + Implementation | | | 600,000 | | | |
| 14 | Parking Lot Improvements/Deck (see priority #3) | | | | | | 10,000,000 |
| 15 | WRJ Salt/Sand Shed Roof (tarp) | | | | 54,000 | | |
| 16 | Quechee Salt/Sand Shed Reserves - replaces undersized, unsecured shed | | | | 250,000 | | |
| 17 | Maxfield Safety Netting between Softball and Baseball fields | | | | 38,000 | | |
| 18 | Maxfield Softball Field Lighting | | | | 150,000 | | |
| 19 | Maxfield In-ground Ballfield Irrigation | | | | 30,000 | | |
| 20 | Kilowatt Master Plan Implementation - dock, boat ramp, launch area improv. | | | | 100,000 | | |
| 21 | Bugbee Sr. Ctr. Part 3: floor, water htr.,kitchen hood,stove, boiler controls | | | | 48,525 | | |
| 22 | Village Sq. Parking Lot (Briggs Park) (see priority #3) | | | | | | |
| 23 | Maxfield Parking/Drives | | | | 150,000 | | |
| 24 | Communications Center Flooring | | | 50,000 | | | |

"cut line"





CIP Recommendation



- Option 2
- Steps to Implement Option 2 CIP for FY21:
 - January 14, 2020 Selectboard Meeting
 - Approve Warrant Language to Authorize the Issuance of General Obligation Bond for \$3,300,000 for the Pool
 - Approve Warrant Language to Authorize the Issuance of TIF Bond for \$2,666,600 for downtown infrastructure improvements
 - Approve a Declaration of Intent to Reimburse Pool Project Expenses from G.O. Bond Proceeds
 - Approve a Declaration of Intent to Reimburse TIF Expenses from TIF Bond Proceeds
 - Approve the General Fund Budget

March 3, 2020 Town Meeting

- Voter approval of FY21 Budget, G.O. Bond and TIF Bond



Questions?

4e Budget

Wrap Up

MEMORANDUM

January 8, 2020

To: Hartford Selectboard

CC: Brannon Godfrey, Town Manager

From: Geoff Martin, Energy Coordinator, on Behalf of the Ad-Hoc Climate Advisory Committee

Subject: January 9, 2020 Selectboard Meeting

The Ad-Hoc Climate Advisory Committee was formed on September 24th, 2019 with the following charge:

1. To draft proposed language for a Climate Emergency Declaration, not later than November 5th.
2. To make other recommendations to the School Board and Selectboard as needed.
3. To craft draft language for a Climate Change Mitigation Ballot Initiative for the March 3rd Election, not later than December 3rd.

Since its formation, the Committee has met six times in order to fulfill its charge. The Committee developed a Climate Emergency Resolution, which the Selectboard adopted at the December 17th Selectboard meeting. The Resolution included, among other things, a commitment to achieve net-zero greenhouse gas emissions¹ by 2030, and to develop a Climate Action Plan identifying steps to meet this objective.

After the Selectboard adopted the Resolution, the Committee met twice to discuss items 2 and 3 of its charge. Several potential ballot initiatives were proposed at these meetings, but the Committee agreed that putting a specific policy or program before the voters prior to the completion of the Climate Action Plan would be premature. Instead, the Committee recommends the following:

1. Inclusion of funding in the FY 21 budget for a consultant to support the development of the Climate Action Plan. Hartford's Energy Coordinator reviewed the Town's past contract with VEIC for consulting work on a Five Year Energy Action Plan, and spoke with a consultant at VEIC. Based on this information, he believes an appropriate request is \$25,000-\$30,000.
2. Inclusion of the following Warrant item on the March 3, 2020 Town meeting ballot:
"Shall the operation, development, and maintenance of the Town of Hartford's (and, with approval, Town of Hartford School District's) municipal infrastructure and equipment be required to achieve carbon neutrality² by 2027?"

The Committee felt that while specific policy or program proposals were inappropriate before the completion of the Climate Action Plan, the municipality should lead by example in meeting the town-wide target of net-zero by 2030, and therefore the Town should set a more aggressive goal for itself.

¹ Net-zero greenhouse gas (GHG) emissions is achieved when Hartford's GHG emissions are balanced out by removing GHGs from the atmosphere ([World Resources Institute](#)).

² "Neutrality" is a synonym for net-zero, but in this case is in reference to carbon emissions and not all greenhouse gas emissions ([World Resources Institute](#)).

Brannon Godfrey

From: Brannon Godfrey
Sent: Tuesday, January 07, 2020 1:34 PM
To: Selectboard; dwalsh@hartford-vt.org; Lori Hirshfield; Michelle Wilson; Gail Ostrout; pnulty@hartford-vt.org; livingston@hartford-vt.org; shausler@hartford-vt.org; Lisa O'Neil; Phillip Kasten; scooney@hartford-vt.org; htyler@hartford-vt.org
Subject: Legal Review of Welcoming Hartford Ordinance
Attachments: 2020.01.06_TDR memorandum.pdf

Good afternoon Selectboard members and Department Heads. I am forwarding for your review and information please find the Memo received from our contract attorneys on the matter of the Welcoming Hartford Ordinance. The Memo strongly recommends, among other things, the inclusion of a Savings Clause in its own section to assure compliance with federal law and to allow staff to certify compliance for the application and use of federal funds.

This Memo reaffirms most of the legal advice we received from several attorneys during the development of the Ordinance last summer, but provides specific legal review as to compliance and certification of funds.

By the Selectboard's action on September 3, a version *without* a savings clause is proposed for consideration by the voters at Town Meeting on March 3. If the Selectboard desires to continue with that version, it is my obligation to inform the voters of the risks of that version.

The Memo recommends approving a version of the "December" ordinance that includes a Savings Clause and to present it in a stand-alone section applying to the whole ordinance, and, adds an introductory Purpose and Intent section. I recommend that the Selectboard reconsider its September 3 decision and present this recommended version to the voters at Town Meeting. I can in good conscience represent to our voters and staff that the proposed Tabet DiVito & Rothstein version does not compel staff to violate federal law and allows the Town apply and certify for federal funds.

Regardless of the ordinance version that is advanced to the voters at Town Meeting, I plan to develop a Frequently Asked Questions (FAQ) or bullet point summary to inform voters of the impacts of all of the proposed ballot questions. The FAQ will be the essence of my presentation on Monday (January 13) to introduce the Town Meeting Warning Informational Meeting.

Brannon Godfrey
Hartford Town Manager
171 Bridge St.
White River Junction, VT 05001
802-295-9353 ext. 216

MEMORANDUM

To: Brannon Godfrey
Town Manager, Town of Hartford

From: Brian C. Haussmann, Katherine M. O'Brien, and Kyle A. Cooper

Date: January 6, 2020

Re: Analysis of Proposed Welcoming Hartford Ordinance

This memorandum addresses whether the Welcoming Hartford Ordinance complies with 8 U.S.C. § 1373 (“section 1373”) and 8 U.S.C. § 1644 (“section 1644”). The memorandum focuses on two versions of the Welcoming Hartford Ordinance: (1) the version of the ordinance dated December 13, 2019 (the “December Ordinance”) and (2) the version of the ordinance voted on by the Selectboard on September 3, 2019 (the “September Ordinance”). A copy of the December Ordinance is attached as Exhibit A, and a copy of the September Ordinance is attached as Exhibit B.

You also asked us to analyze whether the passage of an ordinance that compels Town staff to violate sections 1373 and 1644 would jeopardize access to federal grant funds or subject the Town to credible lawsuits. A court finding that a Town ordinance violated sections 1373 and 1644 could jeopardize access to certain federal funds such as those granted under the Byrne JAG grant program. However, because in our opinion, with our proposed revisions neither version of the Welcoming Hartford Ordinance compels Town staff to violate sections 1373 and 1644, this memorandum does not further address those questions.

BRIEF SUMMARY

Based upon our review of the proposed ordinances and existing law, this memorandum reaches the following main conclusions.¹

First, following a 2018 Supreme Court decision, courts across the country have uniformly held that sections 1373 and 1644 are unconstitutional under the Tenth Amendment’s anti-commandeering doctrine. It is highly likely that the United States District Court for the District of Vermont would reach the same conclusion.

Second, there is a strong argument that the December Ordinance does not conflict with sections 1373 and 1644. Although it is highly likely that a court would find that the December

¹ This memorandum is based upon the information provided to us to date, the text of the proposed ordinances attached to this memorandum, and our review of existing law as set forth herein. We reached the conclusions in this memorandum to a reasonable degree of our professional certainty. Nothing in this memorandum is intended to guaranty any result in any legal challenge to the proposed ordinances. In addition, our opinions in this memorandum could change based upon changes in existing law, including new court decisions, and we make no representations or predictions here regarding the effect on the proposed ordinances of any potential changes in the law.

Ordinance complies with sections 1373 and 1644, we recommend revising the ordinance in two ways: (1) moving its savings clause to its own section within the ordinance, and (2) adding the “purpose and intent” provision found in the September Ordinance.

Third, with the addition of a savings clause, it is highly likely that a court would find that the September Ordinance complies with sections 1373 and 1644.

Fourth, with the suggested revisions, neither the December Ordinance nor the September Ordinance should preclude the Town from certifying compliance with sections 1373 and 1644. Moreover, recent court decisions demonstrate that it is highly likely that the District of Vermont would find that sections 1373 and 1644 are unconstitutional, thereby rendering compliance moot.

ANALYSIS

I. Sections 1373 and 1644 prohibit restrictions on sharing citizenship or immigration status information.

Section 1373 provides that state and local government entities may not “prohibit or in any way restrict” any government entity or official from sending or receiving “information regarding the citizenship or immigration status, lawful or unlawful, of any individual” from or to federal immigration authorities. 8 U.S.C. § 1373(a). Section 1373 further states that no person or agency may “prohibit, or in any way restrict” state and local entities from sending, requesting, or receiving immigration status information from or to federal immigration authorities; maintaining immigration status information; or exchanging immigration status information with other entities. *Id.* § 1373(b).

Section 1644 provides that no state or local government entity “may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.” 8 U.S.C. § 1644.

By their plain terms, sections 1373 and 1644 prohibit restrictions on sharing citizenship or immigration status information. Courts define “information regarding the citizenship or immigration status, lawful or unlawful, of any individual” to mean “a person’s legal classification under federal law.” *United States v. California*, 921 F.3d 865, 891 (9th Cir. 2019); *City of Philadelphia v. Sessions*, 309 F. Supp. 3d 289, 333 (E.D. Pa. 2018); *City & County of San Francisco v. Sessions*, 349 F. Supp. 924, 968 (N.D. Cal. 2018).

II. Multiple courts recently found sections 1373 and 1644 unconstitutional.

As an initial matter, there is a high likelihood that a court would find that the proposed ordinances do not need to comply with sections 1373 and 1644 because those provisions violate the Tenth Amendment’s anti-commandeering doctrine and, therefore, are unconstitutional.

The anti-commandeering doctrine is “the expression of a fundamental structural decision incorporated into the Constitution, *i.e.*, the decision to withhold from Congress the power to issue orders directly to the States.” *Murphy v. Nat’l Collegiate Athletic Ass’n*, 138 S. Ct. 1461,

1476 (2018). The Constitution “confers upon Congress the power to regulate individuals, not States.” *Id.* Therefore, “even where Congress has the authority under the Constitution to pass laws requiring or prohibiting certain acts, it lacks the power directly to compel the States to require or prohibit those acts.” *Id.* at 1477.

The Supreme Court has repeatedly stricken down statutes that contravene these principles. For example, in *Murphy*, the Court unanimously invalidated a federal statute that prohibited state legislatures from authorizing sports gambling. *Id.* at 1478. The Court reasoned that the federal government “may not command the States’ officers, or those of their political subdivisions, to administer or enforce a federal regulatory program.” *Id.* at 1477. This is true regardless of whether Congress’ instructions to local governments are framed as an affirmative obligation to perform some act or merely a prohibition on local policies that conflict with Congressional preferences. *Id.* at 1478. Simply put, the federal government may not “unequivocally dictate what a state [or local] legislature may and may not do.” *Id.*

A. It is highly likely that the District of Vermont would conclude that the sections 1373 and 1644 are unconstitutional.

The Supreme Court’s decision in *Murphy* undermines a 1999 decision in which the Second Circuit addressed a facial challenge to sections 1373 and 1644: *City of New York v. United States*, 179 F.3d 29 (2d Cir. 1999). In that case, New York challenged the constitutionality of sections 1373 and 1644 under the Tenth Amendment. The Second Circuit upheld the statutes’ constitutionality, reasoning that sections 1373 and 1644 merely prohibited local governments from taking certain actions as opposed to commanding affirmative actions. *Id.* at 35. But it is precisely that distinction (between affirmative obligations and prohibitions) that the Supreme Court characterized as “empty” in *Murphy*. 138 S. Ct. at 1478. As a result, since *Murphy*, courts both within and outside the Second Circuit have called the reasoning of the *City of New York* decision into serious doubt. *See, e.g., State of New York v. Dep’t of Justice*, 343 F. Supp. 3d 213, 234 (S.D.N.Y. 2018); *City of Chicago v. Sessions*, 321 F. Supp. 3d 855, 872 (N.D. Ill. 2018).

There is a strong argument that, in light of *Murphy*, the District of Vermont is not bound by the *City of New York* decision. Neither the Second Circuit nor the District of Vermont have ruled on the constitutionality of sections 1373 and 1644 since 2018. However, the Southern District of New York recently concluded that it was not bound by the *City of New York* decision. *State of New York*, 343 F. Supp. 3d at 234.

In *State of New York v. Department of Justice*, the Southern District of New York held that section 1373, as it applies to state and local governments, “is facially unconstitutional under the anticommandeering doctrine of the Tenth Amendment.” *Id.* at 237. As explained by that court, section 1373 “unequivocally dictates what a state [or local] legislature may and may not do.” *Id.* at 234-35 (quoting *Murphy*, 138 S. Ct. at 1478).²

² The same analysis applies to section 1644. *E.g., City of Los Angeles v. Sessions*, No. 18-7347, 2019 WL 1957966, at *4 (C.D. Cal. Feb. 15, 2019); *City of Chicago v. Barr*, 405 F. Supp. 3d 748, 763 (N.D. Ill. 2019).

It is highly likely that the District of Vermont would reach the same conclusion. Like the Southern District of New York, the District of Vermont “must follow the Supreme Court’s clear direction in *Murphy*.” *New York*, 343 F. Supp. 3d at 234.

Following the Supreme Court’s “clear direction in *Murphy*,” courts outside the Second Circuit have uniformly held that sections 1373 and 1644 are unconstitutional and violate the anticommandeering principles of the Tenth Amendment, including the:

- (a) Eastern District of Pennsylvania, *City of Philadelphia v. Sessions*, 309 F. Supp. 3d 289 (E.D. Pa. 2018);
- (b) Northern District of Illinois, *City of Chicago v. Sessions*, 321 F. Supp. 3d at 875-77 (N.D. Ill. 2018); *City of Chicago v. Barr*, 405 F.Supp.3d 748, 762-63 (N.D. Ill. 2019) (sections 1373 and 1644 violate the Tenth Amendment’s anticommandeering doctrine); *City of Evanston v. Barr*, No. 18-4853, 2019 WL 4694734, at *12 (N.D. Ill. Sept. 26, 2019) (granting plaintiffs’ request for a declaration that sections 1373 and 1644 violate the anti-commandeering doctrine);
- (c) Central District of California. *City of Los Angeles v. Sessions*, No. 18-7347, 2019 WL 1957966, at *4 (C.D. Cal. Feb. 15, 2019) (concluding that sections 1373 and 1644 are “unconstitutional as applied to States and local governments under the Tenth Amendment’s anti-commandeering principle”);
- (d) Northern District of California, *City & County of San Francisco v. Sessions*, 372 F. Supp. 3d 928, 940 (N.D. Cal. 2019); and
- (e) District of Oregon, *State of Oregon v. Trump*, 406 F. Supp. 3d 940, 950, 972-73 (D. Ore. 2019) (sections 1373 and 1644 violate the Tenth Amendment).

Based on the uniform rulings by courts across the country, it is highly likely that the District of Vermont would find that sections 1373 and 1644 are unconstitutional.

III. There is a strong argument that with the suggested revisions, the December Ordinance and the September Ordinance comply with sections 1373 and 1644.

To analyze whether the proposed ordinances comply with sections 1373 and 1644, we compared the language of similar ordinances and policies that courts found to be compliant. We also reviewed court decisions discussing sections 1373 and 1644. Even assuming sections 1373 and 1644 are constitutional, based on our analysis, there is a strong argument that with our suggested revisions, the proposed ordinances comply with sections 1373 and 1644, and it is highly likely that a court would conclude as such.

At the outset, it should be noted that while the September Ordinance and the December Ordinance are fairly similar, there are two important distinctions between them: (1) the September Ordinance does not contain an express savings clause; and (2) the December Ordinance does not contain a purpose and intent section. As further discussed below, we

recommend that the Welcoming Hartford Ordinance contain both an express savings clause and a purpose and intent section.

A. Courts have found that similar welcoming city ordinances and policies comply with section 1373.

Although recent court decisions across the country have uniformly held that sections 1373 and 1644 are unconstitutional, courts have also found that certain welcoming city ordinances comply with section 1373. These cases demonstrate that at least some courts will narrowly construe section 1373 to give effect to welcoming city ordinances and policies.³

For example, in *City & County of San Francisco v. Sessions*, the district court found that San Francisco’s welcoming city ordinances—Chapters 12H and 12I of the San Francisco Administrative Code—comply with section 1373. 349 F. Supp. 924, 968-69 (N.D. Cal. 2018). The San Francisco ordinances prohibit city or county funds or resources from being used to assist federal immigration officers in gathering or sharing information on the release status of individuals unless required by federal or state law. The ordinances specifically prohibit San Francisco employees from “disseminat[ing] information regarding release status of any individual or any other such personal information” and allow employees to communicate that information only if required by federal law. SF Admin. Code § 12H.2. The ordinances also prohibit law enforcement from responding to federal immigration enforcement requests for notice of release dates for individuals in custody unless the individual meets certain criteria, such as having a recent conviction for a serious or violent felony or three separate felonies other than domestic violence. SF Admin. Code § 12I.3(c)-(e).

Although the court acknowledged that the San Francisco ordinances prohibit sharing personal information and release dates with federal immigration officers, it held that the ordinances do not violate section 1373 because section 1373 is to be narrowly construed and limited solely to “communications about information on an individual's immigration and citizenship status.” *San Francisco*, 349 F. Supp. 3d at 969.

In addition, in *City of Philadelphia v. Sessions*, the district court concluded that Philadelphia’s similar welcoming city policies substantially complied with section 1373, as set forth more fully below. 280 F. Supp. 3d 579, 613 (E.D. Pa. 2017).

B. It is likely that with the suggested revisions, the proposed ordinances comply with sections 1373 and 1644.

1. The section titled “Requesting Information prohibited” is similar to policies found to be compliant with section 1373.

The section of the proposed ordinances titled “Requesting information prohibited” is similar to Philadelphia Executive Order No. 8–09, as both prohibit municipal employees from

³ No court has held that a welcoming ordinance complies with section 1644. However, the text of the two statutes is nearly identical, and thus same analysis that applies to section 1373 should apply to section 1644. *City of Los Angeles*, 2019 WL 1957966, at *4; *City of Chicago*, 405 F. Supp. 3d at 763.

inquiring about information regarding citizenship or immigration status unless required by law. A side-by-side comparison of the welcoming ordinances and policies reveals their similarities.

The December Ordinance provides, in part, “No agent or agency shall request information about or otherwise investigate or assist in the investigation of information regarding the citizenship or immigration status of any person unless such inquiry or investigation is required by Vermont State Statute, federal regulation, or court decision.” Similarly, the September Ordinance provides, in part, “No Agent or Agency shall request information about or otherwise investigate or assist in the investigation of the Citizenship or immigration status of any person unless such inquiry or investigation is required by Vermont State Statute, federal regulation, or court decision.”

Similar to the proposed ordinances, Philadelphia Executive Order No. 8–09, Section 2, states that law enforcement officers shall not

inquire about a person’s immigration status, unless the status itself is a necessary predicate of a crime the officer is investigating or unless the status is relevant to identification of a person who is suspected of committing a crime (other than mere status as an undocumented alien); ... inquire about the immigration status of crime victims, witnesses, or others who call or approach the police seeking help; or ... inquire regarding immigration status for the purpose of enforcing immigration laws.

Notably, the court in *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579 (E.D. Pa. 2017), held that Philadelphia Executive Order No. 8–09 substantially complies with section 1373. In light of that decision, we believe that the “Requesting information prohibited” section of the proposed ordinances complies with sections 1373 and 1644.

Moreover, the language in this section of the ordinances generally prohibits requesting or otherwise investigating a person’s citizenship or immigration status, whereas sections 1373 and 1644 prohibit restrictions on the sharing of such information. The scope of sections 1373 and 1644 is limited to ordinances or policies that prohibit or restrict sending or receiving citizenship or immigration status information. The proposed ordinances prohibit requesting such information in the first place, which we believe does not conflict with sections 1373 and 1644.

2. The section titled “Disclosing information prohibited” is similar to ordinances and policies found to be compliant with section 1373.

The “Disclosing information prohibited” section of the September Ordinance provides:

No agent or agency shall disclose information regarding citizenship or immigration status of any person unless required to do so by statute or court order or such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual’s parent or guardian. This section shall not apply

when such information sharing is necessary to an ongoing investigation of a felony, and the investigation is unrelated to the enforcement of federal civil immigration law.

This section of the December Ordinance includes the same language (as well as additional language, which does not impact our analysis).

This language of the proposed ordinances does not restrict information regarding citizenship or immigration status from being shared within the meaning of sections 1373 and 1644. The proposed ordinances restrict the disclosure of such information except when “required to do so by statute.” Thus, the ordinances make clear that an individual’s citizenship or immigration status information may be disclosed if required by federal statute.

Moreover, in at least two cases, courts concluded that similar language in welcoming ordinances and policies did not conflict with section 1373. As noted above, in *City & County of San Francisco v. Sessions*, 349 F. Supp. 3d 924 (N.D. Cal. 2018), the court held that Chapter 12H of the San Francisco Administrative Code complies with section 1373. Chapter 12H prohibits San Francisco employees from “disseminat[ing] information regarding release status of any individual or any other such personal information” and allows them to communicate that information only if required by federal law. SF Admin. Code § 12H.2. The code defines “personal information” as “any confidential, identifying information about an individual, including, but not limited to, home or work contact information, and family or emergency contact information.” *Id.*

Similarly, in *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579 (E.D. Pa. 2017), the court held that Philadelphia Executive Order No. 8–09 substantially complies with section 1373. The executive order prohibited city officers and employees from disclosing “information obtained and maintained by a City agency relating to an individual's immigration status” unless “(1) such disclosure has been authorized in writing by the individual to whom such information pertains...; (2) such disclosure is required by law; or (3) the individual to whom such information pertains is suspected by such officer or employee or such officer's or employee's agency of engaging in criminal activity (other than mere status as an undocumented alien).”

Thus, not only does the plain language of the proposed ordinances make clear that an individual’s citizenship or immigration status information may be disclosed if required by federal statute, in light of the decisions in *San Francisco* and *Philadelphia*, we believe that the “Disclosing information prohibited” section of the proposed ordinances complies with sections 1373 and 1644.

3. The section titled “Civil immigration enforcement actions – Federal responsibility” is similar to ordinances and policies found to be compliant with section 1373.

It is likely that a court will find that the section of the December Ordinance titled “Civil immigration enforcement actions – Federal responsibility” does not conflict with sections 1373 and 1644. The proposed ordinance limits information sharing to citizenship or immigration status information, which is consistent with numerous court decisions. Indeed, the definition of

“information regarding citizenship or immigration status” specifically references the Ninth Circuit’s decision in *United States v. California*, 921 F.3d 865 (9th Cir. 2019).

Unlike the December Ordinance, the September Ordinance does not specifically except information regarding citizenship or immigration status from the scope of prohibited information sharing. As a result, we recommend that a savings clause be added to the September Ordinance to clarify that information sharing is limited to citizenship or immigration status information.

Although the proposed ordinances prohibit the sharing of information such as an “individual’s custody status, release date/time,” and “court dates,” a number of courts have ruled that sections 1373 and 1644 should be narrowly construed and limited solely to “communications about information on an individual’s immigration and citizenship status.” *San Francisco*, 349 F. Supp. 3d at 968-69. *See also United States v. California*, 921 F.3d at 891 (the phrase “information regarding the citizenship or immigration status” means an individual’s “legal classification under federal law”); *City of Philadelphia v. Sessions*, 309 F. Supp. 3d 289, 333 (E.D. Pa. 2018) (citizenship or immigration status means whether an individual is a United States citizen, a citizen of another country, or an individual’s category of presence in the United States).

Based on the courts’ interpretation of “information regarding citizenship or immigration status,” as limited solely to information on an individual’s immigration and citizenship status, it is likely that a court would find that the section of the December Ordinance titled “Civil immigration enforcement actions – Federal responsibility” does not conflict with sections 1373 and 1644. With the addition of a savings clause, it is likely that a court will find the September Ordinance does not conflict with sections 1373 and 1644.

4. We recommend that the Welcoming Hartford Ordinance include an express savings clause.

The December Ordinance includes a savings clause, which states:

This section does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, Information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

The savings clause is included under the section of the ordinance titled “Disclosing information prohibited.” The September Ordinance does not include any such savings clause.

Although a strong argument exists that the December Ordinance, as written, complies with sections 1373 and 1644, we recommend that the Town move the savings clause to its own section of the ordinance, and state as follows:

This ordinance does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

Moving the saving clause language will ensure that it cannot be interpreted as being limited to only one section of the welcoming ordinance. In addition, adding such a savings clause to the September Ordinance would expressly clarify that information sharing is limited to citizenship or immigration status information and strengthen the argument that that version of the ordinance complies with sections 1373 and 1644.

At least two courts have relied on savings clauses when determining that welcoming city policies comply with sections 1373 and 1644. In *United States v. California*, the Ninth Circuit concluded that one of California's welcoming state laws, the California Values Act, did not conflict with section 1373. 921 F.3d 865, 891-92 (9th Cir. 2019). Among other things, the Act prohibited state and local agencies from “[i]nquiring into an individual’s immigration status”; “[d]etaining an individual on the basis of a hold request”; “[p]roviding information regarding a person’s release date or” other “personal information,” such as “the individual’s home address or work address”; and “[a]ssisting immigration authorities” in certain activities. Cal. Gov’t Code § 7284.6(a)(1).

The Act also includes a savings clause, stating that it does not “prohibit or restrict any government entity or official from sending to, or receiving from federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities status information, lawful or unlawful, of any individual, or maintaining or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644.” Cal Gov’t Code § 7284.6(e). Based on this provision and the narrow scope of section 1373, the court explained that the Act “expressly permits the sharing of” citizenship or immigration status information, and does not conflict with section 1373. *California*, 921 F.3d at 891.

Similarly, in *City & County of San Francisco*, the court concluded that California’s Value Act complies with section 1373 because it contains a savings clause that expressly authorizes compliance with section 1373. *San Francisco*, 349 F. Supp. 3d at 969. The court noted that the Value Act’s savings clause “expressly does not prohibit the state government from communicating or sharing information regarding the citizenship or immigration status, lawful or unlawful, of an individual, exactly what Section 1373 requires.” *Id.* Thus, in light of the savings clause and the court’s determination that section 1373 is limited to “information relevant to citizenship or immigration status” and does not include “release date information,” the court concluded that the California act clearly complies with section 1373. *Id.*

5. We recommend that the Welcoming Hartford Ordinance include a purpose and intent section.

The September Ordinance already contains a purpose and intent section. If the Town decides to use the December Ordinance, we recommend adding such a section to the ordinance. Although no court has found the presence (or absence) of a purpose and intent section dispositive, the courts that found that welcoming city policies complied with section 1373 have all favorably looked to the purpose and intent behind the welcoming city policies when making their decisions. *See, e.g., City & County of San Francisco v. Sessions*, 349 F. Supp. 924, 937-32 (N.D. Cal. 2018); *City of Philadelphia v. Sessions*, 280 F. Supp. 3d 579, 596-97 (E.D. Pa. 2017). Accordingly, we recommend that if the Town decides to use the December Ordinance, it should add a purpose and intent section to the ordinance.

IV. The Town may apply for federal funds.

Passing the December Ordinance or the September Ordinance with the suggested revisions likely will not preclude the Town from applying for federal grant funds and certifying that the Town complies with sections 1373 and 1644. As set forth above, with the suggested revisions neither of those versions of the ordinance conflict with sections 1373 and 1644. But even if they did, recent court decisions demonstrate that it is highly likely that the District of Vermont would find that sections 1373 and 1644 are unconstitutional, thereby rendering compliance moot. As a result, the federal government would have no basis to restrict access to federal grant funds based on any alleged non-compliance with sections 1373 and 1644.

CONCLUSION

Sections 1373 and 1644 do not compel the sharing of information between local governments and the federal government; rather, they prohibit policies that impede the sharing of citizenship and immigration status information. Thus, the question is whether either version of the Welcoming Hartford Ordinance prohibits or impedes the sharing of such information between the Town and the federal government. We believe a court is likely to find that they do not, particularly with the addition of a savings clause in a separate section of the ordinance.

Moreover, based on recent rulings by courts across the country, it is highly likely that the District of Vermont would find that sections 1373 and 1644 are unconstitutional. If so, the federal government would have no basis to restrict access to federal grant funds based on any alleged non-compliance with sections 1373 and 1644.

EXHIBIT A

Municipal Code of Hartford, Vermont

WELCOMING HARTFORD ORDINANCE

- **Title**
- **Definitions**
- **Requesting information prohibited**
- **Disclosing information prohibited**
- **Conditioning benefits, services, or opportunities on immigrant status prohibited**
- **Civil immigration enforcement actions - Federal responsibility**
- **Exchanging file information**
- **Civil Ordinance; Authority**
- **Severability**

Title

This ordinance shall be known as the Welcoming Hartford Ordinance.

Definitions

As used in this ordinance, the following words and phrases shall mean and include:

Administrative warrant. "Administrative warrant" means an immigration warrant issued by ICE, or a successor or similar federal agency charged with the enforcement of civil immigration laws, used as a non-criminal, civil warrant for immigration purposes.

Agency. "Agency" means every Hartford Town department, agency, division, commission, council, committee, board, other body, or person established by authority of an ordinance, executive order, or order of the Hartford Selectboard.

Agent. "Agent" means any person employed by or acting on behalf of an agency.

Information regarding citizenship or immigration status. "Information regarding citizenship or immigration status" means information regarding the legal status of individuals whether or not a citizen, and shall not include any other information such as release time, address, age, gender, etc. (This is the interpretation given by the United States Court of Appeals, Ninth Circuit, filed on April 18th 2019, see pg 892)

Federal immigration authorities. "Federal immigration authorities" means federal agencies, departments, or employees or contractors thereof, tasked with enforcement of immigration law and border entry, including without limitation, the Department of Homeland Security (DHS), Immigration Control and Enforcement (ICE), and U.S. Customs and Border Patrol (CBP).

Immigration detainer. "Immigration detainer" means an official request issued by ICE, or other federal agency charged with the enforcement of civil immigration laws, to another federal, state or local law enforcement agency to detain an individual based on a violation of a civil immigration law or notify ICE or other federal immigration agency of a person's release from custody.

Requesting information prohibited.

No agent or agency shall request information about or otherwise investigate or assist in the investigation of information regarding citizenship or immigration status of any person unless such inquiry or investigation is required by Vermont State Statute, federal regulation, or court decision. Notwithstanding this provision, the Town Counsel may investigate and inquire about immigration status when relevant to potential or actual litigation or an administrative proceeding in which the Town is or may be a party.

Disclosing information prohibited.

No agent or agency shall disclose information regarding citizenship or immigration status of any person unless required to do so by statute or court order or such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or guardian.

This section does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

Any agent or agency that makes contact with a Federal Immigration Authority shall submit a report to the Hartford Town Manager regarding the time, date, location, persons and departments involved, and all information communicated within 24 hours of each instance of communication.

This section shall not apply when such information sharing is necessary to an ongoing investigation of a felony, and the investigation is unrelated to the enforcement of federal civil immigration law.

Conditioning benefits, services, or opportunities on immigrant status prohibited.

No agent or agency shall condition the provision of Town of Hartford benefits, opportunities, or services on matters related to information regarding citizenship or immigration status unless required to do so by statute, federal regulation, or court decision.

Where presentation of a Vermont driver's license or identification card is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document), shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Vermont driver's license or identification card, except that this subsection shall not apply to the completion of the federally mandated I-9 forms.

Civil immigration enforcement actions - Federal responsibility.

No agent or agency shall:

1. arrest, detain or continue to detain a person solely on the belief that the person is not present legally in the United States, or that the person has committed a civil immigration violation;
2. arrest, detain, or continue to detain a person based on an administrative warrant, including one entered into the Federal Bureau of Investigation's National Crime Information Center database, or successor or similar database maintained by the United States, when the administrative warrant is based solely on a violation of a civil immigration law;
3. detain or continue to detain a person based upon an immigration detainer when such immigration detainer is based solely on a violation of a civil immigration law;
4. use citizenship and immigration status as criteria for citation, arrest, or continued custody under Rule 3 of the Vermont Rules of Criminal Procedure;
5. make warrantless arrests or detain individuals on suspicion of "unlawful entry," unless the suspect is apprehended in the process of entering the United States without inspection;
6. accept requests by federal immigration authorities to support or assist in operations that are for civil immigration enforcement; or
7. permit federal immigration authorities access to a person being detained by, or in the custody of, the agent or agency.

Unless necessary to an ongoing investigation of a felony and the investigation is unrelated to the enforcement of federal civil immigration law, no agent or agency shall:

1. permit federal immigration authorities use of agency facilities for investigative interviews or other investigative purpose.
2. respond to federal immigration authorities inquiries or share information about an individual with federal immigration authorities, except information regarding citizenship or immigration status. Prohibited information includes but is not limited

to the individual's custody status, release date/time, court dates, whereabouts, residence, employment, identification numbers, appearance, telephone number, and familial relations. For the purpose of aiding an individual who may qualify for a U, S, or T Visa, information may be shared if such disclosure has been authorized in writing by the individual to whom such information pertains.

An agent or agency is authorized to communicate with federal immigration authorities in order to determine whether any matter involves enforcement based solely on a violation of a civil immigration law.

No private cause of action

This chapter does not create or form the basis for liability on the part of the Town, its Agents, or Agencies.

The exclusive remedy for violation of this chapter shall be through the Town's disciplinary procedures for agents under regulations including but not limited to this Town's personnel rules, union contracts, civil service commission rules, or any other Agency rules and/or regulations.

For purposes of ensuring compliance with the provisions of this ordinance, the Governor or any Selectboard member may request the Human Rights Commission (HRC) to conduct an investigation of an agent or agency of the Town of Hartford to determine if it is in compliance with the Vermont Fair Housing and Public Accommodations Act (VFHPAA 9 V.S.A. §4502)

Exchanging file information

All applications, questionnaires, and interview forms to be completed and submitted after the passage of this ordinance used in relation to Town of Hartford benefits, opportunities, or services shall be promptly reviewed by the pertinent agencies and any information regarding citizenship or immigration status, other than those required by statute, ordinance, federal regulation or court decision, shall be deleted within 60 days of the final effective date of this ordinance.

Civil Ordinance; Authority

This ordinance shall take effect as a civil ordinance. It is not a criminal ordinance. This ordinance pursuant to authority and powers of the Town of Hartford, Vermont as set forth in the Town of Hartford Municipal Charter as codified in Title 24 (Appendix) of Vermont Statutes, Chapter 123A.

Severability

If any provision, clause, section, part, or application of this chapter to any person or circumstance is declared invalid by any court of competent jurisdiction, such invalidity

shall not affect, impair, or invalidate the remainder hereof or its application to any other person or circumstance. It is hereby declared that the legislative intent of the Selectboard that this chapter would have been adopted had such invalid provision, clause, section, part or application not been included herein.

EXHIBIT B

Municipal Code of Hartford, Vermont

WELCOMING HARTFORD ORDINANCE

- **Title**
- **Purpose and intent**
- **Definitions**
- **Requesting information prohibited**
- **Disclosing information prohibited**
- **Conditioning benefits, services, or opportunities on immigrant status prohibited**
- **Civil immigration enforcement actions - Federal responsibility**
- **No private cause of action**
- **Exchanging file information**
- **Civil Ordinance; Authority**
- **Severability**

Title

This ordinance shall be known as the Welcoming Hartford Ordinance.

Purpose and intent

The Town Selectboard finds that the cooperation of all persons, citizens and non-citizens regardless of immigration status, is essential to achieve the Town's goals of protecting life and property, preventing crime and resolving problems. The Town Selectboard further finds that assistance from a person, whether documented or not, who is a victim of, or a witness to, a crime is important to promoting the safety of all its residents.

Due to the Town's limited resources; the complexity of immigration laws; the clear need to foster the trust of and cooperation from the public, including members of the immigrant communities; and to effectuate the Town's goals, the Town Selectboard finds that there is a need to articulate its guidelines regarding the communications and enforcement relationship between the Town and the federal government. The purpose of this chapter is to establish the Town's procedures concerning immigration status and enforcement of federal civil immigration laws.

Definitions

As used in this ordinance, the following words and phrases shall mean and include:

Administrative warrant. "Administrative warrant" means an immigration warrant issued by ICE, or a successor or similar federal agency charged with the enforcement of civil immigration laws, used as a non-criminal, civil warrant for immigration purposes.

Agency. "Agency" means every Hartford Town department, agency, division, commission, council, committee, board, other body, or person established by authority of an ordinance, executive order, or order of the Hartford Selectboard.

Agent. "Agent" means any person employed by or acting on behalf of an Agency.

Citizenship or immigration status. "Citizenship or immigration status" means all matters regarding questions of citizenship of the United States or any other country, the authority to reside in or otherwise be present in the United States,

Federal immigration authorities. "Federal immigration authorities" means federal agencies, departments, or employees or contractors thereof, tasked with enforcement of immigration law and border entry, including without limitation, the Department of Homeland Security (DHS), Immigration Control and Enforcement (ICE), and U.S. Customs and Border Patrol (CBP).

Immigration detainer. "Immigration detainer" means an official request issued by ICE, or other federal agency charged with the enforcement of civil immigration laws, to another federal, state or local law enforcement agency to detain an individual based on a violation of a civil immigration law or notify ICE or other federal immigration agency of a person's release from custody.

Requesting information prohibited.

No Agent or Agency shall request information about or otherwise investigate or assist in the investigation of the Citizenship or immigration status of any person unless such inquiry or investigation is required by Vermont State Statute, federal regulation, or court decision. Notwithstanding this provision, the Town Counsel may investigate and inquire about immigration status when relevant to potential or actual litigation or an administrative proceeding in which the Town is or may be a party.

Disclosing information prohibited.

No Agent or Agency shall disclose information regarding the Citizenship or immigration status of any person unless required to do so by statute or court order or such

disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or guardian.

This section shall not apply when such information sharing is necessary to an ongoing investigation of a felony, for which there is probable cause, and the investigation is unrelated to the enforcement of federal civil immigration law.

Conditioning benefits, services, or opportunities on immigrant status prohibited.

No Agent or Agency shall condition the provision of Town of Hartford benefits, opportunities, or services on matters related to Citizenship or immigration status unless required to do so by statute, federal regulation, or court decision.

Where presentation of a Vermont driver's license or identification card is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document), shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Vermont driver's license or identification card, except that this subsection shall not apply to the completion of the federally mandated I-9 forms.

Civil immigration enforcement actions - Federal responsibility.

No Agent or Agency shall:

1. arrest, detain or continue to detain a person solely on the belief that the person is not present legally in the United States, or that the person has committed a civil immigration violation;
2. arrest, detain, or continue to detain a person based on an Administrative warrant, including one entered into the Federal Bureau of Investigation's National Crime Information Center database, or successor or similar database maintained by the United States, when the Administrative warrant is based solely on a violation of a civil immigration law;
3. detain or continue to detain a person based upon an Immigration detainer when such Immigration detainer is based solely on a violation of a civil immigration law;
4. use citizenship and immigration status as criteria for citation, arrest, or continued custody under Rule 3 of the Vermont Rules of Criminal Procedure;

5. make warrantless arrests or detain individuals on suspicion of “unlawful entry,” unless the suspect is apprehended in the process of entering the United States without inspection; or
6. accept requests by Federal immigration authorities to support or assist in operations that are for civil immigration enforcement.

Unless necessary to an ongoing investigation of a felony, for which there is probable cause, and the investigation is unrelated to the enforcement of federal civil immigration law, no Agent or Agency shall:

1. permit Federal immigration authorities access to a person being detained by, or in the custody of, the Agent or Agency;
2. permit Federal immigration authorities use of agency facilities for investigative interviews or other investigative purpose; or
3. Respond to Federal immigration authorities inquiries or share information about an individual with Federal immigration authorities. Such information includes but is not limited to the individual’s custody status, release date/time, court dates, whereabouts, residence, employment, identification numbers, appearance, telephone number, and familial relations. For the purpose of aiding an individual who may qualify for a U, S, or T Visa, information may be shared if such disclosure has been authorized in writing by the individual to whom such information pertains.

An Agent or Agency is authorized to communicate with Federal immigration authorities in order to determine whether any matter involves enforcement based solely on a violation of a civil immigration law.

No private cause of action

This chapter does not create or form the basis for liability on the part of the Town, its Agents, or Agencies.

The exclusive remedy for violation of this chapter shall be through the Town's disciplinary procedures for Agents under regulations including but not limited to this Town’s personnel rules, union contracts, civil service commission rules, or any other Agency rules and/or regulations.

For purposes of ensuring compliance with the provisions of this ordinance, the Governor or any Selectboard member may request the Human Rights Commission (HRC) to

conduct an investigation of an agent or agency of the Town of Hartford to determine if it is in compliance with the Vermont Fair Housing and Public Accommodations Act (VFHPAA 9 V.S.A. §4502)

Exchanging file information

All applications, questionnaires, and interview forms to be completed and submitted after the passage of this ordinance used in relation to Town of Hartford benefits, opportunities, or services shall be promptly reviewed by the pertinent agencies and any questions regarding Citizenship or immigration status, other than those required by statute, ordinance, federal regulation or court decision, shall be deleted within 60 days of the final effective date of this ordinance.

Civil Ordinance; Authority

This ordinance shall take effect as a civil ordinance. It is not a criminal ordinance. This ordinance is pursuant to authority and powers of the Town of Hartford, Vermont as set forth in 24 V.S.A. 872 (a).

Severability

If any provision, clause, section, part, or application of this chapter to any person or circumstance is declared invalid by any court of competent jurisdiction, such invalidity shall not affect, impair, or invalidate the remainder hereof or its application to any other person or circumstance. It is hereby declared that the legislative intent of the Selectboard that this chapter would have been adopted had such invalid provision, clause, section, part or application not been included herein.

Municipal Code of Hartford, Vermont

WELCOMING HARTFORD ORDINANCE

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1. Title

This ordinance shall be known as the Welcoming Hartford Ordinance.

2. Purpose and Intent

The Town Selectboard finds that the cooperation of all persons, citizens and non-citizens regardless of immigration status, is essential to achieve the Town's goals of protecting life and property, preventing crime and resolving problems. The Town Selectboard further finds that assistance from a person, whether documented or not, who is a victim of, or a witness to, a crime is important to promoting the safety of all its residents.

Due to the Town's limited resources; the complexity of immigration laws; the clear need to foster the trust of and cooperation from the public, including members of the immigrant communities; and to effectuate the Town's goals, the Town Selectboard finds that there is a need to articulate its guidelines regarding the communications and enforcement relationship between the Town and the federal government. The purpose of this chapter is to establish the Town's procedures concerning immigration status and enforcement of federal civil immigration laws.

3. Definitions

As used in this ordinance, the following words and phrases shall mean and include:

Administrative warrant. "Administrative warrant" means an immigration warrant issued by ICE, or a successor or similar federal agency charged with the enforcement of civil immigration laws, used as a non-criminal, civil warrant for immigration purposes.

Agency. "Agency" means every Hartford Town department, agency, division, commission, council, committee, board, other body, or person established by authority of an ordinance, executive order, or order of the Hartford Selectboard.

Agent. "Agent" means any person employed by or acting on behalf of an agency.

Information regarding citizenship or immigration status. "Information regarding citizenship or immigration status" means information regarding the legal status of individuals whether or not a citizen, and shall not include any other information such as release time, address, age, gender, etc. (This is the interpretation given by the United States Court of Appeals, Ninth Circuit, filed on April 18th 2019, see pg 892)

Federal immigration authorities. "Federal immigration authorities" means federal agencies, departments, or employees or contractors thereof, tasked with enforcement of immigration law and border entry, including without limitation, the Department of Homeland Security (DHS), Immigration Control and Enforcement (ICE), and U.S. Customs and Border Patrol (CBP).

Immigration detainer. "Immigration detainer" means an official request issued by ICE, or other federal agency charged with the enforcement of civil immigration laws, to another federal, state or local law enforcement agency to detain an individual based on a violation of a civil immigration law or notify ICE or other federal immigration agency of a person's release from custody.

4. Requesting Information Prohibited.

No agent or agency shall request information about or otherwise investigate or assist in the investigation of information regarding citizenship or immigration status of any person unless such inquiry or investigation is required by Vermont State Statute, federal regulation, or court decision. Notwithstanding this provision, the Town Counsel may investigate and inquire about immigration status when relevant to potential or actual litigation or an administrative proceeding in which the Town is or may be a party.

5. Disclosing Information Prohibited.

No agent or agency shall disclose information regarding citizenship or immigration status of any person unless required to do so by statute or court order or such disclosure has been authorized in writing by the individual to whom such information

pertains, or if such individual is a minor or is otherwise not legally competent, by such individual's parent or guardian.

Any agent or agency that makes contact with a Federal Immigration Authority shall submit a report to the Hartford Town Manager regarding the time, date, location, persons and departments involved, and all information communicated within 24 hours of each instance of communication.

This section shall not apply when such information sharing is necessary to an ongoing investigation of a felony, and the investigation is unrelated to the enforcement of federal civil immigration law.

6. Conditioning Benefits, Services, or Opportunities on Immigrant Status Prohibited.

No agent or agency shall condition the provision of Town of Hartford benefits, opportunities, or services on matters related to information regarding citizenship or immigration status unless required to do so by statute, federal regulation, or court decision.

Where presentation of a Vermont driver's license or identification card is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document), shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Vermont driver's license or identification card, except that this subsection shall not apply to the completion of the federally mandated I-9 forms.

7. Civil Immigration Enforcement Actions - Federal Responsibility.

- a. No agent or agency shall:
 1. arrest, detain or continue to detain a person solely on the belief that the person is not present legally in the United States, or that the person has committed a civil immigration violation;
 2. arrest, detain, or continue to detain a person based on an administrative warrant, including one entered into the Federal Bureau of Investigation's National Crime Information Center database, or successor or similar database maintained by the United States, when the administrative warrant is based solely on a violation of a civil immigration law;

3. detain or continue to detain a person based upon an immigration detainer when such immigration detainer is based solely on a violation of a civil immigration law;
 4. use citizenship and immigration status as criteria for citation, arrest, or continued custody under Rule 3 of the Vermont Rules of Criminal Procedure;
 5. make warrantless arrests or detain individuals on suspicion of “unlawful entry,” unless the suspect is apprehended in the process of entering the United States without inspection;
 6. accept requests by federal immigration authorities to support or assist in operations that are for civil immigration enforcement; or
 7. permit federal immigration authorities access to a person being detained by, or in the custody of, the agent or agency.
- b. Unless necessary to an ongoing investigation of a felony and the investigation is unrelated to the enforcement of federal civil immigration law, no agent or agency shall:
1. permit federal immigration authorities use of agency facilities for investigative interviews or other investigative purpose.
 2. respond to federal immigration authorities inquiries or share information about an individual with federal immigration authorities, except information regarding citizenship or immigration status. Prohibited information includes but is not limited to the individual’s custody status, release date/time, court dates, whereabouts, residence, employment, identification numbers, appearance, telephone number, and familial relations. For the purpose of aiding an individual who may qualify for a U, S, or T Visa, information may be shared if such disclosure has been authorized in writing by the individual to whom such information pertains.

An agent or agency is authorized to communicate with federal immigration authorities in order to determine whether any matter involves enforcement based solely on a violation of a civil immigration law.

8. No Private Cause of Action

This chapter does not create or form the basis for liability on the part of the Town, its Agents, or Agencies.

The exclusive remedy for violation of this chapter shall be through the Town's disciplinary procedures for agents under regulations including but not limited to this Town's personnel rules, union contracts, civil service commission rules, or any other Agency rules and/or regulations.

For purposes of ensuring compliance with the provisions of this ordinance, the Governor or any Selectboard member may request the Human Rights Commission (HRC) to conduct an investigation of an agent or agency of the Town of Hartford to determine if it is in compliance with the Vermont Fair Housing and Public Accommodations Act (VFHPAA 9 V.S.A. §4502)

9. Exchanging File Information

All applications, questionnaires, and interview forms to be completed and submitted after the passage of this ordinance used in relation to Town of Hartford benefits, opportunities, or services shall be promptly reviewed by the pertinent agencies and any information regarding citizenship or immigration status, other than those required by statute, ordinance, federal regulation or court decision, shall be deleted within 60 days of the final effective date of this ordinance.

10. Savings Clause

This Ordinance does not prohibit or restrict any government entity or official from sending to, or receiving from, federal immigration authorities, Information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or exchanging that information with any other federal, state, or local government entity, pursuant to Sections 1373 and 1644 of Title 8 of the United States Code.

11. Civil Ordinance; Authority

This ordinance shall take effect as a civil ordinance. It is not a criminal ordinance. This ordinance pursuant to authority and powers of the Town of Hartford, Vermont as set forth in the Town of Hartford Municipal Charter as codified in Title 24 (Appendix) of Vermont Statutes, Chapter 123A.

12. Severability

If any provision, clause, section, part, or application of this chapter to any person or circumstance is declared invalid by any court of competent jurisdiction, such invalidity shall not affect, impair, or invalidate the remainder hereof or its application to any other person or circumstance. It is hereby declared that the legislative intent of the Selectboard that this chapter would have been adopted had such invalid provision, clause, section, part or application not been included herein.