

# **MEMORANDUM**

**Date:** July 16, 2021

**To:** Selectboard

**From:** Josh Arneson, Town Manager

**RE:** Surveyors for Williams Hill Rd.

At the July 6, 2021 meeting the Selectboard set a hearing date to consider the discontinuation Williams Hill Rd. from 1360 Williams Hill Rd. southward to the point where it intersects with Palmer Road and Beatty Lane. At that meeting it was discussed that there is a need to hire a surveyor to flag this section of road for the site visit that will happen prior to the hearing. The need for a surveyor is because the centerline maps from the Agency of Transportation are not lining up with the parcel overlays, such that it appears that the centerline of the road veers onto private property.

I reached out to seven surveyors. Three surveyors indicated they are interested in the job, two indicated they were too busy to take this job, one referred me to another surveyor rather than provide a quote, one did not get back to me. Following is a summary of the approach and estimated cost from each of the three surveyors who are interested in the job.

## **Chis Haggerty, Button Professional Land Surveyors**

Following is an email from Mr. Haggerty that outlines his approach.

Thanks again for considering our firm for this project. I've attached our rate sheet (*included at end of this memo*) and present a brief approach below:

As we discussed, we would take this one step at a time, and I'd begin by reviewing the Richmond Survey Bills I already have, as well as consult with representatives from the Town of Hinesburg (including George Bedard, LS) to see what historical road research has been performed in their Town, if any. Depending on what exists for research, we may have a sizable research endeavor ahead of us, which could mean multiple days in the land records (and possibly UVM Special Collections and VTRANS), and a number of days in the office where we attempt to determine which survey bill represents which road. Costs for this initial investigation could run from \$1,000 to \$4,000 or more.

I would also start with a brief site walk with Richmond Town representatives and interested landowners, to see what exists for physical evidence of an old road bed. Reliable evidence of the old road, including physical evidence, other surveys of record and deeded descriptions, will largely dictate the level of field and mapping effort, if any. I would anticipate this only taking a couple of hours, so roughly \$200.

Should we decide that a thorough survey is warranted, I would estimate at least a few days of field survey locating pertinent boundary evidence, including installation of permanent monuments. This would be followed by data reduction

and adjustments, analysis of other surveys / survey bills, and drafting a plat suitable for the highway reclassification or discontinuance process. This is where costs really add up, and could run from \$4,000 to \$6,000, as you're looking at nearly a week's worth of effort.

We could begin the initial investigation within two weeks of receiving authorization to proceed.

### **Joseph Flynn, O'Leary-Burke Civil Associates, PLC**

Following is an email from Mr. Flynn that outlines his approach. In our phone conversation Mr. Flynn shared that his hourly rate is \$90 per hour.

Based on the discussion and the needs of the Town for the September hearing I do believe that a preliminary review of the land records and the mapping of the current and possible record location of the road will suffice.

Rough estimate would be \$3,500 with a breakdown as follows:

1. One day of research to ascertain if the road was ever laid out, \$900.
2. One day of reconnaissance in the field to locate physical evidence to compare with possible layout information. \$1200
3. Prepare a base map and exhibits that depict the physical evidence with the record documents and attend the town hearing. \$1400

Hope that meets the needs for the Town of Richmond.

### **Paul W. Hannan, LS**

Following is an email from Mr. Hannan that outlines his approach. His fee schedule is included later in this document.

Per our conversation, I'm writing to emphasize my opinion that what the Town most needs to move forward with decisions about Palmer Road is the document that created the road in the first instance. My reading of the court cases relative to public roads indicates that the Vermont Supreme Court has placed the burden of having properly created and documented a public road squarely on the shoulders of the Town. While there are other mechanisms (specifically "dedication and acceptance") that can create a public road the primary evidence of a corridor's "publicness" is that original documentation.

To that end, my advice is to make a sincere effort to find that document. Without the original survey any effort to exercise Town jurisdiction over a visible travelled corridor is likely doomed should a court case ensue. It will likely be the first item requested by the opposing party in discovery – that would certainly be my advice to any party seeking to undo the Town's effort.

I have attached my Municipal fee schedule. As I said in our conversation, I have walked into the land records and found exactly the road document I sought in an hour. I have also spend days searching and come up empty handed. It is highly unpredictable. Nevertheless, I would suggest that the Selectboard authorize a set amount of time – two days of research, while not exhaustive, would be a prudent first step and may well result in success.

# BUTTON

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Christopher A. Haggerty, L.S. VT

## Button Professional Land Surveyors Standard 2021 Billing Rates

<b>POSITION</b>	<b>STANDARD BILLING RATE</b>
Licensed Land Surveyor	\$105/hour
Survey Technician	\$80/hour
One-person Field Crew	\$140/hour
Drafting / Non-Licensed	\$80/hour
Administrative	\$65/hour
<b>EXPENSES</b>	
AutoCAD Plotting	\$5/ sheet
Mileage	\$0.57 / mile
Rebar Monuments	\$15 each
Concrete Monuments	\$75 each
Survey Control Spikes	\$1 each
Wooden Stakes	\$1 each
Temporary Benchmarks	\$5 each
Land Records Copies	\$1.00 / copy

(Vault rate varies by Town)

-Work allocated to this project shall be billed on an hourly basis and for materials used, based on the above billing rates. Invoices will be generated periodically throughout the project until completion. Final deliverables will be released upon full payment of all outstanding invoices.

-Full payment is due 30 days from the date of any invoice or statement. As standard practice, 10% of the unpaid balance will be added each month until the account is settled and payment of this interest shall be the responsibility of the client and/or person responsible for payment.

-The client and/or person responsible for payment shall be responsible and accountable for any attorney's fees and/or costs of collection in the event that said person fails to pay as agreed.



# Paul W. Hannan, L.S.

SURVEYING, LAND USE & ACCESS CONSULTING SERVICES

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Land Surveying Fee Schedule for Municipalities ~ Effective Date: 1 February 2020

## HOURLY RATES

<u>Employee Classification:</u>	<u>Hourly Rate</u>
Land Surveyor	\$105
Survey Technician	\$65
2 Person Field Crew w/ Standard Equipment	\$165
Clerical	\$35

## REIMBURSABLE EXPENSES

Travel Time – One direction at above hourly rates	
Mileage – Both directions at prevailing IRS rate (currently \$.575/mile)	
Specialized Field Equipment:	
iGage GPS System	\$250/day
Spectra Mobile Mapper 120 (GPS unit)	\$100/day
Other specialized rented equipment	1.10xCost
Survey monuments, boundary paint, and other project specific supplies	1.10xCost
Map Copies – Paper: \$1.50/sq.ft.	
– Mylar: \$20/sq.ft.	
Town Clerk search and copy fees, Postage, other expenses:	Actual Cost

*Delinquent accounts of thirty (30) days and over will be subject to a service charge of one and one-half (1 ½) percent per month or 18% annually. In the event collection proceedings are initiated, CLIENT shall be obligated to pay not only all fees and expenses due, but also interest, the costs of collection and reasonable attorney's fees.*