



Josh Arneson <jarneson@richmondvt.gov>

Fwd: FW: Ladder at Park to access Winooski River

2 messages

Assistant to the Town Manager <dwardwell@richmondvt.gov>

Thu, Mar 9, 2023 at 8:12 AM

To: Josh Arneson <jarneson@richmondvt.gov>, Tyler Machia <tmachia@richmondvt.gov>

See message below from VLCT

Duncan E. Wardwell (he/him)
Assistant to the Town Manager
Town of Richmond
203 Bridge St.
P.O. Box 285
Richmond, VT 05477
802-336-2092

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----- Forwarded message -----

From: Kelly Knotek <kknotek@vlct.org>
Date: Fri, Jan 20, 2023 at 9:03 AM
Subject: RE: FW: Ladder at Park to access Winooski River
To: Assistant to the Town Manager <dwardwell@richmondvt.gov>

Thank you for those Duncan. That helps me understand the proposed project. It would present a bit more liability for the Town because anything like this also needs to be maintained for safety. If this is a project that the Town isn't looking to be part of, or doesn't want the additional maintenance requirements, the Town would need to create a contractual agreement with Umiak that clearly states that the steps are their responsibility. You would want to define what parties are responsible for both installation and ongoing maintenance but also get a COI from Umiak with the Town as additional insured for the Town's insurable interest as landowner. If no contract is in place, the liability would fall to the Town. A contract doesn't necessarily protect the Town 100% from suit, but it does provide an initial layer of protection that Umiak should be primary for any claims.

Kelly Knotek

Vermont League of Cities & Towns PACIF

Senior Underwriter, Marketing Representative

802-262-1972 (direct line)

kknotek@vlct.org

From: Assistant to the Town Manager <dwardwell@richmondvt.gov>

Sent: Friday, January 20, 2023 8:39 AM

To: Kelly Knotek <kknotek@vlct.org>
Subject: Re: FW: Ladder at Park to access Winooski River

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Hi Kelly,

Here are some pictures that explain the situation better. We are just trying to understand the Town's responsibility and liability in this. For instance, by having this ladder/steps are we increasing our liability if something goes wrong? Or, is it worse without having the ladder/steps if there is a path from the parking lot to the ladder?

Thanks for your time,

Duncan

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Assistant to the Town Manager
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On Thu, Jan 19, 2023 at 1:57 PM Kelly Knotek <kknotek@vlct.org> wrote:

Hi Duncan,

Can you please provide a little more information on Overrocker Park and where the ladder would be going? What type of ladder are you considering? What is Umiak's interest in the project? If it will be on Town property, then the Town ultimately assumes liability for the ladder and any foot traffic using it unless there is a contract that states otherwise. Who would be maintaining the ladder for ongoing safety?

We may also reach out to our Loss Control Department if there are some additional Risk Management Guidance tips they can provide, but first want to get a better sense of what the project will entail.

Kelly Knotek

Vermont League of Cities & Towns PACIF

Senior Underwriter, Marketing Representative

802-262-1972 (direct line)

kknotek@vlct.org

From: Joe Damiata <jdamiata@vlct.org>
Sent: Thursday, January 19, 2023 1:05 PM
To: Kelly Knotek <kknotek@vlct.org>
Subject: FW: Ladder at Park to access Winooski River

Hi Kelly,

Can you or one of your staff get back to Duncan.

Thanks,

Joe

From: Gwynn Zakov <gzakov@vlct.org>
Sent: Thursday, January 19, 2023 1:03 PM
To: Joe Damiata <jdamiata@vlct.org>
Subject: Fw: Ladder at Park to access Winooski River

I believe this is for you folks?

From: Assistant to the Town Manager <dwardwell@richmondvt.gov>
Sent: Thursday, January 19, 2023 12:51 PM
To: Gwynn Zakov <gzakov@vlct.org>
Subject: Ladder at Park to access Winooski River

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Hi Gwynn,

I had another liability question come up this week and wondering if you can point me in the right direction.

Our Zoning Admin is wondering:

"just had a meeting with Umiak about putting in a ladder at overrocker park for people to access the river. At this point it looks like the town would either have to partner with Umiak to build it as it would be on town property. What impact could it potentially have on our insurance?"

Let me know if you need more information. Thanks for your time,

Duncan

Duncan E. Wardwell (he/him)
Assistant to the Town Manager
Town of Richmond
203 Bridge St.
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802-336-2092

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Tyler Machia <tmachia@richmondvt.gov>
To: Josh Arneson <jarneson@richmondvt.gov>

Thu, Mar 9, 2023 at 9:56 AM

----- Forwarded message -----

From: **Assistant to the Town Manager** <dwardwell@richmondvt.gov>
Date: Mon, Jan 23, 2023 at 9:16 AM
Subject: Fwd: FW: Ladder at Park to access Winooski River
To: Tyler Machia <tmachia@richmondvt.gov>

See the email below from PACIF about the ladder with Umiak.

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