



## TOWN OF WESTMINSTER

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10/1/14

David Deen  
House of Representatives

David,

I want to thank you for attending the meeting that was held today for the Town of Westminster. We have experienced a very costly bridge repair that was not fully funded by FEMA during "Tropical Storm Irene". The purpose of this letter is to compile the facts, as we know them, for you and explain the circumstances that led us to this point of a \$300,000+ burden. I was hired after Tropical Storm Irene as Town Manager and I have been working on these details for months trying to put all the pieces together. I am hoping for your help. The cost breakdown is attached and the timeline is below as requested.

8/28/11	Tropical Storm Irene hit Westminster
8/29/11	Covered Bridge Road "Bridge #35" damage was identified by State, FEMA (Ron Hamilton) and Local Officials
8/31/11	Emergency roadside tree removal got underway because of verbal approvals by ANR Officials (Todd Menees and John Schmeltzer)
9/1/11	Federal Emergency Management Disaster Declaration went into effect.
9/9/11	Verbal authorization for work to commence in river by ANR (Todd Menees)
9/12/11	Town sought bids for an engineering firm for bridge work
9/15/11	Town met with hired engineer David Eckman of Eckman Engineering, LLC at site
9/16/11	Proposal agreed upon from Eckman and work began
9/20/11	Site visit by Todd Menees, ANR Stream Alteration Specialist. Received verbal approval for remaining damage recommendations and removal of fallen trees in river
9/21/11	Town hires Bazin Bros. for the shoring up of free standing abutment to stop further damage as recommended by ANR (Todd Menees)
9/21/11	Eckman develops plan for bridge repair by State guidelines with amendments along the way
9/30/11	Post Irene In-Stream Alteration Permit (#343883) received and states that the original left abutment will be reinforced and a new abutment will be placed which will add approximately 40 ft. to the length of the existing bridge signed by Todd Menees. This confirms previous verbal communications by John Schmeltzer – River Management Program ANR
10/18/11	Cold River Bridges was awarded job at Selectboard meeting
11/1/11	Final hydrologic & hydraulic study submitted by Eckman for Official review
11/1/11	Cold River Bridges starts bridge repair

- 5/7/12 PW written by FEMA rep. Emmanuel Plakotos stating that this project is an "Improved Project" and FEMA will not pay for the complete job. This man did not set foot in Westminster, but was told what to report by others. No mention of documents supplied to him prior to the report were referenced in the final draft explaining how Westminster was guided to this point.
- 5/30/12 Cold River Bridges places finishing touches on bridge and approaches
- 6/25/12 Town Manager is asked by Ben Rose to supply additional information via e-mail for an "appeal"
- 6/27/12 Town Manager, Matt Daskal replies with the additional information that Ben Rose requested. This was done in time of the 60 day appeal process from date of PW written by E. Plakotos
- 6/27/12 Letter from Matt Daskal stating the Town's right of a review "Appeal" for further investigation and funding from a report that was not done with all the facts of the project.
- 7/17/12 E-mail to Charles Schaffer of SAIC (contractor hired by the State to assist Ben Rose's Public Assistance Team) regarding ANR's stream alteration permit requirements this project and how they were the governing body behind the Bridge's corrections. All of this information was laid out in our In-Stream Authorization permit.
- 8/22/12 Letter from Matt Daskal to Ben Rose stating that the Town is pursuing an Appeal to this project, still. "Please consider that the town of Westminster intends to seek several Scope Changes.... At this time please also note that we intend to pursue an Appeal of this project. The Town also wishes to reserve the right to seek an Improved Project."
- 9/7/12 Letter from Matt Daskal to the State trying to receive action in any/or all sources of funding stated from: approval of an alternate project, change in scope, appeal, or State of Vermont's appeal to FEMA regarding policy interpretations.
- Oct. 2012 to April 2013 Numerous e-mails from Ben Rose's office to Jim Matteau (Town's Aid) regarding an attempt at filing with 406 hazard mitigation funding and to obtain actual costs for the project.
- 2/12/13 Scope Change request submitted to FEMA by the State of Vermont on behalf of Westminster to cover actual costs including pavement and guard rails
- 2/13/13 Letter from FEMA, Ken Pinkham stating project was obligated & closed out on 6/19/12 and Appeal period is long gone. The Informal Appeal for a Scope Change was denied.
- 4/10/13 E-mails from Thad Leugemors of SAIC (contractor to help with Financial Recovery Services) says he is close to getting funding through 406, but needs final dollar amounts from the State.
- 4/22/13 Email from Thad Leugemors to Jim Matteau: "Unfortunately, to make an easy case for what the Town constructed as eligible 406 Mitigation, the actual project amount would need to be less than the above FEMA estimate minus the \$37,726 for mitigation. At this point it looks to be so far off the this avenue appears not feasible. I have copied Ben & Dan here to take a long look at it as well."
- 4/24/13 Request of Zoning Bylaws that the town of Westminster has which would prohibit the filling in of flooded lands man-made or otherwise per Ben Rose
- 6/11/13 E-mails from Ben Rose to Jim Matteau stating that Welch, Sanders, and Leahy have it now.
- 6/25/13 Letter from Selectboard requesting the possibilities of a CDBG – Disaster Recovery grant to Josh Hanford
- 10/24/13 My letter to Josh Hanford requesting aid

11/14/13      Conversation with Josh at Brattleboro seminar pushing me back to Ben Rose because of denial from his program. They do not fund finished projects going back to 8/28/11.

I am sorry for being so wordy, but the passion for our Town's need, accompanied by the knowledge that the Town was not completely at fault for the events that led to this shortfall, have weighed greatly on my first year here as Town Manager. No question, we have proved that the Town was told what to do, how to do it, and that funding would be available from FEMA as they caught up with their paperwork. We understand this was a uniquely difficult situation in which the FEMA generated project worksheet (PW), was done after the fact, did not address the true cost of the work that had already been completed based on guidance from State officials, leaving the Town of Westminster in a difficult financial predicament. It is with great intentions and anticipation that we will all work together to come to a mutual agreement and resolution regarding this matter. Thanks again for your consideration.

Respectfully,

  
Russell R. Hodgkins  
Town Manager



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**SUMMARY OF:**

**Total Money Spent for FEMA PW #2424**  
*Covered Bridge Road Bridge #35*

<b>Total Money Spent</b>	<b>\$ 534,238.20</b>
<b>FEMA Paid (FEMA Project total \$229,068)</b>	<b>\$ 206,161.20</b>
<b><u>ERAF Paid</u></b>	<b><u>\$ 11,453.40</u></b>
<b>Unpaid Portion</b>	<b>\$ 316,623.60</b>

**If Project Cost Was Deemed Fully Eligible by FEMA**

<b>Total Money Spent</b>	<b>\$ 534,238.20</b>
<b>FEMA Would Pay</b>	<b>\$ 480,814.38</b>
<b><u>ERAF Would Pay</u></b>	<b><u>\$ 26,711.91</u></b>
<b>Towns Portion</b>	<b>\$ 26,711.91</b>

**Funding Gap**

<b>Unpaid Portion</b>	<b>\$ 316,623.60</b>
<b><u>Towns Portion (Typical)</u></b>	<b><u>\$ 26,711.91</u></b>
	<b>\$ 289,911.69</b>