

Bristol Town Administrator's Report

August 16, 2019

The Town Administrator's Report is intended to assist the Selectboard, and in its other capacities as Water Commission, Sewer Commission, Liquor Control Commission, etc., with the conduct of their regular or special meetings. References made to enclosures relate to printed or electronic documents provided in advance of or at the meeting and may be found online at bristolvt.org/meeting-minutes. This report is also intended to provide information to Town officials and the public about Selectboard activities and other Town affairs. Except as provided under Vermont's public records laws, all documents are available upon request.

Monday, August 19, 2019 Meeting Agenda and Materials

I. CALL TO ORDER

Item I.1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A). Among the amendments to the open meeting law that took effect July 1, 2014 is a requirement that "an item may only be added or removed from a meeting agenda as the first order of business at the meeting. Other adjustments to an agenda may be made at any time during the meeting."

RECOMMENDATION: Review and consider adjustments to the agenda.

II. PUBLIC FORUM

This is an opportunity for citizens to briefly share comments and concerns with the Board about matters *not already on the agenda*. Public Forum should not be used for lengthy discussion of a new topic, both for time management of the meeting and to allow for the public to receive notice of the matter on a future agenda.

III. SCHEDULED APPOINTMENTS

Item III.1. Bob Spofford – continuation of water repair invoice appeal. This is a continuation of the matter from the previous meeting for an opportunity to review the enclosed photos of the June 11 and June 12, 2019 repair.

RECOMMENDATION: Acting as the Water Commission, determine if additional information is needed.

Item III.2. Meridith McFarland: Use of Coffin Trail for Halloween event and other Halloween ideas. Recreation Director Meridith McFarland would like to explore the opportunity to use the Coffin Factory Trail for a Halloween-related event, possibly tied with other anticipated and potential Halloween events planned in town.

RECOMMENDATION: Discuss the details and any concerns; determine if additional information is needed.

Item III.1. Melanie Kessler: Safe Routes to School Pleasant Street greenway proposal. Enclosed is a safety audit report prepared by Allegra Williams of Local Motion for the Bristol Elementary Safe Routes to School Task Force. Also enclosed is a proposal to implement one of its strategies: to install temporary greenway improvements on Pleasant Street, advertise, and assess neighborhood feedback during a 1-2 week period

at the beginning of October in conjunction with promotion of International Walk to School Day on October 2nd. See page 10 of the audit report for more details about a greenway. Allegra Williams may be present in body or patched in by phone to provide additional information. Police Chief Nason and Public Works Foreman Cota were provided with the information and will be at the meeting.

RECOMMENDATION: Get input from the Public Works and Police Departments Determine if additional information is needed.

IV. REGULAR BUSINESS

Item IV.1. 70 Devino Lane: possible violation of ROW permit specifications. Enclosed are the permit approvals for a water connection, curb cut, and work in the Town highway right-of-way for development at 70 Devino Lane. Concern had been expressed that the material might not have been compacted in accordance with the specifications in Section 7 of the ROW permit. There may have also been a miscommunication about by when the open cut needs to be paved. Though not yet indicated on the permit application, the \$250 deposit was eventually paid. 9 VSA Section 1111 establishes the Selectboard's authority to control work on a Town highway and issue and enforce permits.

RECOMMENDATION: Clarify the expectation for when the open cut is expected to be paved. Determine if corrective action is necessary.

Item IV.2. Consider options for repair or replacement of DPW International DuraStar Dump Truck (Truck #2). The 2013 low profile dump truck has been in the repair shop for a while and we are told it needs a new motor. Eric and others have been scoping out options for repair or whether we should consider replacing it. It is currently scheduled for replacement in FY2023. Public Works Foreman Eric Cota will provide additional information at the meeting.

RECOMMENDATION: Determine if additional information and/or Equipment Committee input is needed.

Item IV.3. Public Works updates: North Street risers, paving, dry well installations, etc. This is an opportunity for Eric to provide updates on the various public works projects under way or soon to be under way.

RECOMMENDATION: Discussion.

Item IV.4. Mountain Street sidewalk replacement project update. We received word this week from Sargent Concrete and Construction that, due to an unexpected change in circumstance, they will not be able to begin sidewalk replacement project as planned and would not be able to complete it before school starts. Options include postponing the project until spring, revisit the other bidders, put the project back out to bid, or consider some other option(s).

RECOMMENDATION: Consider deliberation in Executive Session regarding contract negotiations.

Item IV.5. Consider Jackman's Fuel prebuy offer of fuel for Town operations for the period September 1, 2019 through April 30, 2020. Enclosed are the annual prebuy offers for heating fuel for each of the municipal facilities from Jackman's at a prebuy rate of \$1.80 per gallon. The non-prebuy rate will be determined at the time the fuel is purchased either without or beyond the prebuy allocation. The prebuy rate in FY2019 was of \$1.85 per gallon and the non-prebuy rate was \$2.02. The prebuy rate in FY2018 was \$1.65 and non-prebuy rate was \$2.10. More information will be available at the meeting.

RECOMMENDATION: Accept the proposed pre-buy contracts.

Item IV.6. Consider citizen inquiry about Town's interest in conveying Town-owned parcel on Mountain Street. Enclosed is a memo from Steven Bright inquiring whether the Town would be interested in conveying the small parcel adjoining his property on Mountain Street. As noted in Town Administrator Bill Bryant's letter of October 24, 2008, the Town acquired it in 1991 as the result of a tax sale. Any conveyance of Town real estate would need to comply with the 30-day public notice requirement spelled out in 24 VSA Section 1061.

RECOMMENDATION: Consider discussion in Executive Session regarding real estate negotiations.

Item IV.7. Core Area Sewer application to increase allocation: Michael and Susan Keith, 20 Main Street. Enclosed is an application from Michael and Susan Keith for an additional allocation of sewer capacity for their property at 20 Main Street, in accordance with the guidance from LaRose Surveys. This came about unexpectedly as the state apparently changed the flow rates for uses related to the property, resulting in the need for 86 additional gallons per day, or average daily flow (ADF).

According to the Core Area Sewer Fee Schedule:

“Fee for increase of user's allocated ADF Limit: \$625 for the first additional 100 gallons of increased ADF, and \$312.50 for each additional 100 gallons of ADF requested to be added to the user's previously approved ADF Limit. Half of fee (50%) due and non-refundable at time of submission of application, and half of fee (50%) due upon approval of application.”

Without knowing yet at what point in time the flow rate was changed (before or after the Keith's March 2019 application?), I question whether the adjustment should apply. If, in fact, this additional allocation is required, it is not clear how to interpret the fee schedule in this case. As a result, the Keiths were not asked to provide the 50% application fee at this point.

This is on the agenda despite these questions so not to add delay to the Keith's ability to obtain the necessary state approvals for their enterprises.

In an 08/15/2019 e-mail, Bryan Harrington with the state Wastewater Division calculated "the uncommitted reserve capacity for Bristol to be 205 gpd based on the average daily flows reported over the last 24 months (July 2017 – June 2019) and historic BOD and TSS concentrations."

RECOMMENDATION: Approval, if in fact the adjustment is deemed to be required. If this is determined to be a correction to their initial March 2019 application, then the \$312.50 for each additional 100 gpd would apply.

Item IV.8. Consider establishment of Town-wide Police Department Study Committee. Enclosed is a preliminary timeline prepared by Police Chief Bruce Nason for the establishment of a committee to study the Police Department being expanded town-wide in preparation for a Town vote. The schedule may be a bit ambitious; however, I appreciate the time-sensitivity.

The Police Department's lease for its current location ends in October 2023. If the plan is for them to move to a new facility, that planning needs to begin as soon as possible regardless whether a town-wide expansion is approved, but it would be important to know what capacity to plan for. It has been said that the amount being paid in rent is equivalent, more or less, to what a bond payment would be. Facility expenses in FY2020 are currently budgeted for \$43,000.

Bruce initially suggested a special Town vote in January 2020 so the information would be fresh in voters' minds and it would help inform the FY2021 budget for March 2020.

Suggested Committee composition: 2 business people, 2 District residents, 2 non-District residents, 1 Selectboard member, and the Chief.

RECOMMENDATION: Authorize the formation of a Police Town-wide Study Committee and recruitment of members. Perhaps the Committee should be tasked to recommend whether to aim for a special Town vote in January or plan on it being on the ballot at the March Town Meeting, along with the corresponding FY2021 budget, if the result of the Committee's study and recommendation is that it go town-wide. If their recommendation is for the status quo, no vote would be needed. This may coincide with a bond article for voter approval for funds to begin the design, permitting, and construction of a new facility.

Item IV.9. Consider bond sale bids for the public \$259,715.60 stormwater improvement bond and \$572,803.24 public water system improvement bond. Enclosed is the required notice for the West Street infrastructure bond sales. Bond Counsel Paul Giuliani advised that it is a legal formality and, at the moment, USDA Rural Development is the only contender.

RECOMMENDATION: If no other bids are received by 12:00pm, August 19, 2019, vote to accept the USDA Rural Development's terms of the bond purchase.

Item IV.10. Approval of August 5, 2019 meeting minutes. Preliminary draft minutes of the August 5, 2019 meeting are available on-line and are still in the process of being reviewed. They can be expected to be e-mailed and posted on-line prior to the meeting.

V. OTHER BUSINESS.

Item VI.1. Correspondence, documents, reports received.

- Budget status report through 07/31/2019.
- Revolving Loan Fund status report through 07/31/2019.

VII. EXECUTIVE SESSION.

The Selectboard may wish to deliberate in Executive Session per 1 V.S.A. §313(a)(3) regarding personnel matters per 1 V.S.A. §313(a)(3) and/or potential contract negotiations per 1 V.S.A. §313(a)(1)(A).

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Emerald Ash Borer Follow-Up

The Conservation Commission began discussion of the Emerald Ash Borer situation at their meeting on Thursday, August 8 and their role in the EAB planning, management, and public information sharing. They are in the process of reviewing the EAB management plans of Montpelier, Rutland, and Middlebury. A number of ash trees were recently identified at Sycamore Park. They will resume discussion at their September 12, 2019 meeting.

U.S. 2020 Census

Kris Perlee and I met with U.S. Census Partnership Specialist Peter Hathaway earlier this month about planning for the upcoming U.S. Census. He emphasized the need to get as accurate a population count as possible and is asking for the Town's support and assistance to get the word out to citizens encouraging everyone to complete the census throughout the process.

Town Office Entry Door Changes

Folks who came by the Town Office recently will have noticed that the interior door handle is broken and the door is being held open with an assortment of bungee cords. Michael from Middlebury Lock will be here on Aug. 19 to fix it. We caught him just before he headed out for training/vacation and would not be able to get to it sooner. Earlier this year we asked him for a quote for the installation of the same digital keypad lock that Meredith arranged to have installed on the other side of the building. At staff and department heads meetings this was discussed and there was universal support for going with this system for the Town Office entrance. I/we just hadn't gotten around to making the arrangements. The updated quote is \$1,234. After determining it could be paid for from the Holley Hall maintenance budget line rather than the Capital Building Fund, we seized this opportunity to have him order the digital lock unit, install it, and replace the interior door handle on Aug. 19.

Schedule

Unless otherwise noted, I expect to be in the office from 8:00am to 4:30pm, though anything can change from day to day and often does ...

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Week of August 19

Monday: 9:30am – Howden Hall painting logistics meeting at Howden Hall
7:00pm – Selectboard.
Tuesday: In around 12:00pm.
Wednesday: 6:30pm – Addison County Regional Planning Commission re TAC study request.
Thursday: 9:00am – Table Top Emergency Mgmt training exercise, Holley Hall.
Friday: 8:00am – ACEDC REDS committee in Middlebury.

Week of August 26

No scheduled appointments! Yet.

Upcoming Meetings

Below are meetings that citizens, staff, board members, or others might be interested in. Underlined entries include on-line links for more information about the organization.

- [Selectboard](#): Mon., Aug. 19, 7:00pm, at Holley Hall.
- [Planning Commission](#): Tues., Aug. 20, 7:00pm, at Holley Hall.
- [Bristol Energy Committee](#): Weds., Aug. 21, 7:00pm, at Holley Hall.
- Labor Day: Mon., Sept. 2 -- Town Office will be closed.
- [Selectboard](#): Mon., Sept. 2, 7:00pm, at Holley Hall.
- [Bristol CORE](#): Weds., Sept. 4, 9:00am, Holley Hall.
- [Conservation Commission](#): Thurs., Sept. 12, 6:00pm, at Holley Hall.
- [Selectboard](#): Mon., Sept. 16, 7:00pm, at Holley Hall.

Upcoming Agenda Items

Likely agenda items for upcoming meetings include:

- Ash tree EAB response planning.
- FY2019 4th quarter budget review.
- Stoney Hill infrastructure expense determination.
- Bristol Fire Dept. policies review.
- Police Department policies review.
- Police Union contract review.
- Class 4 highways maintenance policy.
- Winter maintenance policies and practices town-wide and for Main Street sidewalks.
- Process to become a Certified Local Government (CLG).
- Continued appointment/reappointment of local officials, incl. MAUSD Bristol representative.
- Adirondack View right-of-way status.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator