

# Bristol Town Administrator's Report

August 30, 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](http://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, September 2, 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. CONSENT AGENDA**

Item III.1. Request for Town to participate in the Turn Bristol Teal for Ovarian Cancer Awareness Month in September. Enclosed is what has become an annual request from the *Turn the Towns Teal* national campaign for the Town of Bristol to participate for the month of September. The Selectboard has approved this request each year since 2013.

RECOMMENDATION: Approval.

Item III.2. Request to use Technology Reserve Fund for purchase of two replacement Town Office computers. Enclosed is a quote from state Dell contractor of \$1,683.08 for the replacement of the Town Administrator and Lister computers, which are the two oldest among those in the office. This cannot happen soon enough, because it seems my computer is on its last bytes. The balance in the account is currently \$11,108.80.

RECOMMENDATION: Approval to use Technology Reserve Funds for the purchase of the new computers.

Item III.3. Recreation Dept. grant authorization request: Vermont Governor's Council Community Wellness Program for mountain bike camp. Enclosed is a Recreation Department grant summary request for authorization to apply to The Vermont Governor's Council

Community Wellness grant program for \$4,000 to establish a Mountain Bike Program. The funds would help provide bike tools, safety equipment, and additional instructors for this popular program.

RECOMMENDATION: Approval.

Item III.4. Consider purchase and installation of convex safety mirror on GMP pole at North and Garfield Street. Last year Porter Knight brought to the Selectboard her concerns about safety and the poor visibility from Garfield onto North Street of northbound traffic when there are obstructions on the corner, such as parked vehicles and/or snowbanks, and requested that a convex mirror be installed. Enclosed is information about different model options, costs, and a draft agreement from Green Mountain Power to allow attachments to their pole. The units appear to cost less than \$100. GMP is agreeable to the installation, subject to return of a signed Agreement.

RECOMMENDATION: Approval to purchase a 26" mirror; authorize Town Administrator to coordinate the details of installation and complete Schedule A and sign the GMP Temporary Attachments Agreement.

#### **IV. REGULAR BUSINESS**

Item IV.1. Continued consideration of options for repair or replacement of DPW International DuraStar Dump Truck (Truck #2). We have been advised that the motor in the 2013 low profile dump truck needs to be replaced due to lack of compression in two cylinders. The Equipment Committee (Peter Bouvier, Pecker Heffernan, Ken Johnson, Randy Sargent) met with Eric Cota and me on Tuesday, August 27. Eric presented a range of options for replacement of the motor, purchase of a used truck, and purchase of new truck. It is currently scheduled for replacement in FY2023. After much discussion, the Equipment Committee recommended accepting J&B International's quote to replace the motor for \$23,987.99 (round up to \$24,000), provided Eric confirms to his satisfaction that it is a firm price and nothing was left out that would be tacked on. More information may be available at the meeting.

RECOMMENDATION: Determine if more information is needed. Accept the J&B International quote for replacement of the motor, per the Equipment Committee's recommendation.

Item IV.2. Formation of Town Wide Police District Study Committee and appointment of members to it. Enclosed is a list of the ten individuals who expressed interest in serving on the Town Wide Police District Study Committee: 2 business leaders, 3 in-District, and 5 outside-District. The notice was posted on Front Porch Forum several times, Facebook, at the Town Office, and at Shaw's.

RECOMMENDATION: Discussion. Consider deliberation in executive session.

Item IV.3. Police Department Fair and Impartial Policy review. Enclosed is the proposed update of the Police Department Fair and Impartial Policing Policy. It is adapted from the

VLCT model policy, has been vetted by VLCT and others, and meets the legislative requirements. The Selectboard has adopted earlier versions of this and other policies in the past. There is a question now whether the such policies are intended to be "adopted" by the Selectboard, or if some other review and acceptance process is appropriate. VLCT Law Enforcement Consultant Trevor Whipple noted that there is no requirement he is aware of for Selectboards to adopt law enforcement policies. He "... would caution that some components of them may be elements that would be unwise or unsafe to have be made public. The VT Public Records Act does provide an exemption for some law enforcement records under 1§317 (c)(5)(A)(v) [*would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecution if such disclosure could reasonably be expected to risk circumvention of the law*].

Police Chief Nason will be present to help explore this question.

**RECOMMENDATION:** Determine if additional information is necessary and how the Selectboard would like to move forward with review of updated Police Department policies.

Item IV.4. Andrew Johnson bequest investment options. Enclosed is a list of investment options for investment of the Andrew Johnson bequest. At the January 21, 2019 meeting, the Selectboard voted to "invest the money and use the interest only to fund trees, trails, and forest-related projects that evoke the memory of Andrew Johnson every year. If one year the Selectboard decides not to use the interest and invest it again, then at least talk about it and take the opportunity to remember Andrew Johnson and his generosity." The funds have been in a money market account since they were received in September 2018 and have earned approximately \$175 in interest.

Enclosed for reference is the Town of Bristol Investment Policy, adopted in 2013.

Peoples United Bank offers the highest fixed interest rate CDs of those surveyed, from 1.15% to 1.35% depending on whether a 3, 6, or 9 month term; however, National Bank of Middlebury offers a 17-month variable rate CD of 2.11%, though the rate could also drop throughout the term. Town Treasurer Jen Myers intends to be present to provide more information and discuss options.

**RECOMMENDATION:** Determine if additional information is necessary.

Item IV.5. Consider designation of voting delegate for the Vermont League of Cities & Towns annual business meeting, Wednesday, October 2, 2019. Enclose is the 2019 VLCT Delegate Designation Form for the VLCT annual business meeting on October 2, 2019 at Killington. I have been the delegate in the past, but I will not be attending this year and want to the Selectboard to have the opportunity to see if anyone else wishes to go to the Town Fair and/or to represent the Town of Bristol at VLCT's annual meeting. I sent an e-mail out to folks to see if anyone was interested and did not get any takers. VLCT asks that the form be returned by September 20, 2019.

RECOMMENDATION: Determine if anyone else would like to be appointed to go.

**V. OTHER BUSINESS.**

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

- E-mail, 08/30/2019, re kudos to Meridith for successful mountain bike camp.
- E-mail, 08/28/2019, re reducing speed limits to 25 on Village residential streets.
- E-mail, 08/23/2019, re Mountain Street sidewalk replacement.
- Letter of grant award, 08/27/2019, from the VTrans Bike Ped Program for the Main Street Sidewalk and Lighting project.
- E-mail invitation from ACRPC, 08/30/2019, to emergency prep meetings.
- E-mail invitation from VLCT, 08/29/2019, re Sept. 18 Opioid Action Forum in Montpelier.

**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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**VTrans Bike Ped Grant Awarded**

I am happy to report that we received a grant award of \$42,000 toward from the VTrans Bike & Pedestrian Grant Program for the Main Street Lighting and Sidewalk Improvement Project! We were able to obtain this largely because replacement of the south side sidewalk is expected to improve drainage, safety, and ADA access. Below is an updated summary of estimated project expenses and the Town's balance.

<b>EXPENSES</b>	<b>Original Alt B Plan</b>	<b>Alt B w/ VTrans</b>	<b>Diffs</b>
Estimated Construction Costs	\$296,157.00	\$208,748.96	-\$87,408.04
10% +/- Construction Contingency	\$29,615.70	\$20,874.90	-\$8,740.80
Design Fee (in current contract)	\$38,000.00	\$38,000.00	\$0.00
Additional Design Fee	\$37,000.00	\$37,000.00	\$0.00
Construction Inspection (10%)	<u>\$29,615.70</u>	<u>\$0.00</u>	<u>-\$29,615.70</u>
<b>Opinion of Probable Construction Subtotal</b>	<b>\$431,000.00</b>	<b>\$305,000.00</b>	<b>-\$126,000.00</b>
 <b>REVENUES</b>			
Downtown Transportation Fund Grant		-\$100,000.00	
VTrans Bike Ped Grant		-\$42,000.00	
 <b>PROJECT BALANCE</b>		 <b>\$163,000.00</b>	

**Basin Street Issues**

The recent repair to the culvert and sidewalk above Basin Street, in conjunction with a visit from a concerned Basin Street resident about the wooded hillside and street's structural integrity, conversations with Eric Cota, and my own curiosity prompted me to explore what prior studies had been done to address Basin Street's situation. Turns out that Green Mountain Engineering completed a preliminary engineering report of that area in November 2008 (almost 11 years ago)

that presented three alternatives to address the steep grade of the road, the inadequate landing at the top, deteriorated retaining walls, and stabilization of the wooded hillside. Alan Huizenga of GME is going to reach out to GeoDesign, Inc. of Windsor, VT for a quote to update the information they produced for the report and will then get back to us with a cost proposal for an overall update.

With stormwater, infrastructure, and transportation funding now available from various sources, now may be a good time to seriously pursue improvements to that area.

### **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 ...

#### **Week of September 2**

Monday: In around 3:00pm.  
7:00pm – Selectboard.  
Tuesday: Out of the office.  
Wednesday: 9:00pm – Bristol CORE  
1:00pm – EMD meeting in Vergennes sponsored by the ACRPC.

#### **Week of September 9**

Tuesday: 9:00am – Cat 4 Emergency Prep. Conf. call  
9:30am – Dr. appts. in Berlin.  
Thursday: 10:00am – Dr. appt. in Burlington.  
Probably working remotely from Burlington the rest of the day.

**NOTE:** I will be out of the office from Sept. 15 through Sept. 27, which means I will not be at the Sept. 16 Selectboard meeting and will not be able to participate significantly, if at all, in preparation for the Sept. 30 meeting.

### **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.

- 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.
- Planning Commission: Tues., Sept. 17, 7:00pm, at Holley Hall.
- Bristol Energy Committee: Weds., Sept. 18, 7:00pm, at Holley Hall.
- Selectboard: Mon., Sept. 30, 7:00pm, at Holley Hall.

### **Upcoming Agenda Items**

Likely agenda items for upcoming meetings include:

- Ash tree EAB response planning.
- Stoney Hill infrastructure expense determination.

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- Basin Street improvements next steps.
- Police Department policies review.
- Bristol Fire Dept. policies review.
- Police Union contract review.
- Class 4 highways maintenance policy.
- Winter maintenance policies and practices town-wide and for Main Street sidewalks.
- Budget and Capital Improvement Plan timelines.
- 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