

**Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday August 19, 2019**

Selectboard members present: Chair Joel Bouvier, Vice-Chair Ted Lylis, Peter Coffey, Peeker Heffernan, and Michelle Perlee.

Staff present: Board Clerk Tasha Bouvier, Town Administrator Valerie Capels, Public Works Director Eric Cota, Recreation Department Director Meredith McFarland, Town Clerk/Treasurer Jen Myers, and Chief of Police Bruce Nason.

Others present: Rene Carpenter, Melanie Kessler, Shawn Kimball (NeatTV), John Moyers, Slim Pickens, Jim Quaglino, Christopher Ross (*Addison Independent*), Gerry Slager, Bob Spofford, and Mary Yates.

I. Call to Order.

1. Chair Joel Bouvier called the meeting to order at 7:00 p.m. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). There were no additions, removals, or adjustments.

II. Public Forum.

Jim Quaglino asked to be heard about #8 before the dialog starts.

Slim Pickens reiterated his concerns about pesticides being used in the town. Although it is legal in the town to use the pesticides, he found the Town does have the authority to regulate their use and would like for it to be looked at and the threat to people using them. He would still like the town to investigate this.

John Moyers would also like to speak about #8 on the agenda and will wait until that comes up. He also wanted to mention the drainage and sidewalk issues on Mountain Street where there is a big pothole at the Trading Post. He asked that this problem be fixed.

III. Scheduled Appointments.

1. Bob Spofford: continuation of water repair invoice appeal. The Selectboard discussed this in depth and concluded that the repair was after the curb stop, which is the homeowner's responsibility not the Town's, so the invoice still stands. This was deliberated further in executive session.

2. Meredith McFarland: Use of Coffin Trail for Halloween event and other Halloween ideas. Recreation Director Meredith McFarland described that the event she is proposing would start at Holley Hall and walk down South Street to the Coffin Factory trail and then toward the Fire Station on either October 26, 2019 or on Halloween. It would be for ages 3-10 years old. There are twigs, etc. that would need to be picked up on the trail without disturbing historic features. It would be canceled if the weather is bad. The Selectboard came to a consensus to support Meredith continuing to look into the event further.

3. Melanie Kessler: Safe Routes to School Pleasant Street greenway proposal. Melanie Kessler presented a report prepared for the Safe Routes to School Task Force and wanted to

explore where they go from here. They are interested in implementing a temporary—two the three weeks—pop-up project on Pleasant Street and obtain community feedback about how it was received. She also delivered a PowerPoint presentation on Pop-up Projects. The Selectboard would like to see a more detailed summary of what she and the Task Force would like to do. There was agreement that she will have Allegra Williams from Local Motion come and present more information at a future Selectboard meeting, including what the proposed project would actually look like

IV. Regular Business.

1. 70 Devino Lane: possible violation of ROW permit specifications. Concerns were expressed about the adequacy of the compaction of the ditch for the new water line. Rene Carpenter said if the property does sell, he would come back and topcoat it. Joel Bouvier suggested that the determination should be reserved to the Public Works Director. Concerns were expressed that no trench box was used when Rene Carpenter did the ditch work. Peeker Heffernan explained that because Mr. Carpenter is the owner/contractor there is no liability on him ; however there would have been if an employee was asked to go into the ditch. Rene Carpenter said he filled in the ditch up to his waist and compacted after that. Peter Coffey moved that the road cut be paved by October 1, 2019 and between now and then the potholes will be filled and leveled when needed. Ted Lylis seconded. So voted. The paving must last for one year otherwise he will need to fix the paving again.
2. Consider options for repair or replacement of DPW International DuraStar Dump Truck (Truck #2). Eric Cota explained that truck #2 needed repairs and he was advised it needs a new motor. Two of the cylinders in the motor are low compressions. Quotes were received for new and used trucks from International and Charlebois as well as three motor replacement options. The consensus was to investigate putting a new engine into the truck but go to the Equipment Committee first and get their feedback and get additional quotes.
3. Public Works updates: North Street risers, paving, dry well installations, etc. Eric Cota explained that the North Street risers are not deep enough to put them in because the shortest they come is one inch and would stick up above the pavement. Cutting them in half would not be an option. The Selectboard supported his recommendation that cold patch be used rather than hot mix to fill in the holes because it would be easier to chip out in case they need access.

He is hoping to pave Notch Road this week depending on what is decided for the catch basin at the top of Basin Street. There was agreement to leave the 100+ year old stone-lined sluice in place and replace the pipe in the same alignment that had rotted.

The West and East Street drywells are in and have been cored. For staging, there was consensus that only those units that are planned to be installed right away would be staged in some of the parking spaces; the rest would be stored at Heffernan's pit and brought down when ready.

Eric is thinking about paving from Hewitt Road Bridge to the bottom of Tatro Hill in the Lower Notch and not pave the Notch but just ditch it. It would be about three weeks of work. The Notch would be another three weeks to ditch, replace two culverts, and add stone to get it ready

for paving next year. Shimming might also be an option. There are also about two weeks worth of sand that needs to be drawn.

4. Mountain Street sidewalk replacement project update. Valerie Capels explained that the contractor that was awarded the bid for the sidewalk needs to delay the project due to a change in circumstance. Peter Coffey noted that the sidewalk is in such bad shape, it would be best if it could be done before the winter comes. Eric noted that the contractor does not know if he will be able to do it by this fall. The Selectboard will discuss further in executive session regarding contract negotiations.

5. Consider Jackman's Fuel pre-buy offer of fuel for Town operations for the period September 1, 2019 through April 30, 2020. This is just for propane. Ted Lylis moved to accept Jackman's Fuel pre-buy for the following: Town of Bristol Holley Hall generator: Prebuy \$1.80 per gallon. Total amount due \$180. There is a \$152.30 credit which is why only \$180 is due. Total was \$332.30. Town of Bristol Dog Pound: prebuy \$1.80 per gallon. Total amount to be paid \$540.00. There is a credit of \$89.70, so the amount due is \$450.30. Town of Bristol Pottery Kiln: prebuy \$1.80 per gallon. Total amount to be paid \$450.00. There is a credit of \$105.44, so the amount due is \$344.56. Town of Bristol Pump House: prebuy \$1.80 per gallon. Total amount to be paid \$671.40. There is a credit of \$671.53, so the amount due is \$0. Town of Bristol Hub prebuy \$1.80 per gallon. Total amount to be paid \$1,015.20. There is a credit of \$1,015.08, so the amount due is \$0. Town of Bristol Pottery (meter): prebuy \$1.80 per gallon. Total amount to be paid \$630.00. There is a balance of \$5.13, so the amount due is \$635.13. Town of Bristol Fire Station: prebuy \$1.80 per gallon. Total amount due is \$5,040. Town of Bristol garage: prebuy \$1.80 per gallon. Total amount due is \$2,700. Peeker Heffernan seconded. So voted.

6. Consider citizen inquiry about Town's interest conveying Town-owned parcel on Mountain Street. May include deliberation in executive session. Move to executive session regarding real estate negotiations.

7. Core Area Sewer application to increase allocation: Michael Susan Keith, 20 Main Street. Valerie Capels affirmed that the change in state flow rate for this use did take effect before the Keith's application was complete. She recommended this allocation be considered a correction to their original application. Peeker Heffernan moved to approve additional 86 gallons per day for and application fee of \$312.50. Ted Lylis seconded. So voted.

8. Consider establishment of Town-wide Police Department Study Committee. Jim Quaglino said this has been in the works for 16 years and all the information was given to the former Chief. This was never brought to the Police Advisory Committee. All the information was collected already; all that needs to be done is the numbers what it would cost the taxpayers need to be updated. He said there should be a vote at Town Meeting and put a non-binding resolution that yes or no to go Town wide. Bruce Nason said in 3-4 years the location for the Police Department will need to be decided and that would coincide with will the Police Department go Town wide. John Moyers suggested the committee should have industry residents and he would like to be on the committee. There was consensus of the Selectboard that there will be 7 members plus 1 Selectboard member. Jim Quaglino would like to be on the

committee. The Selectboard agreed with Bruce Nason's suggestion that the committee be comprised of 2 businesspeople that live in Bristol, 2 non district members, 2 district members, a Selectboard member, and himself. Jen Myers noted that if it is voted on Town Meeting day in March 2020, the budget would not start until July 2021. Valerie Capels will post the notice about looking for committee members on Facebook, Front Porch Forum, and elsewhere.

9. Consider bond sale bids for the public \$259,715.60 stormwater improvement bond and \$572,803.24 public water system improvement bond. Jen Myers noted that these improvements have already been done and approved by the voters. Valerie Capels noted that no other bids were received and the only offer on the table is from USDA Rural Development. Peter Coffey moved to accept USDA Rural Development offer. Peeker Heffernan seconded. So voted.

10. Approval of August 5, 2019 meeting minutes. Michelle Perlee moved approve with one minor correction. Peter Coffey seconded. So voted.

11. Authorize accounts payable warrant and any liquor licenses: \$97,058.51.

12. Selectboard Concerns.

Peter Coffey expressed concern about the weeds on Main Street, particularly around the hydrant. Valerie Capels said Carol Wells called and said last year she hired an intern or student to remove weeds around her area and offered to see if he was available if the Town would pay him. Bruce Nason said he would take care of it.

Ted Lylis asked if it is possible to start working on a noise ordinance. Joel Bouvier recalls the Trustees may have passed an ordinance in the 1970s or 1980s. There was consensus to add it to the to-do list, but it is not a priority. Michelle Perlee suggested looking at what other towns have done. Ted reported that Mr. Lathrop has asked if the catch basin by his driveway across from the greenhouse on North Street could be fixed before winter; it is either too high or the pavement is too low and the water cannot get into it. Ted noted he is still finding dog poop bags and wishes people could catch who is doing it.

Joel Bouvier asked if Bruce Nason could patrol Munsill Ave and see if there are speeders going up and down that road since Melanie Kessler mentioned this. After the Emerald Ash Borer meeting last month, he spoke with Chris Olson, who said the cost to inject the trees is \$12 per inch of the width (diameter) of the tree once every other year. There are five ash trees on the park. Chris Olsen recommended that the dead limbs be removed before treating the trees.

13. Town Administrator's report.

Valerie Capels reported that the change to the entry lock has not happened yet, hopefully sometime this week

V. Other Business.

1. Correspondence, reports, correspondence received.

VI. Executive Session.

Michelle Perlee moved to enter executive session finding that premature general knowledge would clearly place the Selectboard or other parties at a substantial disadvantage regarding contract negotiations per 1 V.S.A. § 313(a)(1)(A), and personnel matters per 1 V.S.A. § 313(a)(3). Peeker Heffernan seconded. so voted. Jen Myers was invited to attend the executive session.

The Selectboard met executive session from 9:24pm to 10:17pm. Upon returning to open session, Peeker Heffernan made a motion to accept Firefighter Fojo's request for leave of absence with the provision that it be a full leave. Michelle Perlee seconded. So voted.

Peeker Heffernan made a motion for the Water District to pay for one half (50%) of Mr. Spofford's water line repair invoice with Mr. Spofford responsible for the other half. Michelle Perlee seconded. The motion failed 1 - 4 with Joel Bouvier voting in favor.

Ted Lylis made a motion for the Water District to pay for three quarters (75%) of Mr. Spofford's water line repair invoice with Mr. Spofford responsible for the other quarter (25%). Peeker Heffernan seconded. The motion failed 2 - 3 with Joel Bouvier and Ted Lylis voting favor.

Peter Coffey made a motion to follow the Water Ordinance policy and for Mr. Spofford to pay the full bill. Michelle Perlee seconded. The motion passed 3 - 2 with Joel Bouvier and Ted Lylis voting against.

Regarding the Mountain Street sidewalk replacement project, there was consensus of the board to leave the option open through the end of this construction season for Sargent's to complete the sidewalk project. If that cannot happen and Sargent's is willing to hold their bid price into next year, the board will allow the contract to carry over. If that will not be an option, the project should be put back out to bid in November for construction next year.

VII. Adjourn.

Upon a motion by Peter Coffey, seconded by Michelle Perlee, the meeting was adjourned at 10:20pm.

Respectfully submitted,

Tasha Bouvier
Board Clerk

Valerie Capels
Town Administrator