

**Town of Bristol, Vermont**  
**Selectboard Meeting Minutes of**  
**Monday June 24, 2019**

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

Staff present: Board Clerk Tasha Bouvier, Town Administrator Valerie Capels, Town Clerk Jen Myers, Police Chief Bruce Nason.

Others present: Mary Arbuckle (NEATv), Matt Baron, Carolyn Dash, Carla Fenner, Janet Hill, Paul Hill, Porter Knight, Jill Marsano (VTUMS), Slim Pickens, Jim Quaglino, Katie Reilley.

**I. Call to Order.**

1. Chair Joel Bouvier called the meeting to order at 7:0 p.m. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). Valerie Capels suggested that Police Chief Nason's recommendation for the sale of the Police cruiser be added under Other business #2 .

**II. Public Forum.**

1. Slim Pickens expressed concerns about the pesticides being sprayed near the Rite Aid and Shaw's area. He wondered if the Selectboard is going to do anything about it and encouraged them to at least send a letter conveying citizens' concerns. Joel Bouvier recused himself because he is an employee of the National Bank of Middlebury and Pomerleau Real Estate is their landlord. It was noted that the Town currently has no ordinance regulating or jurisdiction over landscape management practices on private property and does not use pesticides in its maintenance practices.

**III. Scheduled Appointments.**

1. Public Hearing – Alleged Dog Ordinance violations:

a. Travis Manning – potentially vicious dogs running at large; dogs not registered. Joel Bouvier noted that that a certified letter was sent to Travis Manning and signed for. There has been no other response. Matt Baron, who filed the complaint, was present and said he has not heard or seen the dogs in at least a couple weeks and things seem to have improved. Joel Bouvier noted that the dogs need to be registered with the Town of Bristol with proof of vaccination and suggested that the Dog Warden and/or someone with a badge to check on the status. Peter Coffey asked Mr. Baron to call the Town Office right away if he sees the dogs again.

b. Nancy Perlee – nuisance dog barking. Valerie reported that there has been no response. The complainant said the dog is still barking. Selectboard members suggested that someone go to the property and knock on the door or leave a note on the door for the house sitter to call the Town Office.

c. Paul and Janette Hill – nuisance dog barking. Paul and Janet Hill were present. Mr. Hill noted that the complaint was not specific. He said Saturday a neighbor starting yelling profanity at them and yelling while they were walking their dogs. Valerie Capels read a complaint received today from Matthew Perrello and played an audio recording of dogs barking from June 13, 2019 provided by the complainant. She also reported that the complainant has seen an improvement. Mr. and Mrs. Hill said if the complainants had notified them previously when

they first started in the summer of 2018, they could have resolved this much sooner. They do not leave the doors or blinds or open anymore and are in the process of installing triple pane low-energy windows. They are going to be installing a 24/7 real-time security system, so they can speak to the dogs through the phones, etc. The Selectboard felt the Hills are taking steps toward remedying the situation and will consider the matter closed unless additional complaints are received.

2. Request for funding support for Memorial Park Trail construction: Porter Knight. Porter Knight, Katie Reilley, and Carolyn Dash joined the conversation. Porter noted that she wrote a Recreation Trail Program grant, but we did not receive the grant. Porter met with the Conservation Commission who supported paying for one third of the repairs. She will be speaking with the American Legion for help with one third of the cost and is asking if the Town can somehow come up with the remaining third of the \$36,000 project. The Selectboard supported the proposed improvements and discussed potential alternatives to reduce costs. The Selectboard suggested Porter reapply for the grant and that we look to the budget process for next year.

The condition of the existing stairs was discussed and concerns were expressed about their safety. There was consensus of the Selectboard that the stairs should be blocked off with a barrier and that signage be explored to direct visitors to the alternative access from the Town's easement over the driveway on the other side of Baldwin Creek. Peeker Heffernan offered to meet with Porter on Sunday and look at the stairs and alternatives.

3. Continuation of Public Hearing – Water and Sewer District Annual Meeting:
- Review of operating budgets, capital budgets, and upcoming projects.
  - Consider adjustment to rates.
  - Potential ordinance updates.
  - General issues.

Water: Jen Myers noted that the proposed budget does reflect the new Woodland apartments connection. The proposed increase is 6%. Contracted services line item is increased for emergency situations. Replacement of one hydrant is included in the budget under supplies. The Bond and Note Payments line reflects three different bonds, one of which will be paid off in 2021. Peeker Heffernan moved to approve the water budget as proposed. Ted Lyles seconded. So voted.

Sewer: Jill Marsano reported that the tank was pumped, and it was the best one ever. Valerie Capels is going to send an email to the town attorney that if the sewer is delinquent can the water be shut off even if the water payment is not delinquent. Michelle Perlee moved to approve Sewer budget and rate structure as proposed. Peter Coffey seconded. So voted.

Jill Marsano reported that they were asked to turn the water off at the Mt. Abraham High School so they could work on plumbing inside the building. There is no shut off to the school, only street and system valves near the Legion and the horse rink on Liberty. What they found was an old valve for the field irrigation system with an old meter that could not be read. The water now can be shut off at the school and a new meter was installed. The school paid for the valve. It

was noted that the District cannot legally shut water off to the school for lack of payment. Jen Myers asked if something goes wrong between the Legion and the valve who pays for it. There is now a shut off valve for the irrigation system and to the 6-inch valve. There was discussion regarding whether the Town or the School should maintain the line from the curb stop to the fire hydrant. The Town owns the fire hydrant. There was agreement that the School should not have access to the valves to exercise them; that will be the Water District's responsibility. Peeker Heffernan moved for the Town of Bristol to pay for half of the excavation cost only. Peter Coffey seconded. So voted.

#### **IV. Regular Business.**

1. Determine whether to sell or otherwise dispose of 2008 roadside mower. The question was asked whether the current ditch bank mower should be kept as a backup, sold, scrapped, or something else. There was consensus of the Board to sell it.
2. 2019 sidewalk replacement projects: determine segments and scope of work. The question was asked whether to move forward with the Mountain Street sidewalk section replacement or defer it so the funds can be applied to the Main Street project. Jen Myers clarified that the \$17,000 from Undesignated Fund balance approved by voters is to be reallocated to the West Street project and is not available for the Main Street project. Peeker Heffernan suggested that the DPW crew could prepare the sidewalk base and reduce the cost. Valerie will follow up with DPW Foreman Eric Cota about that. This will be added to the July 8, 2019 meeting.
3. Selection of contractor for dry well and culvert installation on West Street and East Street. Only one bid was received. This was moved to Executive Session.
4. Bristol Conservation Commission memo to adjust and correct member appointments and terms. Peter Coffey moved to approve the Bristol Conservation Commission's proposed appointments to correct the number of appointments and terms. Michelle Perlee seconded. So voted. The appointments and terms as corrected and approved are as follows: Katie Reilley, Chair (Term expires March 2021); Richard Butz, Clerk (Term expires March 2021); Carolyn Dash, Vice Chair (Term expires March 2021); Randy Durand (Term expires March 2022); Carla Fenner (Term expires March 2022); Melanie Lloyd (Term expires March 2020); David Rosen (Term expires March 2020); Kristen Underwood (Term expires March 2020); and VACANT (Term expires March 2022).
5. Bristol Rescue annual coin drop application: July 4, 2019, at North Street by the Squad, East Street by Mountain Street, and West Street near Airport Drive. Peeker Heffernan moved to approve the coin drop on July 4, 2019. Ted Lylis seconded. So voted. Michelle Perlee brought up having the coin drop end at 8 a.m. There was a consensus of the Selectboard to leave it to the discretion of the Bristol Rescue Squad.
6. Approval of meeting minutes of June 10, and June 13, 2019. Peter Coffey moved to approve June 10, 2019 with minor corrections. Ted Lylis seconded. So voted. Peter Coffey

moved to approve June 13, 2019 with minor corrections. Ted Lylis seconded. So voted. Michelle Perlee abstained.

7. Authorize accounts payable warrant and any liquor licenses. \$170,628.67. Special events: Peeker Heffernan moved to approve Hogback Mountain special events permit at Holley Hall July 26, 2019 from 6 – 9:30 p.m. not 10 p.m. Ted Lylis seconded. So voted. Peter Coffey moved to approve American Legion outside consumption permit for July 3, 2019 from 10 a.m. to 11 p.m. Peeker Heffernan seconded. So voted. Peeker Heffernan moved to approve Grand Fondo race for June 29, 2019 from 11:30 a.m. to 8 p.m. Ted Lylis seconded. So voted.

8. Selectboard Concerns.

Michelle Perlee noted that Hunt Farm Road is blocked off and asked if they are doing renovations at the low-income housing off River Road. The assumption is yes, they are, and that the residents were relocated. Michelle thanked Mr. Clark for cleaning up the fountain.

Peeker Heffernan was asked why there were no flowers this year on the corners of Main Street. Jen Myers said the issue last year was the maintenance of them. She asked Ian Albinson if this could be done by Bristol CORE on top of planting them as well. Someone complained to Peeker that Pocock Rocks was extremely loud and could be heard on the north side of town.

Ted Lylis said the curb stop in front of Bob Spofford's house on Garfield Street had a serious leak, but now that it has been fixed, the curb stop is sticking out and is likely to get damaged. Valerie Capels will have someone look at it. Ted Lylis has some concerns about the slab at Eagle Park.

Joel Bouvier noted the changed lettering on the cruiser door and said the phone message for the Bristol Police Department needs to be updated.

9. Town Administrator's report.

Valerie Capels shared Pete Diminico's e-mail regarding repairs to Eagle Park and the need for two loads of sure pak. Peeker Heffernan said he could deliver two loads tomorrow. Valerie also noted that the video she shared on Facebook about Eagle Park high water has hit 14,000 views.

## **V. Other Business.**

1. Correspondence, reports, correspondence received.

2. Police Cruiser sale. Police Chief Nason provided an e-mail reporting that only one bid had been received for \$600 and he recommended it be accepted. Michelle Perlee moved to accept the bid and authorize Chief Nanson to sell the Police cruiser. Ted Lylis seconded. So voted.

## **VI. Executive Session.**

1. 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 a personnel-related matter per 1 V.S.A. § 313 (a)(3) and potential contract negotiations per 1 V.S.A. § 313 (a)(1)(A). Peeker Heffernan seconded. So voted. The Selectboard met in

executive session from 9:12pm to 10:05pm. Upon returning to open session, Michelle Perlee moved to accept Masterson Excavating's lump sum bids for the West and East Street dry well construction for \$91,500 and \$37,170, respectively. Peter Coffey seconded. So voted.

**VII. Adjourn.**

Peeker Heffernan moved to adjourn at 10:06pm. Ted Lylis seconded. So voted.  
Respectfully submitted,

Tasha Bouvier  
Board Clerk

Valerie Capels  
Town Administrator