

Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday February 19, 2018

Selectboard Members present: Chair Peeker Heffernan, Peter Coffey, Michelle Perlee, and Ted Lylis. Also present was Town Administrator Valerie Capels, Board Clerk Tasha Bouvier, Filming for NeatTV Shawn Kimball, Lieutenant Bruce Nason, Jim Quaglino, Ian Albinson, Peter Ryan, , Bob Donniss, Sally Burrell, Patty Heather-Lea, Katie Raycroft-Meyer, Christopher Ross from the Addison Independent, Patricia Hunt, Porter Knight, Donald Miller, Robert St. Amour, Pamela St. Amour, Mr. St. Amour's son, Jennifer Vyhnak, and Fred Baser.

I. Chair Peeker Heffernan called the meeting to order at 6:09 p.m.

1. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). There was agreement to add an executive session regarding personnel-related matter per 1 V.S.A. § 313 (a)(3).

II. Public Forum:

1. Ian Albinson asked about the "lake" in front of Champlain Farms and when this will be repaired. Valerie Capels said a letter was sent in November with no reply. Peeker Heffernan mentioned the Board has been discussing replacing the storm drains and looking at doing this before 2020.

2. Peter Ryan spoke about the previous February 5, 2018 meeting when at one point multiple conversations were going on and asked to have one person speaking and not have side conversations. Peter Ryan commented about the Meadow Lane project. He feels that the Water District should have to pay for the water line to the shut off points and then the home owners would pay for the work from the shut off to the homes. Peeker Heffernan said the Board would take that into consideration.

3. Bob Donniss asked if there was a sidewalk repair fund in the budget and if there was a plan to do it this year. Peeker Heffernan said the Board asked to add \$35,000 to the sidewalk plan and this will be voted on at the Town Meeting on March 5, 2018. Peter Coffey said the Board put together a 10 year plan.

4. Patty Heather-Lea talked about the trash can in front of the library and that people are putting their dog waste bags in them. She feels the town needs to move the trash can and people shouldn't be throwing their dog waste bags in this trash can.

III. Scheduled Appointments:

1. Katie Raycroft-Meyer: Planning Commission updates. Katie mentioned there is still one vacant seat. There are two new members which the Board appointed not long ago. It is an

unusual time for the Planning Commission because for a long time they were working on the Town Plan. They recently started site plan review and put together a guide for it. She mentioned when the Town Plan was updated a few months ago with the new maps and zoning regulations there was an oversight and the Plan needs to go to the Addison County Regional Planning Commission to be approved. This doesn't mean that the Plan isn't legal; it just means there are certain grants they can't apply for until this is approved. Peeker Heffernan asked how the town plan relates to or speaks about natural gas. Katie said the Planning Commission hasn't discussed this and will probably be discussed at the meeting on February 20, 2018.

2. Porter Knight: request for support of Bristol Trail Network South Street to Prayer Rock Park segment. Porter Knight said she should hear some feedback at the end of March, but will know by April if they will have the grant to build the trail from South Street to Stoney Hill. The next section of the trail she is seeking permission from the Board for South Street to Prayer Rock Park. There are 10 land owners and the town is the owner of 5 of those properties. They sent a letter to the other 5 land owners at the beginning of February. She is looking to speak with them between now and the spring. Ted Lylis moved to give permission for Bristol Trail Network to use the 5 pieces of property for the Bristol Trail Network. Peter Coffey seconded, so voted.

Peter Ryan asked who is liable for the trail if the river rises and the trail is covered and someone is injured. Porter said the trail is actually above where Peter Ryan was talking about. The trail runs north of the river bank. The State statute allows limited liability on the property. Then the Bristol Rec Club insurance, which is Town insurance, would cover the remainder. The trail from West Street to the Firehouse would use the surrounding area and use the current surroundings to have the trail built further. Porter Knight stated they are hiring people that have experience building trails.

3. Fred Baser, Moderator: Review of the Town Meeting warning. Fred asked if there were any corrections or if the Board has any concerns about the meeting. Peter Coffey said Article 3 when taxes are due should say April 5, 2019 not 2018. This will need to be moved and seconded to correct this. Valerie Capels said Christopher Ross from the Addison Independent noticed the \$70,000 for the fire equipment is not shown on the budget. It's on the town warning, but not reflected in the amount to be raised by taxes in the town report. Valerie Capels said, if approved, this will increase the budget by 2.6%. Fred suggested the correction be brought up during Article 1. Fred said after Article 7 the Board will adjourn and the school board will then speak about the school budget. The Selectboard will come back to finish the remainder of the articles after this.

Fred Baser noted this will officially be the last school meeting. Since there is no school budget to approve this will be just an informational topic. Peter Coffey asked a question about the proposed funding for education and the information that Fred Baser sent out. This will have direct impact on property taxes. Fred Baser said in the past sales and use tax has gone to education and now all of it will go to education. One third of rooms and meals tax will now go to the education fund. Peter Coffey asked how it will be made up on the other side. Fred Baser

said they will be taking a lot of non-education fund items and moving them to the general fund. For example the prison system education will now go to the general fund. Things will be balanced that are moved from the education to the general fund. Peter Coffey asked how will this effect second homestead properties and Fred said nothing will change, only homestead properties will receive some reductions especially how it relates to education.

4. Public Hearing: Dog Ordinance violations - Robert and Pamela St. Amour. Valerie Capels reported that the Town has received several complaints from a neighbor regarding the St. Amour's three dogs. The complaints started July 2017. Peeker Heffernan asked what is making the dogs bark. Robert St. Amour said the dogs are kept indoors 95% of the time. They are gated in and cannot go exploring. He stated there are other neighbors that have dogs that are kept in a pen outside. He said the dogs bark if someone is coming to the house, but they don't bark for a long period of time. He takes them off his property to run and play. They do not bark in the early hours because everyone is sleeping. His niece lives with them and is home a lot and the dogs do not bark. Mr. St. Amour's son testified that the dogs do not bark in the early morning hours. There was consensus of Selectboard members that the St. Amour's dogs may have been misidentified as the source of the barking. Michelle Perlee asked that Cale Pelland or Valerie Capels have a conversation with the complainant and investigate which dogs are barking. The Selectboard took no further action.

5. Police District informational meeting: proposed Police District FY2019 budget. The budget figures were briefly reviewed. Peter Ryan commented seeing the budget is down and someone has done a lot of hard work and controlling things and he hopes we have not gone too far down. Peeker Heffernan stated when the Board met with Lieutenant Bruce Nason, Bruce presented a few scenarios and all of them were decent. The Board chose the one that was least impactful.

IV. Regular Business:

1. Review Police Chief Job description, job announcement, review committee, and proposed timeline for recruitment. The Board talked earlier about having a review committee and what the role of the review committee would be. Michelle Perlee asked if they need to add background test, valid driver's license, and drug testing to the job description. The new Chief would start July 1, 2018. The Board will finalize the job description at the March 5, 2018 meeting.

Peeker Heffernan asked if someone that is currently in the department applies for the job and no one from the department is selected will someone have to be let go. The budget allows 3 employees plus one part-time employee. Peeker Heffernan said more than likely we would have four full-time employees and eliminate the part-time positions. The incoming Police Chief would need to work with the budget he has. The ad is going to be held until the next meeting.

The Board agreed the review committee will have five members and consist of a Selectboard member, police advisory board member, and three community members. The community

members would consist of two community members that are in the police district. The other community member could be a district member as well, or out of the district.

2. Review Road Foreman job description, job announcement, and proposed timeline for recruitment. A draft job description was in the Selectboard packets. Theresa Kirby and Peter Bouvier had planned to put together a job description based on a VTrans model, but this did not happen. Peter Coffey said the job description needs to state will include nights, holidays, etc. instead of the word may. The job description also needs to say they would research and recommend certain purchases of equipment and vehicles and work with the equipment committee. Michelle Perlee moved to approve the proposed job description for the Road Foreman with the corrections. Ted Lylis seconded, so voted. The ad will go out this week. March 23, 2018 is the deadline for all applications. The Selectboard will select people to interview at their meeting on April 2, 2018 and interviews will be scheduled for that week. The tight timeline will require special meetings. The Board will talk about salaries in executive session.

3. Vermont Gas public forum: debrief and consider next steps. Valerie Capels said she and the Selectboard received information from Kevin Hanson about the 2016 State Comprehensive Energy Plan about natural gas. Board members reported they were sent emails with several in favor of natural gas and a few not in favor. Bob Donniss questioned the Vermont Gas true price and if there prices include fees, etc. Peter Coffey said everyone got a post card from Vermont Gas and to contact Vermont Gas to get price estimates for you individually. Don Miller has concerns and stated there was an article published about Vermont Gas having done improper drilling and was fined \$25,000. He is in favor of natural gas coming to town however concerned that Vermont Gas will not be held accountable. He is hoping the MOU holds Vermont Gas accountable. Jennifer Vyhnak expressed frustration that the announcement of the public forum came out in the Addison Independent the day of the meeting on February 12, 2018. She said the same thing happened in Monkton. Citizens do not have time to respond. Peter Ryan noted the informational meeting was advertised on FPF, via e-mail, social media, and the website. The Board noted they cannot force someone to read the information. Citizens need to put in more energy if they want to. Peeker Heffernan said it's every Bristol resident's decision if they want to connect to natural gas and not the towns. Sally Burrell would like to see more forums for people to discuss issues like this and have the use for free of Holley Hall. Jennifer Vyhnak said citizens want to be heard and understood no matter what your view is. She feels this is a tremendous opportunity right now in our town to talk about energy. Patty Heather-Lea asked if the Board had considered the Town Plan back in December 18, 2012 when the letter was composed. Peeker Heffernan said it is too late to do a binding vote, but could do a non-binding vote. Patty Heather-Lea said on February 14, 2018 in Little Falls, NY there was an explosion. She wondered if her home owners insurance would be covered if this happened. She wants from Vermont Gas in writing that if she loses her house, what will they do. Peeker Heffernan asked what the consensus for having a non-binding vote is. The Board members expressed their ideas and sees the pros and cons. Michelle Perlee is in favor of moving forward. Peter Coffey is in favor of having this come to town. Ian Albinson asked if the Town has any concerns about the legal actions being taken towards Vermont Gas. His other

concern was because of the West Street project is there any concerns of this happening again with it taking too long, etc. Jennifer Vyhnak has information from the documentary film Gas Land that Vermont Gas is not upfront and wants to share this with the community. Valerie Capels received comments on the MOU from Vermont Gas on Friday, but no one has had a chance to look at it. The Selectboard agreed to resume going through the agreement at the March 19, 2018 meeting and go from there. Jim Quaglino said why is it when things need to be finalized that people come to these meetings. This started in 2012. Where was everyone then?

4. Approval of \$1,250 lump sum agreement with Green Mountain Engineering for annual inspection and report for the Core wastewater system. Peter Coffey moved approval. Ted Lylis seconded, so voted.

5. Approval of meeting minutes of February 5, 2018. Valerie Capels reported that they are all still in draft form and expects to catch up by the March 19, 2018 or at least make some progress.

6. Accounts Payable Warrant \$82,082.95. There were questions about the specific event proposed for Art on Main special events permit April 18, 2018 5-8p.m. It was approved subject to being clarified on March 5, 2018 or via email.

7. Selectboard Concerns. Michelle Perlee said thank you to Matt Dibley's family for a hockey tournament they did over the weekend. The profits are being donated to the Bristol Rec Club scholarship fund. Ted Lylis expressed concern about the condition of the sidewalks. He knows the sanding tractor broke, but not everyone knew. The people at Almost Home are piling snow on the corner of Garfield and North Street and it is so high that a vehicle needs to come into oncoming traffic. The Selectboard agreed that Valerie Capels needs to send them a letter to not store snow in the right-of-way. Almost Home has parking spots on the south side of Garfield street, but people are parking on the north side. This is causing a problem due to the snow. Peeker Heffernan referenced the e-mail that sent to Joel Bouvier about the condition of the sidewalks. The sidewalk is lower than the sides of the lawns and flooding occurs. Ian Albinson asked about who is responsible for plowing Main Street. The Town plows the sidewalk, but the store owners are responsible for the up keep even if the store front is empty. Michelle Perlee said the South Street Bridge is done. She thought they have been paying on this. Valerie Capels is going to check the breakdown of payments and what has been paid so far and what is left.

8. Administrator's Report. Valerie Capels asked about the Recreation Dept. survey for the day of voting. Michelle Perlee is putting this together and will email the questions to the board. Nominations for the American Legion Above and Beyond Award the deadline is Friday February 23, 2018. Joel Bouvier was supposed to email the information to Valerie Capels. Peter Coffey offered to send this information to Valerie. There are flood warnings tonight through Wednesday. Valerie Capels asked what the plan is if flooding occurs. We would look at the Emergency Plan. New employees will need to be trained. Town Administrator is the

Emergency Plan Director; however Valerie Capels could contact Peter Coffey. Valerie Capels will be out of the office tomorrow, but is available if needed. Valerie said she forgot to add under upcoming meetings the March 19, 2018 Selectboard meeting.

V. Other Business:

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 a particular personnel-related matter per 1 V.S.A. § 313 (a)(3). Peter Coffey seconded. So voted. The Selectboard met in Executive Session from 9:35pm to 10:05pm. Upon returning to open session, no action was taken.

VII. Adjourn.

The meeting was adjourned at 10:05pm.

Respectfully submitted,

Tasha Bouvier, Board Clerk

Valerie Capels, Town Administrator