

Bristol Town Administrator's Report

February 28, 2020

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, March 2, 2020 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. POLICE DISTRICT PUBLIC INFORMATION MEETING.

This is the second of two public information meetings regarding the Bristol Police District and its proposed FY2021 budget.

The proposed revenues and expenses in FY2021 are expected to *decrease* by more than 3% and the amount slated to be raised by taxes is expected to decrease by more than 4% thanks to an expected increase in revenues and reduction in expenses. Police Chief Bruce Nason will be present to discuss the proposed budget and other departmental matters.

IV. REGULAR BUSINESS

Item IV.1. Police Officer candidate interview: Michael Major. On Thursday, Feb. 27, Police Chief Nason, MAUSD Asst. Principal Justin Bouvier, and I interviewed Michael Major for a part-time Police Officer position with the Bristol Police Department. Following the interview, we were in agreement that he proceed to the next stage to meet with the Selectboard for consideration. He will be present at the meeting.

RECOMMENDATION: The Selectboard may wish to deliberate in Executive Session regarding personnel matters, or if that is not necessary, the Selectboard may wish to vote to accept his application for part-time employment.

Item IV.2. Consider approval of Saunders-Fuller River Access Management Plan: Kristin Underwood for the Conservation Commission. Enclosed is an access management plan for the soon-to-be-purchased Fuller parcel. The 2013 Saunders River Access management plan was amended to include Fuller lot specifics. Once merged, the Saunders and Fuller lots will continue to be known as "Saunders River Access." The Conservation Commission approved it at its 02/13/2020 meeting and a March 5, 2020 closing is planned. Town Attorney Kevin Brown was involved in development of the deed language. Kristin Underwood plans to be present at the meeting to answer any questions.

Language was modified around possible future parking, as follows:

Parking: If "Saunders River Access" signage on Route 116 is installed, THEN dusk to dawn parking for 3 to 6 cars will be located on a gravel lot near the curb cut with Rt 116 along the northern property boundary, with the parking area delineated by a barrier (i.e., boulders or fence) if needed. Until the time when or if signage on Route 116 is installed, low frequency visitors may park vehicles near the kiosk so long as no negative impact to the soils, hay crop, or buffer vegetation occurs. Barriers and gravel may be installed to keep cars in designated parking area and to reduce rutting.

Language was also added around ash trees in light of the Emerald Ash Borer issues, as follows:

GOAL B, #2, (b):

Emerald Ash Borer is present in Vermont and will likely decimate significant numbers of Ash trees. Ash trees are present throughout the New Haven River watershed and can be found on the Saunders & Fuller properties. No management, removal or inoculation of Ash trees is planned, since risk to infrastructure (e.g., power lines, roadways) and public health & safety is deemed minimal at this time, and because there are significant ecological benefits of woody debris in riparian corridors and floodplains.

RECOMMENDATION: Approval. Authorize the Town Administrator to represent the Town for the closing.

Item IV.3. Water Commission: consider responsibility for cost of meter replacement at 9 Main Street. Enclosed is an e-mail from Clerk/Treasurer Jen Myers about a meter that replaced in the basement at 9 Main Street because it had frozen and cracked. Because the meter was replaced 4 to 5 years ago when all the meters on Main Street were replaced, it is not believed the meter was defective. She will be present at the meeting to answer any questions.

Section 4.02b (page 3) of the Water Ordinance states that if the meter is damaged by negligence in a manner for which the User is responsible, then the owner shall be charged the cost of removing, repairing, and replacing and such damaged meter.

RECOMMENDATION: Determine if additional information is needed.

Item IV.4. Consider for approval the Funding Agreement between the Town and Stoney Hill Properties, LLC for the NBRC-funded Stoney Hill Business Park infrastructure improvements. The Town of Bristol was awarded a grant of up to \$500,000 through the Northern Border Regional Commission to design and build the infrastructure from West Street into the Stoney Hill Business Park in an public-private partnership to to help retain existing business and increase the number of jobs in Bristol. A minimum of 50% match is required and the total project, including design, permitting, legal, construction, and contingency, was estimated to be approximately \$1.4 million.

The last grant agreement condition to be met before a Notice to Proceed can be issued is item XVI.c.- documentation of non-NBRC matching funds. All the other conditions will have been met.

XVI. NOTICE TO PROCEED—No work may begin on this project until an official Notice-to-Proceed issued by NBRC. Further, no documented non-federal matching or invoices generated by the recipient will be considered valid charges until the Notice-to-Proceed is issued by NBRC. The following items must be submitted to NBRC or completed prior to issuance of a Notice-to-Proceed:

- a. Completed Standard Form 3881 (Automated Clearinghouse (ACH) Vendor/Miscellaneous Payment Enrollment Form)
- b. Signed Grant Agreement
- c. Documentation of non-NBRC matching funds with coversheet listing the total amount of funding and each funding source.
- d. Deed demonstrating transfer of property from Stoney Hill Property, LLC to the Town of Bristol, VT. NOTE: This is applicable for Construction Phase NOTICE TO PROCEED.
- e. Documentation that the site is outside of any flood plain.

Enclosed is a funding agreement between Stoney Hill Properties, LLC (SHP) and the Town of Bristol as both a show of commitment and legal obligation for SHP to pay all applicable expenses not covered by the up to \$500,000 grant. Because the Town is the grantee and will ultimately own the road and municipal infrastructure, the Town must manage the project, hire the contractors, and administer the grant. That also means the Town needs to front the expenses, seek reimbursement from the NBRC, and then invoice SHP for the non-grant-funded portions. This agreement is to ensure the Town is sufficiently reimbursed by SHP. It has been reviewed, vetted, and approved by both SHP and Town Attorney Kevin Brown.

RECOMMENDATION: Determine what, if any, additional information is needed. Approval. Authorize the Town Administrator to sign on behalf of the Town.

Item IV.5. Consider authorization to proceed with negotiations for the Stoney Hill Business Park infrastructure engineering services--tentative. Enclosed is a copy of the Request for Qualifications for engineering services for the Stoney Hill Business Park

infrastructure project, which is the procurement process required by the NBRC rather than a request for proposals.

At the NBRC's recommendation to maximize use of time, we simultaneously issued the required RFQ for engineering services while working on the documents to meet the Notice to Proceed (NoP) conditions above. We were advised that we could do this as long as no commitments or agreements are entered into prior to the NoP being issued. It was e-mailed directly to a number of firms, posted on the Web site, and posted to the State bid system.

We received two responses. The committee reviewed and ranked them and could be in a position to proceed to negotiate a scope of work and cost proposal with the top-ranked respondent; however, I am awaiting guidance from the NBRC as to whether we can proceed to that stage prior to the NoP having been issued.

RECOMMENDATION: If the NBRC gets back to us in time with guidance that it will be OK to proceed to the negotiation phase—or at the very least get the Selectboard's authorization to do so--we would ask for the Selectboard's authorization to proceed. In that case, the Selectboard may wish to deliberate in Executive Session regarding contract negotiations.

Item IV.6. Consider approval of two grant authorization requests: Recreation Department to Five Town Friends of the Arts for Summer Music Series and to RiseVT for healthy choices. Enclosed are two grant summary requests from the Recreation Department: (1) \$750 from the Five Town Friends of the Arts for a summer music series at the Bristol Rec Pavilion for musicians, equipment, and advertising; and (2) \$1,500 from RiseVT to help promote healthy choices for food/snacks and odometers for bikes. Matching funds are not required.

RECOMMENDATION: Approval.

Item IV.7. Approval of the February 17, 2020 meeting minutes. Review of the draft February 17, 2020 minutes is still in process. The original draft minutes are available and posted on-line. If not e-mailed and posted prior to Monday's meeting, they should be available by the next meeting.

V. OTHER BUSINESS.

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

- Official notice from the USDA Dept. of Agriculture Natural Resources Conservation Service, 02/24/2020, re ineligibility of one of the site for Emergency Watershed Protection funding.
- Bristol Conservation Commission draft minutes,

VI. EXECUTIVE SESSION.

The Selectboard is expected to deliberate in Executive Session regarding contract negotiations per 1 V.S.A. §313(a)(1)(A) - *tentative*, labor relations agreements per 1 V.S.A. §313(a)(1)(B),

pending litigation per 1 V.S.A. 313(a)(1)(E) – *tentative*, and personnel matters per 1 V.S.A. §313(a)(3) – *tentative*.

Public Works Site, Facility, and Needs Analysis

Five responses to the request for proposals were received by the Feb. 5 deadline. They are still in the process of being reviewed and ranked by me, Joel Bouvier, and Eric Cota. We intend to have a recommendation for the March 16 meeting for moving forward.

Truck Replacement Update

Requests for Proposals are out for replacement of the 7-yard dump truck cab and chassis and for the dump body, plow, wing, and sander equipment. Bids are due Friday, March 13, 11:00am. A recommendation is expected to be on the March 16 Selectboard agenda.

Grant Application Updates

We received word last week that the Town did receive the additional Clean Water Block grant for the Bristol Elementary School stormwater infiltration final design and permitting projects. Much thanks goes to Benton Wright from the ACRPC for helping to pull that together.

We received word this week from Vermont Department of Forests, Parks and Recreation Program Manager Jessica Savage that "... Bristol's VOREC [Vermont Outdoor Recreation Economic Collaborative] application was not recommended for funding this year. However, your application is "on the bubble" and should additional funds become available, we would be in touch to discuss options. While I'm sad to write to you with this news, you should be proud of your application's strengths, and your town's efforts." Stay tuned.

I reached out to Alan May at the VTrans Better Roads program for the status update on our Mountain Street culvert upgrade project grant application, but have not yet heard back.

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 March 2

Monday: 10:00am – VTrans Bristol-Vergennes paving & Main Street Sidewalk pre-construction conference, Colchester.
6:00pm – Police District Public Info Meeting; Selectboard.
7:00pm – Town Meeting.

Tuesday: In around 12:00noon.

Wednesday: 8:00am – Tackling Food Waste: Basics for Businesses workshop, Middlebury EMS.

Week of March 9

Friday: 11:00am – Bid openings for the new dump truck and equipment RFPs.
12:00pm – Addison-Rutland County City and Town Managers/Administrator's meeting, Middlebury.

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., Mar. 2, 6:00pm at Holley Hall.
- **Town Meeting - Floor**: Mon., Mar. 2, 7:00pm, at Holley Hall.
- **Town Meeting – Australian Ballot**: Tues., Mar. 3, 7:00am - 7:00pm, upstairs at Holley Hall.
- Bristol CORE: Tues., Mar. 3, 8:30am, Bristol Co-Working Space.
- [Conservation Commission](#): Thurs., Mar. 12, 6:00pm, at Holley Hall.
- [Selectboard](#): Mon., Mar. 16, 6:00pm at Holley Hall.
- [Planning Commission](#): Tues., Mar. 17, 7:00pm, at Holley Hall.
- [Selectboard](#): Mon., Mar. 30, 7:00pm at Holley Hall.

Upcoming Agenda Items

- Selectboard organizational meeting.
- Selectboard Rules of Procedure and handbook.
- Selection of Stoney Hill infrastructure project engineering firm.
- Selection of Public Works Site and Needs Analysis consultant(s).
- Volunteer candidate interviews and appointments.
- Police Union contract review.
- Winter maintenance policies and practices town-wide and for Main Street sidewalks.
- Class 4 highways maintenance policy.
- Process to become a Certified Local Government (CLG).
- Adirondack View right-of-way status.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator