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JAMES C. FOLEY, SR. (RET.)
THOMAS W. LYNCH (1924-1990)

February 3, 2020

Jen Myers, Town Clerk & Treasurer
Mail: P.O. Box 249
Physical: 1 South Street
Bristol, VT 05443

Dear Sir or Madam:

Greetings. This correspondence is intended to be a request for records pursuant to Vermont's Public Records Act ("PRA"), 1 V.S.A. 315 *et seq.* I kindly request the Town provide copies of the below records, to the extent they exist, within three business days of your receipt of this letter, consistent with the time requirements imposed by 1 V.S.A. section 318(a):

1. Any and all correspondence between Mr. George Merkel and any agent, employee, or officer of the Town within the last five years.
2. Any and all records of oral communications between Mr. Merkel and any agent, employee, or officer of the town within the last five years.
3. Any and all contracts (including both signed and proposed contracts) between Mr. George Merkel (including contracts where Mr. Merkel was acting as an agent for the City of Vergennes) and the Town within the last five years.
4. Any and all minutes of any board, committee, or other instrumentality of the Town concerning Mr. George Merkel in any way during the last five years, including the minutes of any meeting in which Mr. Merkel was present, a proposal by Mr. Merkel was discussed, or any resolution was reached regarding Mr. Merkel or any matters presented to the relevant board, committee, etc. by Mr. Merkel.

If you are not the custodian of one or more categories of records requested by this letter, kindly direct this correspondence to the attention of the custodian. Thank you very much for your assistance with this matter, and please do not hesitate to contact me if I can provide you any additional information.

Very Truly Yours,

LYNCH & FOLEY, PC


James C. Foley, Jr., Esq.
jfoley@lynchandfoley.com

RECEIVED

FEB 06 2020

Town of Bristol

JCF/al



Town of Bristol
Town Administrator
1 South Street
P.O. Box 249
Bristol, VT 05443
(802) 453-2410 ext. 22
townadmin@bristolvt.org
www.bristolvt.org

February 11, 2020

James C. Foley, Jr., Esq.
Lynch & Foley, P.C.
7 Washington Street
Middlebury, VT 05753
Via E-mail: jfoley@lynchandfoley.com, attys@lynchandfoley.com

Dear Mr. Foley,

This letter is to acknowledge receipt of your public records request dated February 3, 2020, which was received at the Town Office by first class mail on February 6, 2020. Due to the volume of information you are requesting (five (5) years' worth), this letter also serves as notice pursuant to 1 V.S.A. § 318, that the amount of time needed to fulfill your request will need to be extended beyond three business days.

Pursuant to 1 V.S.A. § 318(a)(5)(B), your request requires the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in your request. It may also require the Town to consult with the Town Attorney, outside agency information technology providers, and others to identify, obtain, and review such records. Consequently, the Town will need the extended period of time to respond to your request. We will make a good faith effort to substantively respond to your request within seven business days of receipt of your authorization to proceed per the provisions below, not including Monday, February 17, 2020, which is a federal holiday.

Pursuant to 1 V.S.A. § 316, this letter also serves as notice that the nature of your request and the resources required to compile it will result in fees for you, the requestor, that shall be due upon delivery of the information requested. In addition to fees for copies, fees will be charged in accordance with the Vermont Secretary of State's Uniform Charges Schedule. Our good faith estimate (only) of fees for staff time that will be required to satisfy your request is approximately 5 to 6 hours which, at \$0.57 per minute, amounts to approximately \$200. Also, you will be responsible for any fees/costs incurred if we require the assistance of any outside vendor/service provider.

Please advise whether you will agree to pay the referenced fees, the sum of which will be finalized after the work has been completed. We will proceed to comply with your request upon your indication of intent to pay said fees.

Please consider this the response of the "head of the agency" as those words are used in 1 V.S.A. § 318, and please know that you have appeal rights in these regards pursuant to 1 V.S.A. § 319.

James C. Foley, Jr., Esq.
February 11, 2020
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Those rights aside, please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Valerie Capels". The signature is written in a cursive, flowing style.

Valerie Capels
Town Administrator

C via E-mail: Bruce Nason, Bristol Police Chief
Jen Myers, Town Clerk and Treasurer
Sharon Lucia, Assistant Town Clerk