

Bristol Town Administrator's Report

September 14, 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 documents online relate to printed or electronic documents available electronically at bristolvt.org/meeting-minutes in the Selectboard section. 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, September 14, 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."

Curb cut application #20-03DA was received by Wednesday's deadline but not brought to my attention until after the agenda was finalized and posted on Friday.

RECOMMENDATION: Add to the Consent Agenda as Agenda Item III.4 for approval per the Public Works Foreman's recommendations.

REMOTE MEETING: This meeting will be conducted through the **Zoom** remote meeting on-line platform. See the connection information below. If you intend to join the Zoom meeting and have never used Zoom before, we recommend you begin the log-in process well in advance of the meeting to allow time for downloads and connections to occur.

PHYSICAL LOCATION: Holley Hall will NOT be open to the public.

CALL-IN: People without a computer or other device can call in from the number below and enter the meeting ID from the phone keypad.

TO JOIN THE ZOOM MEETING:

<https://us02web.zoom.us/j/85165119934?pwd=NDhKU29hejFLQlJTWFBNRDMYRm5SUT09>

Meeting ID: 851 6511 9934

Passcode: 573489

Phone in: 1 (646) 558-8656

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. SCHEDULED APPOINTMENTS.

Item III.1. Public Hearing: Proposed Bristol Unified Development Regulations.

Online is the [public hearing notice](#) and the proposed [Unified Development Regulations \(UDR\)](#), as presented by the Planning Commission through their [August 7, 2020 transmittal and report](#). The Selectboard hosted a public hearing on August 24, 2020.

Bristol's Zoning Regulations are proposed to be amended to include Subdivision Regulations for the town. The resulting proposed document would be named 'Bristol Unified Development Regulations.' The amended document is intended to implement the Bristol Town Plan and streamline the development review process, which affects all types of development throughout the town. The following list highlights the Articles and other topics substantially amended in the proposed document. Other minor changes are also proposed.

1. Article IX: the inclusion of Subdivision Regulations, Planned Unit Developments (PUDs)
2. Change from a Zoning Board of Adjustment (ZBA) to a Development Review Board (DRB)
3. Article X: definitions
4. Article III: the review process
5. Article VI: A new section allowing On Farm Accessory Businesses

Planning Commission Chair Katie Raycroft-Meyer, Adam Lougee from the Addison County Regional Planning Commission, and Zoning Administrator Kris Perlee are planning to Zoom in to walk us through the proposed changes and help answer questions.

The schedule for adoption has been ambitious in an effort to get it on the November election ballot. If *substantive* changes are made to the proposed UDR following this hearing, an additional public hearing would be necessary, which would not be possible before the November election but would be possible for the March 2012 Town Meeting.

If approved, because this a local vote separate from the statewide general election, it will need to be warned as a special Town Meeting. The deadline for items to be added to the warning would be the September 28 Selectboard meeting and the warning would need to be posted by October 4. The Australian ballot would need to be mailed separately to voters who wish to vote by mail because the State will be handling the mailing of the general election absentee ballots to all voters for this election.

RECOMMENDATION: Receive public input. Determine if additional information and/or adjustments are needed. Vote to adopt and add to the November 2020 Town Meeting warning.

Item III.2 Public Hearing - Alleged Dog Ordinance violations: Travis Manning – potentially viscous, neglected, unregistered dogs running at large in Vincent Drive vicinity.

[Online](#) are copies of the current and past complaints regarding dogs associated with Travis Manning about his dogs running at large, going through trash, aggressive behavior, and destruction of property, including the killing of chickens on Lower Notch Road. A separate complaint was received that the dogs exhibit signs of neglect.

Concerns about this situation date back to last year when the Selectboard held a hearing in June and ordered that the dogs be registered no later than the week of June 17, 2019. The Selectboard also ordered that the dogs be confined to the premises (when not otherwise under control elsewhere), whether by leads, fencing, or some other effective means. The dogs were not registered last year and as of this date remain unregistered—in violation of state statute and the Selectboard's order.

On August 30, 2020, Police Chief Bruce Nason visited the Manning household and issued citations for failure to license the dogs and for the dogs running at large. He provided the opportunity to pay the waiver fee and also provided copies of last year's correspondences and the Bristol Dog Ordinance. To date, the dogs remain unregistered and the citations have not been paid. The complaint regarding neglect remains under investigation.

Neither state statutes nor other policies could be found regarding compensation for livestock or domestic animals killed by dogs at large. Staff at the Vermont League of Cities and Towns advised against the Town/Selectboard getting involved in what may be a civil dispute on that matter.

RECOMMENDATION: More information may be available at the hearing. Determine if more information is needed and next steps.

IV. CONSENT AGENDA

Item IV.1. Recreation Department request for authorization to apply to RiseVT funds with Bristol Recreation Club for water bottle filling station. The Recreation Department is proposing to partner with the Bristol Recreation Club to install a water bottle filling station in the area of the Hub and Bristol Rec Field.

The station cost about \$2,100 and the grant would cover \$1,500. Support from the Recreation Club and donations would cover the remaining \$600.00. The existing water source already established at the Rec Field would be used and would be the responsibility of the Recreation Club.

RECOMMENDATION: Approval.

Item IV.2 Recreation Department request for authorization to apply to the Vermont Division for Historic Preservation for a 50/50 grant to repair the bell tower and related roof leak. Up to \$20,000 would be available from the Vermont Division for Historic Preservation

on a 50/50 match basis for protection of properties that are on or eligible to be listed on the National Register or Historic Places. This application would help address the leaking roof issues at the bell tower that is affecting other areas of the building. The match would come from the Capital Building Reserve Fund and/or the Holley Hall building maintenance budget. If awarded, the work would be completed in 2021.

RECOMMENDATION: Approval.

Item IV.3. N.H. Munsill request for authorization to hold a coin drop October 11, 2020 in the area of 15 West Street. This is the annual fund-raising request from the N. H. Munsill Hose, Hook, and Ladder Co., Inc., which supports activities of the Bristol Fire Department. This year's operation would be adapted to implement COVID-19 safety protocols. The Board will be deciding at their meeting on October 5 whether to proceed or postpone for this year.

RECOMMENDATION: Approval.

V. REGULAR BUSINESS

Item V.1. Fire Chief Brett LaRose and Firefighter candidate interviews: Adlai Ostrer, Timothy O'Toole, and Caleb Rockwood. Three new Firefighter candidates were interviewed on Wednesday, Sept. 9 by Fire Chief Brett LaRose, Deputy Fire Chief Eric Forand, Assistant Fire Chief Kevin LaRose, and myself: Adlai Ostrer, Timothy O'Toole, and Caleb Rockwood. All are Bristol residents and participated in recent Fire Department activities. They will be Zooming in for an opportunity to meet with the Selectboard.

RECOMMENDATION: Discussion. Possible deliberation in Executive Session per 1 V.S.A. §313(a)(3); otherwise vote to approve hiring the paid on-call Firefighters.

Item V.2. Consider Acorn's AES-3 Bristol landfill stormwater permit cost-sharing proposal. The Acorn/AES-3 solar project proposed to be located at the landfill requires an updated stormwater permit. Members of the AES-3 team have put forward a [proposal](#) regarding the costs of the current application and possible future stormwater application costs associated with the site. Below is a quick summary, though the proposal online provides more detailed information:

- Aegis/Acorn will apply for the permit in the Town's name and Aegis/Acorn will pay the entire cost of application preparation and the \$680 application fee.
- If and when the Town engages in activity at the site that would trigger a stormwater permit amendment—such as a new Public Works and/or Police Station facility, AES3 and the town would ratably split all stormwater permit costs, including the annual \$160 fee, and the \$240 renewal fee every 5 years, as well as the engineering certification associated with the 5yr renewals. (Ratable means a cost split based on our respective percentages of the "with solar" total impervious surface for the parcel. Solar = 0.2 acre. Town = 1.2 acre. AES3 is $.2/1.4 = 14.3\%$, town is $1.2/1.4 = 85.7\%$.)

If acceptable to the Selectboard, Aegis/Acorn propose drafting a side-letter for signature by AES3 and the Town so as to leave the lease option and lease agreements in place as drafted.

RECOMMENDATION: Discussion. Possible deliberation in Executive Session under contract negotiation.

Item V.3. Stoney Hill Pedestrian Scoping Study findings and recommendations: DuBois & King.

The Town of Bristol received a grant through the Addison County Regional Planning Commission (ACRPC) Transportation Advisory Committee (TAC) earlier in the year to hire an engineering/design team to scope out the feasibility of a pedestrian and/or bicycle facility to connect the Lovers Lane neighborhood to the village/downtown in the area of Airport Drive and West Street.

A steering committee was put together comprised of Town officials, representatives of Bristol CORE, and the Bristol Recreation Club Trail Network (BTN). A team at DuBois & King was hired through the ACRPC to conduct the study. More information about the process is available at

<http://acrpc.org/programs-services/transportation/bikeped/bristol-ped-path/>

Dayton Crites and possibly others from DuBois & King will be Zooming in to present the conclusion of their [findings and recommendations](#).

RECOMMENDATION: Receive public input. Consider selecting one or more of the preferred alternative alignments for possible implementation in the future.

Item V.4. Consider request to address Maple Street traffic concerns: Chris Urban. [Online](#) is a request from Chris Urban on behalf of his Maple Street neighborhood that a speed bump be installed at the southern end of Maple Street to reduce speeds and to replace the "Slow Children At Play" sign that was apparently removed with last year's sidewalk project in that area.

RECOMMENDATION: Discussion. Determine if more information is needed.

Item V.5. Bristol Water Commission: Consider Patrick Benner request for water bill abatement. [Online](#) is a request that a water bill be abated due to various factors. There may be extenuating circumstances and additional information that should be considered.

RECOMMENDATION: Determine if more information is needed.

Item V.6. Consider proposed LE Environmental contract amendment (Work Order #10) for continued landfill monitoring. [Online](#) is the updated task order for LE Environmental to continue their 2014 contract for groundwater monitoring at the landfill. It also includes installation and monitoring of a rented pump for MW-101

RECOMMENDATION: Approval.

Item V.7. Bristol FY2020 4th quarter budget review and FY2022 budget process discussion.

[Online](#) are the budget reports rounding out the close of FY2020 through June 30, 2020 for the general fund, water, sewer, and police budgets. As strange as it may feel, we are now within FY2021 through June 30, 2021 and are on the threshold of planning for the budget year July 1, 2022.

Also [online](#) is Treasurer Jen Myers' request and suggestion that the Selectboard take another look at how we approach the budget process.

This is an opportunity to assess where the general fund, water, sewer, and police budgets appear to be at the close of the June 30, 2020 fiscal year and how things might look as we move forward. There are a lot of variables at this point looking back and looking forward.

[Online](#) is also an updated Selectboard 2020-2021 Calendar and Goals. It reflects some of the key activities since April and attempts to look ahead at activities on the horizon over the coming months. It also summarizes recent accomplishments, current activities, and pending initiatives.

RECOMMENDATION: Discussion. Begin consideration of the Selectboard's FY2022 budget goals and schedule.

Item IV.8. Coronavirus COVID-19 update: preparations, response, and impacts to municipal operations. We now know the Governor extended the Emergency Order to October 15, 2020. The Town Office remains closed with restricted access.

Thanks to efforts coordinated by the Bristol Fire Department, the Town received +/- 1,000 masks late in August to distribute to citizens in need of one. The Bristol Rescue Squad organized a distribution and hand-delivered 3-packs of masks to a number of Bristol businesses. It is not known yet if their supply is exhausted. Free masks are still available at Town Office by calling 453-2410 ext 5 to arrange for pick-up.

Bristol's application for FEMA COVID-19 reimbursements was submitted on Sept. 1. Bristol's application for the Local Government Emergency Reimbursement (LGER) was submitted on Sept. 4. If all expenses are found to be eligible between the two, they could amount to more than \$50,000 in reimbursed COVID-19 expenses.

A new, larger lock box has been ordered in anticipation of the increased volume of absentee ballots being dropped off at the Town Office for the November election. It is expected to be paid for with grant funds from the Secretary of State's Office and would be temporarily installed under the outside display box. Ballots will be mailed to all active registered voters statewide between September 21 and October 1.

RECOMMENDATION: Discussion. Determine what, if any, additional measures or considerations should be made.

Item IV.9. Paving and sidewalk projects update; request for reimbursement for lawn repair. The current updates for the Main Street sidewalk and Village paving projects from Natalie Boyle/VTrans are available [online](#). tasks. The contractor will be onsite this week to begin completing various construction items in order to prepare for final paving. Any remaining sidewalk panel work will be addressed, material between the panels will be trimmed, facade repair on store fronts will be addressed, and general project-wide clean up will take place throughout the week. Final paving is currently being scheduled. Specific details about the paving schedule will be available next week.

Mountain Street sidewalk replacement project: Sargent Concrete and Construction returned to the project and completed the yard and driveway restoration. DPW Foreman Eric Cota is satisfied with the results. Prior to that work being completed the property owner at 43 Mountain Street was dissatisfied with the condition of his yard and driveway. [Online](#) is a request for reimbursement from D'Avignon for his time and expense to repair his lawn prior to Sargent returning to complete the job. It turned out he left two messages for me at the same time I was out of town and cell range. Eric Cota followed up with him, but this was before we knew if and when Sargent would return to complete the job.

Looking ahead, the next sidewalk segments on the Sidewalk Replacement Plan ([online](#)) are 100 feet on the east end of Park Place and 600 feet on the north side of East Street.

RECOMMENDATION: Discussion. Determine if additional information is needed.

V. OTHER BUSINESS.

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

- Revolving Loan Fund status report through 08/31/2020.
- Budget status report through 08/31/2020.
- E-mail from Tri-Valley Transit, 08/25/2020, re name change and new route.
- Recreation Department: September activities report for the Town Green.
- ACRPC September newsletter.
- Addison County COVID-19 Recovery Forum flyer.
- Governor Scott's Executive Order No. 03-20: Governor's Public Safety Reform Initiative.
- E-mail from the U.S. Census. 08/25/2020, re COVID-19 update.

VI. EXECUTIVE SESSION.

The Selectboard may choose to deliberate in Executive Session regarding contract negotiations per 1 V.S.A. §313(a)(1)(A) and personnel matters per 1 V.S.A. §313(a)(3).

Schedule

In response to the COVID-19 guidance, I will continue to be working from home most days but plan to be in the office occasionally to tend to things that were not easily accomplished remotely. My schedule for the weeks ahead, however, will be variable in response to a medical matter that requires attention. On Tuesday, Sept. 22, I will begin a series of daily treatments in Burlington for

28 weekdays, ending around October 29. My hope is they can be scheduled late in the afternoons, but I will not know until after that first week.

Week of September 14

Monday: 7:00pm – Selectboard via Zoom.
Wednesday: 10:00am – Staff meeting (yet to be confirmed).
6:30pm – ACRPC TAC meeting re Bartlett's Falls study application
Thursday: 7:30am – ACEDC Board meeting.
6:00pm – ACSWMD Board meeting.
Friday: 10:00am +/- – in Office.

Week of September 21

Monday: 10:00am +/- – in Office.
6:00pm – Emerald Ash Borer Strategic Plan Committee kick-off and meeting and orientation (not yet confirmed).
Tuesday: Out (medical).
Wednesday: Don't know yet.
Thursday: Don't know yet.
Friday: Don't know yet.

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., Sept. 14, 7:00pm via Zoom.
- [Planning Commission](#): Tues., Sept. 15, 7:00pm, via Zoom.
- [Bristol Energy Committee](#): Weds., Sept. 16, 7:00pm, via Zoom.
- [Selectboard](#): Mon., Sept. 28, 7:00pm via Zoom.
- Bristol CORE: Thurs., Oct. 1, 8:30am, via Zoom.
- [Selectboard](#): Mon., Oct. 12, 7:00pm via Zoom.
- [Planning Commission](#): Tues., Sept. 1, 7:00pm, via Zoom.
- [Conservation Commission](#): Thurs., Oct. 8, 6:00pm, via Zoom.

Upcoming Agenda Items

- Lister candidate interviews and appointments.
- Approve warning for special Town Meeting to coincide with the Nov. 3 general election.
- Finalize Town Treasurer and Town Clerk job descriptions.
- Class 4 highways maintenance policy.
- Winter maintenance policies and practices town-wide and for Main Street sidewalks.
- Town Plan review.
- Personnel Policies review.
- Process to become a Certified Local Government (CLG).
- Other stuff.

Respectfully submitted,
Valerie Capels, Town Administrator