

**Town of Bristol, Vermont  
Selectboard Meeting Minutes of  
Monday April 27, 2020**

Selectboard Members present: Chair Joel Bouvier, Ian Albinson, Peeker Heffernan, Darla Senecal, and Michelle Perlee.

Staff present: Board Clerk Tasha Bouvier, Town Administrator Valerie Capels, Director of Public Works Erica Cota, Director of Bristol Recreation Department Meridith McFarland, Assistant for Hub & Recreation Department Alex Mihavics, Police Chief Bruce Nason, and Director of the Hub Taylor Welch.

Others present: Nils Behn, (Aegis) Sally Burrell, Richard Butz, Peter Carothers (Acorn Solar), Rich Carpenter, Theresa Dessureault (Green Mountain Power), Tom Dunne, Filming for NeatTV Shawn Kimball, Ted Lylis, Mary Mester, John Moyers, Greg Pahl (Acorn Solar), Eric Phaneuf.

**I. Call to Order.**

1. Vice Michelle Perlee called the meeting to order at 7:05 p.m. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). There are no additions, removals, or adjustments.

**II. Public Forum.**

John Moyers asked whether composting at the landfill site is a realistic possibility and if it was he would love to see that happen. Eric Cota said there is not really space at the landfill. Joel Bouvier said he would bring that up to the Solid Waste District at their next meeting.

**III. Consent Agenda.**

Joel Bouvier moved to approve the consent agenda. Peeker Heffernan seconded, so voted.

1. Annual Landfill Inspection per Closure Agreement contract: Green Mountain Engineering. Recommended approval.
2. Reappointment of Edward Shepard as Bristol Fire Warden for five-year term. Recommended approval.
3. Banner application at West Street location by Mount Abe Union High School, May 15 – June 30, 2020 to honor Class of 2020. Recommended approval.
4. Request from J. Hutchins to use municipal water for VTrans paving project dust control. Approval recommended with the condition that connection to a hydrant be coordinated with VTUMS and that their time and the amount of water used be billed to the contractor.

**IV. Regular Business.**

1. Continued consideration of Acorn Solar Project (500 kW) on Bristol Landfill Memorandum of Understanding and Lease Option. Valerie Capels reported that the Selectboard received updated copies of the MOU summary sheet, the principal lease terms, and an e-mail with additional clarification. Selectboard members concurred with the updated bullet point in the MOU summary to say that AES3 may use the publicly available Grand List and Voter Check

List to contact those listed there to make them aware of opportunities to participate in AES3, LLC. The lease area was clarified to be 3.57 acres, but the arrays take up about 2.7 acres. Asked about how the fence would be installed, Nils Behn explained the landfill cap is about 2 ½ to 3 feet deep. The fence posts will go into that capped material very shallowly augmented with concrete and will not penetrate through the cap. There was agreement to keep the subordination language in the document. Following further discussion, there was agreement that the annual rent and tax payments totaling \$11,000 in the first year will be paid at the commencement of the lease and subsequent installments shall be paid on each-one-year anniversary of the first payment (i.e. once every twelve months thereafter). In each subsequent year, the payment will be increased by the amount that the taxes are due for that year exceed the taxes due for the preceding year. Peeker Heffernan moved to go ahead with the MOU with the changes that were discussed. Ian Albinson seconded. So voted.

2. Green Mountain Power request to install new utility pole on South Street. Theresa Dessureault (GMP) joined the meeting by phone. GMP submitted a work in the highway right-of-way application last month to install a new utility pole on South Street across from Brown McClay Funeral Home. The purpose of the pole is to provide upgraded electrical service for properties on the south side of Main Street, which GMP says is outdated and overdue. Joel Bouvier moved to allow them to install the pole. Ian Albinson seconded. So voted. Valerie Capels pointed out that there is a specific application for installation of new above or below utility wires in the right-of-way and neither application indicate anywhere that Selectboard approval is needed and just needs approval by the Public Works Foreman, though the Selectboard has approved similar applications in the past

3. Consider purchase of two automated external defibrillators (AEDs) through Bristol Rescue with Capital Building Reserve Fund. Valerie Capels explained that Mark Rickner from Bristol Rescue reached out to offer to extend a favorable price for new AEDs to the Town as part of an order they will be placing soon. There was discussion about having one at Holley Hall and at Howden Hall. There was agreement to also include at Lawrence Memorial Library. Peeker Heffernan moved to purchase three AEDs with Building Reserve Funds and to place them in Howden Hall, Holley Hall, and the Library. Joel Bouvier seconded. So voted.

4. Continued consideration of establishing the Horse Ring Committee. Meridith McFarland outlined that the committee would have seven members for 2-year terms. Proposed members include Lynda Malzac, Chanin Hill, Lee Beckwith, Elissa Cobb, Porter Knight, Kate Selby, and Polly Wilson. Dig Safe has been out to say where they can and cannot dig for replacing posts. Joel Bouvier moved to appoint the seven people to the committee as proposed. Ian Albinson seconded. So voted.

5. Request by American Legion to use the Town Green Park for a Memorial Celebration, May 25, 2020. There was discussion about what safety precautions will be necessary or appropriate by May 25. Joel Bouvier moved to allow the American Legion to use the Town Green Park pending the Governor lifting or amending the order limiting public gatherings. Peeker Heffernan seconded. The motion failed 1-4, with Joel Bouvier voting yes and Ian Albinson, Darla Senecal, Peeker Heffernan, and Michelle Perlee voting no.

6. New WCVT phone system contracts for Town Office, Fire Station, Police Station. There was brief discussion about some of the phone system particulars. Ian Albinson moved to approve the WCVT phone system contract for Town Office, Fire Station, Police Station and authorize Valerie Capels to sign the contract on behalf of the Town. Darla Senecal seconded. So voted.

7. Select engineering consultant for Stoney Hill Business Park engineering contract: Green Mountain Engineering. Valerie Capels explained that the proposed contract is the result of negotiations following a request for qualifications. Green Mountain Engineering estimates the cost to be up to \$140,945. The Northern Border Regional Commission grant would pay up to 50% of the expenses and Stoney Hill Properties, LLC would be responsible for all other expenses. Joel Bouvier moved to approve the Stoney Hill Business Park engineering contract with GME. Ian Albinson seconded. So voted.

8. Coronavirus COVID-19 update: Preparations, response, and impacts to municipal operations. Valerie Capels reported that a letter was sent to all revolving loan fund borrowers inviting them to amend their loans in accordance with the terms the Selectboard approved. Three companies responded: In Stitches, Vermont Honey Lights, and Vermont Tree Goods. Attorney Kevin Brennan advised the Town that a legal document would need to be drawn up to amend the original loan documents and be provided to the bank, so a small legal expense will be incurred that would be paid from the RLF fund. The amount should be about \$200 or less. The week of April 20<sup>th</sup>, the Public Works team returned to work as allowed under the Governor's updated order and a memo was provided to just the DPW regarding protective protocols based on the guidance at that time. Ian Albinson reported that a postcard mailing would cost \$1,068 in postage and \$831 for printing. He asked for the cost of a black and white postcard as well. Valerie noted that the postcard would need to include information about protective measures related to COVID-19 for it to be reimbursed by FEMA money.

9. Review Selectboard schedule, goals, and priorities for 2020-2021. The draft calendar and lists of activities were discussed and reviewed. John Moyers suggested that checking the windows at Howden Hall for potential moisture issues be added to the list.

10. Approval of the February 17, March 2, March 16, March 30, April 13, and April 16, 2020 meeting minutes. Joel Bouvier moved to approve March 30 and April 16, 2020 meeting minutes with corrections. Ian Albinson seconded. So voted. February 17, March 2, and March 16 will be moved to the next meeting.

11. Authorize accounts payable warrant and any liquor licenses. Accounts Payable warrant \$33,259.51.

12. Selectboard roundtable.

Joel Bouvier expressed concerns about garbage on the park. R&L Rubbish comes at 5:30 a.m. to pick the garbage up at the park and people are complaining. The trash can was empty but blocked by a pizza box. He wondered what the water report from Jill at VTUMS says on how much water we pump and sell. There is about 26,000 gallons of water per day behind Rockydale

that is wasted and he wondered if the pipe can be smaller. He asked why pay orders were being sent from Sharon and not Jen. Valerie and others explained that, as Administrative Assistant, she has been assisting Jen as the Treasurer in preparing the pay orders and warrants.

Ian Albinson provided an update regarding the park trash and is in the process of getting a quote from Sargent's to adjust the trash bin lids to eliminate the shelf. There was discussion whether to have businesses on Main street have trash bins outside their businesses.

13. Town Administrator's report. Valerie Capels had nothing to add to her written report.

**V. Other Business.**

1. 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, contract negotiations per 1 V.S.A. § 313(a)(1)(A), labor relations agreements per 1 V.S.A. § 313(a)(1)(B), pending litigations, and personnel matters per 1 V.S.A. § 313(a)(3). Bruce Nason was invited. Joel Bouvier seconded. So voted.

The Selectboard met in executive session from 9:38pm to 10:45pm. Upon returning to open session Peeker Heffernan made a motion to authorize the Chair to execute any/all necessary documents required for settlement of the pending "Westbrook" litigation (US District Court for Vermont # 2:19-cv-00046 ), subject to consultation with legal counsel and the Vermont League of Cities and Towns. Ian Albinson seconded. So voted.

**VII. Adjourn.**

At 10:45 p.m. Ian Albinson moved to adjourn the meeting. Peeker Heffernan seconded., So voted.

Respectfully submitted,

Tasha Bouvier, Board Clerk

Valerie Capels, Town Administrator