

Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday August 24, 2020

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

Staff present: Board Clerk Tasha Bouvier, Town Administrator Valerie Capels, Police Chief Bruce Nason, and Zoning Administrator Kris Perlee.

Others present: Stever Bartlett, Bill Brown, Nancy Cornell, Lynn Dike, Anna Doucet, Isabelle Gallivan, Kevin Hanson, Patty Heather-Lea, Shawn Kimball (NEATV), Adam Lougee, Jeff Lunstead, Katie Raycroft-Meyer, Bill Sayre, Kristen Underwood, and Tom Wallace.

I. Call to Order. Chair Michelle Perlee called the meeting to order at 7:01 p.m.

1. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). Submit application to Bartlett Falls for traffic issues.

2. Overview of Zoom meeting operation and procedures: rules for participation, mute microphone, recognition by Chair, etc.

II. Public Forum.

1. Will Sipsey (Addison County Transportation Advisory committee) which he has been a member of since roughly the early 2000s. He said the Committee is looking at the intersection of Lincoln Road and Route 116 which a study needs to be done. Ian Albinson moved to agree to sign the application for the study. Darla Senecal seconded. So, voted.

III. Public Hearing: Proposed Bristol Unified Development Regulations.

Valerie Capels reported that the hearing notice was not posted in time at the Town Office or on the Town's website but was posted in time for the newspaper. There was agreement to hold another public hearing on September 14, 2020 during a regularly scheduled Selectboard meeting. Planning Commission Chair Katie Raycroft-Meyer explained that 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. She provided a brief overview of the Articles and, other topics substantially amended in the proposed document, and other minor changes also proposed.

Katie and Kris Perlee explained that including subdivision regulations will eliminate the need for Act 250 review for some projects on less than 10 acres, provide Bristol with more local control over development, and provide for more oversight and public participation in the subdivision process. Going forward, plot plans will need to be professionally surveyed. Peeker noted that Ken Weston had been pushing for subdivision regulations for about twenty years.

Katie said among the biggest changes is it incorporates a new Development Review Board in place of the current Zoning Board of Adjustment. The Planning Commission would no longer review site plans or subdivisions and would only handle planning.

Valerie explained that because this is 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, which voters will need to request separately 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. If approved by voters, there will be a rescission period before it will take effect. During that time, the Selectboard could solicit members to the new DRB, which could include members from the current ZBA or the PC who wish to continue to be involved in development review.

IV. Consent Agenda.

Joel Bouvier Heffernan moved to approve consent agenda. Ian Albinson seconded. So voted.

1. Authorization to apply for FEMA funds to reimburse eligible COVID-19 related expenses. Approval recommended.
2. Authorization to apply for Vermont Local Government Expense Reimbursement Grant for non-FEMA-reimbursed COVID-19 expenses. Approval recommended.
3. Authorization to apply for a Coronavirus Municipal Records Digitation Grant. : Approval recommended.
4. Authorization to apply to the Dept. of Children and Families for grant to recover lost revenue due to COVID-19. Approval recommended.
5. Authorization to apply to the Ben & Jerry's Foundation for grant to fund tutoring. Approval recommended.
6. Authorization to apply to the Vermont Urban and Community Forestry Program Ash Tree Management Grant. Approval recommended.
7. Add Christopher Urban to the Emerald Ash Borer Strategic Plan Committee. Approval recommended.

V. Regular Business.

1. Consider a resolution to participate in an Addison County Communications Union District (ACCUD) and appoint three representatives to it. Adam Lougee (ACRPC) explained that the Board will help with broadband communications or communications in general for Addison County. Eleven towns so far have joined as initial sponsors. There would be one person appointed and two alternates. Ian Albinson moved to have the Town of Bristol join the ACCUD. Peeker Heffernan seconded. So voted. Peeker Heffernan nominated Ian Albinson to serve as Bristol's representative. Joel Bouvier seconded. So voted. Ian said he will attempt to reach out to see if anyone is interested to serve as alternates.

2. Research request for Saunders River Access, including use of Rodeo herbicide for management of Reed Canary Grass. Valerie Capels reported that online are a series of communications from the Bristol Conservation Commission, Vermont Rivers Conservancy, and the Vermont Housing and Conversation Board regarding a proposal from Stever Bartlett's request to establish a two-year research plot on Saunders River Access to study the effectiveness of mechanical methods, such as tilling and mowing, to suppress the invasive Reed Canary Grass so that newly planted tree and shrub stems in floodplain and riparian buffers have greater survivorship. Both VRC and VHCB approved the proposal and requested temporary signage be installed to educate the public.

Stever Bartlett explained this this site would be one of eight sites with particular characteristics located in the Champlain Valley needed for the grant-funded study. He did have one or more alternatives if this site was not approved. Joel Bouvier expressed strong concern about the potential impact to shallow wells in the area. Numerous citizens provided written comments or were present to express concern about the use of Rodeo.

After considerable discussion, Peeker Heffernan moved to allow the project to proceed. Ian Albinson seconded. The motion failed, with Joel Bouvier, Michelle Perlee, Darla Senecal, and Ian Albinson voting no.

3. Two-month review of Park Use Permit for recurring Black Lives Matter demonstration at Town Green, 1st, and 3rd Thursday, 5:30 p.m. Valerie Capels noted she had recommended in her TA Report approval through 2020, but reconsidered based on other on-going events that happen year after year. Anna Doucet and Isabelle Gallivan summarized that the events have gone smoothly. Police Chief Nason added he has no concerns and received no complaints. Joel Bouvier moved to accept their application with no end date and no additional conditions. Darla Senecal seconded. So voted. Anna Doucet said the group had considered doing the movement every Thursday. There was agreement that if that is the case, they can amend or reapply with the Bristol Recreation Department directly and no further Selectboard COVID-19 review would be necessary.

4. Consider whether to proceed with Ireland Road stabilization with NRCS Emergency Watershed Program grant funds. Valerie Capels reported that stabilization of the Ireland Road washout along Lewis Creek was one of three projects deemed to be eligible for 75% funding through the NRCS Emergency Watershed Protection (EWP) program. EWP engineers estimated Project #5038-020 to cost approximately \$34,350.00, \$25,762.50 of which would be paid through the EPW program and \$8,587.50 would be the required match. The area is close to the Starksboro town line; however, it appears to have been determined to be on the Bristol side. Online is a draft plan of the repair, coordinated with 455 Ireland Road, prepared by EWP engineers. A permit would be required from the State Stream Alteration Engineer and the Army Corps of Engineers. There is some question whether repair is necessary or a high priority. Selectboard would like to hear more information before deciding. Peeker Heffernan agreed to visit the site and provide more information.

5. Authorization request to apply to the Vermont Bicycle and Pedestrian Grant Program for a new sidewalk scoping study. Valerie Capels reported that this request is for authorization to apply for VTrans Bike Ped funds to conduct a scoping study for one of several potential projects:
 - a. Scoping study for new sidewalk on Airport Road from West Street to Mount Abe. We are told the Town road ends at the gate, so a cooperative agreement would be need with the MAUSD.
 - b. Scoping study for new sidewalk along Munsill Avenue from West Street to Pine Street.
 - c. Preliminary design of a new sidewalk alignment and restored green space on West Street from Champlain Farms to Howden Hall.
 - d. Something else?

Following brief discussion, Ian Albinson moved to move forward with the study for the Munsill Avenue section. Joel Bouvier seconded. So voted.

6. Consider how to address the two vacant Lister positions and provision of Lister Services. Valerie Capels reported that Craig Scribner's Lister consultant contract is set to close at the end of this month and he does not want to renew. He has offered, however, to remain available, at no cost to the Town, for occasional support and services to the Lister Department. There are two vacancies among the three elected Lister positions, which means there is no longer a quorum and 17 VSA 2651(c) would apply, which authorizes the Selectboard to appoint a professional Assessor until the next annual Town Meeting. It also authorizes the Selectboard to recommend abolishing the elected Lister position by ballot at an annual Town Meeting. In that case, the Town would need to hire a professional Assessor. There was discussion about how the role of a professional Assessor relates to the Board of Listers. There was consensus to solicit candidates to fill the vacant positions at until the next election and also develop a scope of work for a part-time Assessor. Joel Bouvier volunteered to assist on the scope of work and will reach out to Bill Benton and Bill Hinman. Theresa Gile also suggested Benton Mitchell.

7. Coronavirus COVID-19 update: preparations, response, and impacts to municipal operations. Valerie Capels reported that little has changed since the previous report, except that the Governor extended the Emergency Order to September 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 to distribute to citizens in need of one. She urged Selectboard members to come by the Town Office to sign the growing number of documents. Some are time-sensitive and they are stacking up.

8. Paving and sidewalk projects update. The stamped concrete work is expected to be completed. Little activity is planned this coming week. Final paving has not been scheduled yet, as crews continue to manage drainage structures, replace water valve boxes, and complete other pre-paving tasks. The Rockydale hydrant work will be done soon, and the water will need to be shut off, but will hold off until the very last minute. MUTDC signage has been a concern regarding the Mountain Street sidewalk project.

9. Approval of the August 10, 2020 meeting minutes. Ian Albinson moved to approve August 10, 2020 meeting minutes. Joel Bouvier seconded. So, voted.

10. Authorize accounts payable warrant and any liquor licenses. Accounts Payable warrant \$128,083.95. Ian Albinson moved to approve the special event permit for Hogback Mountain Brewery for the Bristol Fire Department event at the Fire Station on September 19 from 2-6 p.m. Darla Senecal seconded. So voted.

11. Selectboard roundtable.

a. Joel Bouvier asked how the trash at the food truck at Bartlett has been going. Bruce Nason said looks like they have been cleaning up the trash and been going up to Bartlett Falls more frequently due to parking issues which seem to be improving. Valerie Capels said from the last communication she had with them after the Selectboard's approval they said they did not want to continue it because it was not lucrative enough. They also have not let her or Bruce know.

Joel noted that the hydrant replacement at Elm Street was completed and looks good. He also noted that the intersection of River Road and Route 116 the needs to be mowed due to high grass and asked if the State or the Town can see that it gets done.

The fencing on the bridge that the National Bank of Middlebury is giving away from the Middlebury project will be 300 feet and is coming down in mid-September. If the Town wants it, we need to have a truck and a trailer there to take it. There was consensus to accept the offer for possible use at the Varney Cemetery on Hardscrabble Road. It could be stored at the Public Works Facility.

Joel reported that he reviewed water billing reports of the first three months over the last four years (2017, 2018, 2019, and 2020) and found the Town is losing about 60% of the water being pumped into the ground. He recommends bringing 62 seconds back in to look for leaks. He also questioned what the impact on the electric bill at the pump house would be if we could sell 60% and only leak 40%.

b. Ian Albinson mentioned he liked the idea in Jen Myers' email regarding looking at the budget by department rather than looking at it overall and starting sooner. He asked about the status of the Greg West development.

Ian reported that the solar project on Route 116 has gone online and we will begin to see savings on our electric bills. The landfill solar is currently delayed by about eight weeks. There was discussion about who brushhogs the landfill and how often. Joel offered to look into it.

Ian recommended that we have a discussion about winter maintenance of downtown sidewalks, Main Street in particular, and a clear delineation in writing regarding who does what for sidewalks, etc. What is the town responsible for and what are the store owners responsible for? He would also like to look into improving plowing of Main Street. Joel reported that he and Eric went to Champlain Valley Equipment last April to get price on an all-angle plow that would work better on Main Street sidewalks.

c. Peeker Heffernan said the new sidewalk was extremely rough on the South side of Main Street. Joel Bouvier said it is a broom finish and suspects it might have a small rough finish due to wintertime and having it smooth can make it slippery.

d. Michelle Perlee asked about criteria for stoning or seeding ditches. She also recognized Will Elwell for his service with the Bristol Fire Department.

Discussion regarding Ireland Road resumed and Mike Lapointe's May 2020 e-mail with pictures was reviewed. There was agreement to add it to the September 2 special meeting agenda for continued discussion.

Town Administrator's report. Valerie Capels reported that there was a second FEMA site visit at the Eagle Park fishing platform and the damage report was updated. She is working on the FEMA grant application for COVID expenses reimbursement which is due September 1. The Stoney Hill Business Park project is moving along. She received a dog complaint from Matthew Baron against Travis Manning dogs. A letter will be sent and a hearing may need to be scheduled. The team from Bread Loaf met with Bruce regarding the Police Station programming

VI. Other Business.

1. Correspondence, reports, correspondence received.

VII. Adjourn.

At 10:18 p.m. Ian Albinson moved to adjourn the meeting. Joel Bouvier seconded. So voted.

Respectfully Submitted by,

Tasha Bouvier
Board Clerk

Valerie Capels,
Town Administrator