

Bristol Town Administrator's Report

April 25, 2021

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, April 26, 2021 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."

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/87912810018?pwd=WFdGNUtJYWx1eHMrenpqTkZmUUNGZz09>

Meeting ID: 879 1281 0018

Passcode: 619003

Join meeting by phone: 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. CONSENT AGENDA.

Item III.1. Approve curb cut application 2021-02DA, Dwire, on Lower Notch Road per Public Works Foreman's recommendations. [Curb cut application 2021-02DA](#) is for a new single residential driveway access on Lower Notch Road. The driveway is proposed to be located twenty-five feet (25') from the southernmost property pin, parallel with the property line.

RECOMMENDATION: Approval per DPW Foreman Eric Cota's recommendations that no culvert is needed; however, a number of trees will need to be cut in both directions to obtain the appropriate sight distance. He offered to meet with the property owner(s) to discuss the details.

Item III.2 Approve curb cut application 2021-03DA, Jackman, on Mountain View Street as proposed. [Curb cut application 2021-03DA](#) is for a new residential driveway access on Mountain View Street. It would be 21 feet from the property line and 30 long from the garage to Mountain View Street.

RECOMMENDATION: DPW Foreman Eric Cota had no concerns. Approval.

Item III.3. Approve curb cut application 2021-04DA, Davis, on Meehan Road per Public Works Foreman's recommendations. [Curb cut application 2021-03DA](#) is for a new agricultural access on Meehan Road.

RECOMMENDATION: Approval per DPW Forman Eric Cota's recommendation the new driveway be constructed level or pitched back a little to keep the water off the road. Sight distance is good and no culvert is needed.

Item III.4. Approve grant authorization request: Recreation Department application to the Vermont After School Summer Grant Program, for up to \$75,000. This [grant application authorization request](#) from the Recreation Department for up to \$75,000 is to increase accessibility and affordability to children and families in the community to strengthen and recover after the stress put on the community from the COVID19 pandemic. They are looking diversify the programs offered during out summer camps, offer opportunities for teens this summer, and partner with the Library to add more programs. No match is required.

RECOMMENDATION: Approval.

Item III.5. Approve grant authorization request (retroactive): VTrans Structures application for Lincoln Road/New Haven River riverbank washout restoration. This [grant authorization request](#) is for retroactive approval to apply to the VTrans Structures Grant Program for funds to help repair and stabilize two sections of the riverbank of the New Haven River along Lincoln Road. The application was due by April 15, 2021 and was submitted for a total estimated project cost of up to \$300,000. The maximum amount currently available through that program is \$175,000; however, there are currently legislative efforts pending to increase the amount to \$200,000. A 20% match would be

required. Other grant sources would be explored to meet the match. Otherwise, funds could be considered through the Capital Roads Reserve Fund. Failure to stabilize the river bank could lead to undermining of Lincoln Road over time or with a storm event.

RECOMMENDATION: Approval.

Item III.6. Approve Green Mountain Power petition: request to rebuild poles on Lower Notch Road. Online is a [petition from GMP](#) to rebuild their power poles in place with heavier wire and new poles to increase reliability. No new poles would be added to the total number and none will be relocated closer to the road.

RECOMMENDATION: Approval.

IV. REGULAR BUSINESS.

Item IV.1. Stoney Hill residential development: density and Town property transfer negotiation update and next steps. This item is to follow up from the February 23 Selectboard meeting at which [options were discussed](#) for transferring some aspect of the Town's adjoining property to the Stoney Hill residential development project in order to accommodate increased density from the 15 currently approved to 20 units. The Selectboard expressed support at that time for the concept and asked that other alternatives be considered, such as a long-term lease or easement or an alternative configuration of the property to the south. Since then, the option of an interim zoning bylaw authorizing a density bonus under certain conditions was suggested.

In her [April 1, 2021 e-mail](#), Samantha Dunn of Evernorth is asking the Selectboard to consider executing a memorandum of understanding (MOU) affirming the Selectboard's support while a final approach is decided about how to accomplish the increased density objective. The need to have an amended zoning permit no later than sometime in July is driving the timeline. They need to have an amended Act 250 permit in hand by October, which cannot be applied for until the amended zoning permit has been issued. Amending the zoning permit will require at least one public hearing before the Bristol Development Review Board. In the meantime, an MOU in hand for their presentation to funders on May 24 would strengthen their position if a final decision or other action has not been made.

We have since confirmed that a long-term lease or easement on the Town property will not be an option for density purposes; the property must be in the applicant's ownership. Interim zoning creating a density bonus overlay district could be an option, but the timeline for defining the components and locations where it would be applicable (to avoid spot zoning) is highly uncertain. An alternative configuration of a potential lot line adjustment involving the Town's land to the south may be available at Monday's meeting. Because this area is in different zoning district, more land area would be needed to meet the density requirement.

As an aside, it was noted that the Police District line goes through this property, such that one part the project would be within the district and the other part would be outside the district.

RECOMMENDATION: Consider approving the MOU as proposed and authorize either the Chair or Town Administrator to sign it. Alternatively, vote to authorize a lot line adjustment from the Town to the owner of the Stoney Hill residential development parcel based on a final agreed-upon configuration, including a perpetual easement to allow the Town full access and rights to maintain and repair the slope and riverbanks and to allow for the development and maintenance of public trails.

Item IV.2 Eagle Park universal fishing platform proposal for engineering design services for flood mitigation. This is on the agenda both as an update and to seek the Selectboard's direction for next steps. We know that [FEMA has estimated the cost to repair](#) the universal fishing platform (UFP) to its pre-flood condition to be \$55,322 . We have also been advised by FEMA that this project would probably qualify for additional hazard mitigation funding if additional or alternative elements were included to *prevent* future damages.

Members of the Conservation Commission (BCC) have been stewards of this public facility. With Pete Diminico's passing last year, current and former BCC members Kristen Underwood and David Henderson have stepped up to assist with repair of the platform and area around it.

Because the original design engineer would already have plans of the site and be familiar with the project, [they reached out to Roy Schiff](#) from the original design engineer Milone and McBroom for a cost proposal to evaluate the current condition of the site and develop an alternative design to reduce future damages. We have received his cost proposal; however, he is now with a new firm SLR. The quote is not being disclosed publicly in the event the Selectboard wishes to seek other proposals. [Bristol's current procurement policy](#) allows for sole source contracts and does not require multiple quotes for professional services, such as engineering.

The Selectboard could also decide not to go in this direction at all and focus on the funding in hand for the immediate repair. Whichever way we go, FEMA would pay 75%, the state would pay 12.5% through ERAF, and the Town would be responsible for the remaining 12.5%. The BCC is prepared to fundraise to help cover the Town's share of the expense. Funds could also be used from the Conservation Reserve Fund.

We learned last week that FEMA would need more information to determine if the proposed hazard mitigation would be eligible and if the engineering expense was reasonable for reimbursement.

The funding period for the 2019 Halloween storm ends in July 2021, but an extension can be applied for.

Kristen and Dave are planning to Zoom in for the discussion. Roy Schiff would also be available if the Selectboard would like. More information may become available before Monday's meeting.

RECOMMENDATION: Discussion. Determine if additional information is needed.

Item IV.3. Water Commission: water bill adjustment request from Jacqueline Fefee, 613 Rockydale Road. Online [is request from Jacqueline Fefee](#) on Rockydale Road for some form of adjustment to her March water bill, which reflected the water that passed through her cracked water meter before it was replaced by VTUMS. The March 2021 bill amounted to \$743.71; whereas bills for recent previous quarters ranged from \$66 to \$72. It was believed the meter cracked because the area where it is located was not sufficiently insulated.

RECOMMENDATION: Determine if additional information is necessary.

Item IV.4. Water Commission: application for new water connection, Paul Jackman, 23 Mountain View Street. Online is an [application for a water line connection](#) to serve a new single family residence at 23 Mountain View Street. A 44-foot copper line is proposed from the water main to the house. An application for work in the right-of-way was also submitted, which DPW Foreman Eric Cota approved with the conditions that after the water line is installed, the area excavated must be compacted in 12-inch to 16-inch (12" – 16") lifts; be paved back in two (2) 2-inch (2") lifts; and if the line is going under the driveway, that it be insulated with blue board.

RECOMMENDATION: Approval with the following conditions:

- (1) Compliance with the [Bristol Water Ordinance](#),
- (2) Compliance with the permit to perform work in the highway right-of-way,
- (3) That VTUMS be contacted at least two days in advance to witness the installation and to perform the connection to the curb stop, and
- (4) That the applicant be responsible for the [\\$500 base connection fee](#), the actual cost of the meter, appurtenances, service line pipe, curb stop, charges for VTUMS' service, and any other materials associated with the installation.
- (5) The Town should include a copy of the [What To Do If You Have A Water Leak handout](#) with the approved permit materials.

Item IV.5. Town Green Park Use application: Bobcat Café Food Truck off West Street. Online is a [Town Green Park Use application for the Bobcat Café](#) to set up a food truck in parking spaces on West Street across from bandstand on Friday nights from 4:00pm to 9:30pm starting June 4, 2021. Their goal is to create a community event each Friday evening to bring other vendors, artists, and musicians together. An outside alcohol consumption area is included. COVID-19 protocols would be in place.

RECOMMENDATION: Determine if additional information is needed. If approved, determine if the approval is for 2021 only or if this is intended to be open-ended.

Item IV.6. Recreation Department proposal for purchase of a bus or van for program transportation. Recreation Director Meridith McFarland would like to present a proposal the department is contemplating to purchase or lease a 15-passenger bus or van to be used to transport program patrons to various camps and/or event in and outside of town. It could be possible that funds from any number of state and federal COVID-related and/or recreation-related grant programs could be eligible for such a commitment.

RECOMMENDATION: Discussion. Determine next steps and if additional information is needed.

Item IV.7. Third quarter budget status review; FY2020 audit status update. The 3rd quarter budget report Treasure Jen Myers has been working on was not available to be included online and is likely to be presented at Monday's meeting. With the end of the fiscal year a little more than two months away, this is an opportunity to review how things are shaping up for the FY2021 budget. This is also an opportunity to check in on the status of draft 2020 audit report prepared by Sullivan, Powers, & Associates. Jen and I have not had a chance yet to go through it together.

RECOMMENDATION: Discussion.

Item IV.8. American Rescue Plan Act preliminary discussion. [Online is letter](#) from the Addison County Regional Planning Commission (ACRPC) and the Addison County Economic Development Corporation (ACEDC) encouraging member towns to begin thinking about how they could best deploy the funds we are expected to receive through the American Rescue Plan Act (ARPA). As many people already know, I have been reluctant to get too far ahead of this subject without having more information about project or program eligibility, criteria, matching requirements, expected timelines, reporting and delivery requirements, and more. This information is expected to be released by the U. S. Treasury in a couple weeks. In the meantime, the Town of Bristol is expected to receive a total of more than \$1.1 million.

Infrastructure projects I expect would be high on Bristol's priority list include upgrades to the Core sewer system, the Pine Street water line replacement, upgrades at the water system pump house (control panel, generator), the Basin Street improvement project, and new sidewalks. Some members of the community also have other ideas and priorities.

The ACRPC and ACEDC are offering to assist municipalities to sort through options and how to best maximize use the funds, including potential investments in programs outside of the Town of Bristol.

RECOMMENDATION: Discussion. Consider some sort of forum to solicit public input. This will no doubt continue to be discussed at several meetings in the near future.

Item IV.9. Review and adoption of the Bristol Local Emergency Management Plan. A copy of the updated Bristol Local Emergency Management Plan will have been distributed by e-mail among various stakeholders for review and comment. It is not intended to be posted on-line because it contains a fair amount of personal contact information. Annual update and adoption of a Local Emergency Management Plan is one of the basic requirements for receiving post-disaster funding from the state.

RECOMMENDATION: Determine if additional information or adjustments are needed. Vote to approve the 2021 Bristol Local Emergency Management Plan. Because the [adoption form](#) requires a signature from a Selectboard member and an individual that has ICS402 or ICS100/IS-100 training, designate Peeker and Joel as signers.

Item IV.10. East Street sidewalk replacement project draft RFP review, including Park Street section to be replaced. This item may get continued to the next meeting. I was expecting it to be further along for inclusion on the agenda—and it may still come together on Monday in time for distribution and review. The [10-year sidewalk replacement plan](#) prepared by Peter Coffey in 2017 identifies 100 feet on east end of Park Place (or is it Park Street?) and 600 feet on the north side of East Street as next for replacement. A goal of the Selectboard had been to advertise this for bid early in the season before contractors' schedules fill up and prices rise.

RECOMMENDATION: If on the agenda, review the scope details for any adjustments.

Item IV.11. Approval of the March 29 and April 12, 2021 meeting minutes. The March 29 and April 12, 2021 minutes are still in the process of being reviewed and are expected to be posted online and e-mailed prior to Monday's meeting. The original drafts are posted.

Item IV.12. Authorize accounts payable warrant and any liquor licenses. [Accounts payable warrant](#).

V. OTHER BUSINESS.

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

- Revolving Loan Fund [status report 03/31/2021](#).
- Copy of Governor Scott's [amended Emergency Order](#) extending the deadline to May 15, 2021.
- Vermont Emergency Management [April 2021 Newsletter](#).

VI. EXECUTIVE SESSION.

This is tentatively on agenda in the event the Selectboard wishes to deliberate regarding contractual negotiations per 1 V.S.A. §313(a)(1)(A) or personnel matters per 1 V.S.A. §313(a)(3).

Yard Waste Dumpster at Public Works Facility

In response to an inquiry this past week about whether R&L would consider adding a yard waste dumpster to their Saturday Bristol operation for a limited time, we were informed that they went ahead and did it on Friday! The details of the installation and how it is expected to be managed are not yet known but probably will be by Monday's meeting. We know that people dumping material other than yard waste (e.g., trash, brush, etc.) created a big problem in the past and the service was discontinued. R&L offered to do a one-day drop-off for brush, twigs, etc., which needs to go in a separate container.

Green Up Day is Saturday May 1

Green Up Day bags are available on the steps of Holley Hall and at Lawrence Memorial Library. Bags filled with roadside litter should be placed on the side of any Town road in Bristol by noon, May 2 to be picked up. People can also bring Green Up Day bags filled with roadside litter directly to the transfer station in Middlebury for no charge.

Conservation Commission Chair Carolyn Dash is Bristol's [Green Up Day Coordinator](#). She can be reached at thecarolyndash@gmail.com or (802) 881-7341.

Street Tree Removal and Maintenance

Folks might have noticed a number of trees around town marked with ribbons. These trees are currently on the docket to be removed. The Public Works Department has identified at least 14 trees that need to be removed and possibly others for some overdue pruning. This will be on the Selectboard's agenda for the May 10 meeting.

COVID-19

In line with Governor Scott's [Vermont Forward Plan](#) and that most, if not all, Bristol employees will have received their full measure of vaccinations, we plan to also discuss at the next Selectboard meeting preliminary plans for re-opening the Town Office. I intend to return to the office at least four days a week beginning May 10.

Schedule

In response to the COVID-19 guidance, I will continue to be working remotely most days but plan to be in the office at least twice a week. I can be reached by email at townadmin@bristolvt.org and phone messages left to 453-2410 ext 1 are forwarded to me. I will respond either by phone or by e-mail, depending on timing, location, and cell/Internet connectivity.

Week of April 26

Monday: Working remotely.
7:00pm – Selectboard via Zoom.

Tuesday: Working remotely.
7:00pm – DRB meeting re Stoney Hill Business Park.

Wednesday: 10:00pm +/- – in Office.

Thursday: Working remotely.
2:00pm - COVID-19 Briefing for Local Municipalities and Response Agencies.

Friday: 10:00am +/- – in Office.

Week of May 3

Monday: Working remotely.
Tuesday: Working remotely.
Wednesday: 10:00am +/- – in Office.
Thursday: Working remotely.
Friday: 10:00am +/- – in Office.

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., April 26, 7:00pm via Zoom.
- [Development Review Board](#): Tues., Apr. 27, 7:00pm, via Zoom.
- [Selectboard](#): Mon., May 10, 7:00pm via Zoom.
- Bristol CORE: Thurs., May 13, 8:30am, via Zoom.
- [Conservation Commission](#): Thurs., May 13, 6:00pm, via Zoom.
- [Planning Commission](#): Tues., May 18, 7:00pm, via Zoom.
- [Bristol Energy Committee](#): Weds., May 19, 7:00pm, via Zoom.
- [Selectboard](#): Mon., May 24, 7:00pm via Zoom.
- [Development Review Board](#): Tues., May 25, 7:00pm, via Zoom.

Upcoming Agenda Items

- Street tree removal bids.
- Discuss use of the Bristol Revolving Loan Fund for solar agreements, emergency repairs from storm damage, or other activities.
- Review draft RFP for East Street and Park Street sidewalk replacement.
- Continued Personnel Policy review and updates.
- Continued review of Purchasing Policy draft updates.
- Water Ordinance revisions.
- Finalize Town Treasurer and Town Clerk job descriptions.
- Determine funding allocations for the Main Street Sidewalk and Lighting project local expenses.
- Review of FY2020 audit.
- Continued consideration of the Public Works/Police Department site analysis next steps.
- Class 4 highways maintenance policy.
- Process to become a Certified Local Government (CLG).
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator