

Bristol Town Administrator's Report

June 27, 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 documents available electronically at bristolvt.org/meeting-minutes in the Selectboard section. Live links are provided throughout this report to those documents when possible, as well as to outside sources. 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, June 28, 2021 Meeting Agenda and Materials

I. CALL TO ORDER: 6:30PM.

II. Executive Session. No public Zoom link for this agenda item.

III. CALL TO ORDER: 7:00PM.

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."

Time limits are included on the agenda in an effort to manage and focus the Selectboard's and citizens' time. Some items might require more or less time than estimated. If substantially more time is expected to be needed, this may help Selectboard members determine if the item needs to be continued to a future agenda.

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.

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=WFdGNUtJYWxleHMrenpqTkZmUUNGZz09>

Meeting ID: 879 1281 0018

Passcode: 619003

Join meeting by phone: 1 (646) 558-8656

IV. 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.

V. DEPARTMENT HEAD ROUNDTABLE.

This is a relatively new addition to the agenda intended to be a regular opportunity for department heads to briefly share information that may be of interest to the Selectboard and the public on a topic that is not part of the agenda. Many department heads often attend the meetings anyway.

Recreation Director Meridith McFarland may use this opportunity to update the Selectboard and others of [proposed changes](#) in the plan for the Harvest Festival in September. Changes from the [April 12, 2021 approval](#) include the number of vendors and location of the food trucks.

VI. REGULAR BUSINESS.

Item VI.1. Maple Broadband (Addison County Communications Union District) update: Steve Huffaker. Steve Huffaker has [asked to meet with the Selectboard to provide an update](#) on the Addison County Communications Union District's Maple Broadband.

RECOMMENDATION: Discussion. No action is necessary.

Item VI.2 Continued consideration of land transaction with Stoney Hill Properties, LLC to support Firehouse Apartments (Evernorth), review of proposed quit claim deed, and review of the Section 1061 notice. Online is the [proposed Quit Claim Deed](#) to transfer the 5.8 acres of Town land to Stoney Hill Properties, LLC to benefit the proposed 20-unit mixed-income Firehouse Apartments housing development. The [online plat shows the highlighted area](#) to be conveyed. The deed is intended to preserve the Town's rights of access for slope maintenance and repair, riverbank stabilization and maintenance, and public trails access. Concerns were expressed about whether an additional access easement will be necessary for the Town to access its Lot 2 to the south from the northern end. There would be access from Cold Spring Road off Lovers Lane; however steep slopes and other terrain features may prevent full access from there. Kevin Harper (Stoney Hill Properties, LLC) indicated his willingness to provide an access easement from the Stoney Hill Business Park lot if it found to be necessary. However, since the Town will still have rights of access from the northern section being conveyed, additional access rights might not be necessary.

Also online is the [Section 1061 notice](#) that must be published in a newspaper of general circulation providing 5% of Bristol voters 30 days for the opportunity to submit a petition to object the proposed transaction. If a qualifying petition is received within the 30-day period, the Selectboard would need to hold a special Town Meeting on the question. This notice is planned to be published in the July 1, 2021 issue of *The Addison Independent*. If the 30 days pass with no petition submitted, the closing could occur in early August.

Evernorth and the Addison County Community Trust are currently scheduled to present their conditional use approval application to the Development Review Board at the meeting on August 10, 2021.

RECOMMENDATION: Determine if additional information is needed or if adjustments are warranted to the proposed documents. There is time within this 30-day period for seek additional review, if needed. If the Selectboard is satisfied with the final document, authorize the Town Administrator to represent the Town at the August closing. The Selectboard already affirmed its intention to support the transaction, so I do not believe any additional action is needed on that question.

Item VI.3. Consider proposed indemnification agreement related to the above donated land.

Online is a [composite redlined draft of a proposed Indemnification Agreement](#) initially drafted by Jill Broderick, Esq., representing Evernorth. It also contains recommended edits from Town Attorney Benj Deppman. Attorney Broderick proposed expanding paragraph 3 regarding insurance coverage after Attorney Deppman's review of the first draft. This composite draft blends both. Attorney Broderick's 2nd version was provided to VLCT PACIF for their review. VLCT expects to have a response in time for Monday's meeting.

This Agreement is requested by Evernorth (or their Attorney) for their protection in light of the Town's intention to retain various rights of access on the transferred parcel.

RECOMMENDATION: Discussion. Determine if additional information is necessary. This does not need to be acted on right away. There is time before the August closing to determine if this agreement is even necessary and, if so, its final form. Thinking out loud: could an indemnification statement be include in the section of the Quit Claim Deed where the various access rights are included?

Item VI.4. Grant authorization request: CDBG application to the Vermont Community Development Program on behalf of the Firehouse Apartments Limited Partnership.

Samantha Dunn of Evernorth has [submitted a pre-application to the Vermont Community Development Program](#) (VCDP). The Town would need to be the applicant and serve as a pass-through for the project. Samantha has a strong track record of managing these kinds of projects—the most recent in Bristol being the Bristol Family Housing Project on Hunts Farm Road. There would be some administrative responsibilities on the part of the Town, but Evernorth and others would be expected to handle the bulk of the program requirements.

RECOMMENDATION: Approval.

Item VI.5. Consider acceptance of deeds of easement from Stoney Hill Properties, LLC to the Town of Bristol for road and utilities construction, installation, maintenance, replacement, and repair related to the extension of Firehouse Drive and the development of the Stoney Hill Business Park. Online are two different easement

deeds from Stoney Hill Properties, LLC, to the Town: one for the [road and stormwater infrastructure](#) and one for an easement to accommodate the [new sidewalk and underground utilities](#) that needed to be located outside of the original fifty-foot (50') right-of-way originally provided with the construction of the Fire Station and Firehouse Drive in 2016. These seem pretty straight forward and have been reviewed by both Town Attorney Benj Deppman, Esq. and Stoney Hill Properties, LLC Attorney Kevin Brennan, Esq.

It may seem strange to accept easements for a project that has not been constructed yet, but in order for the Town to access the grant funds through the Norther Border Regional Commission for construction, all property ownership documentation must be in place. In other words, the Town needs to "own" the property before drawing down reimbursements.

The pre-bid meeting held on the morning of June 11 was well-attended. Because of the volume and range of questions from that pre-bid meeting and subsequently, the due date for construction bids was extended to Thursday, July 1, 2021 for review by the Selectboard at its meeting on July 12, 2021.

RECOMMENDATION: Determine if any additional information or review is needed. Vote to accept the easement deeds.

Item VI.6. Consider request that the Town of Bristol adopt a Declaration of Inclusion. Online is a [request from a Bristol resident that the Town of Bristol consider adopting a Declaration of Inclusion](#). Many towns have adopted the following statement, or something similar, and posted it to their Web sites: "The Town of <fill in the blank> condemns racism and welcomes all persons, regardless of race, color, religion, national origin, sex, gender identity or expression, age, or disability, and will protect these classes to the fullest extent of the law. As a town, we formally condemn discrimination in all of its forms and commit to fair and equal treatment of everyone in our community. The Town of <fill in the blank> has and will continue to be a place where individuals can live freely and express their opinions." [Online is guidance the VLCT also offers](#) for considering Declarations of Inclusion.

A number of communities have been working toward this initiative for many years before now and have established organizational structures to address it more broadly. [Many models exist for paths forward](#). Some include committees of various structures.

RECOMMENDATION: Approval. Consider next steps.

Item VI.7. Consider adoption of proposed Water Use Ordinance amendments. The updated draft was in the process of being completed when preparations were unexpectedly interrupted. If available before Monday's meeting, it will be posted online and e-mailed. If not, this will probably need to be postponed.

RECOMMENDATION: Discussion. Consider adoption if the draft amendments are available and acceptable. This would initiate the 60-day public notice and posting process.

Item VI.8. Designate authorized representative to request ARPA funds. Municipalities are required to designate an authorized municipal representative to log on to an ARPA Web portal, attest to various certifications, go through the process to request the ARPA funds. According to the Regional Planning Commission, [we have until July 23 to request the funds](#), though the [VLCT ARPA Web site says July 15](#). In any case, there is no reason to wait.

RECOMMENDATION: I talked with Treasurer Jen Myers about this before she went on leave, and we agreed that it made sense to appoint the me, as Town Administrator, to be the authorized municipal representative. Based on the draft motions that the VLCT offers, the following is a proposed motion: "I move that the Town of Bristol accept its allocation of Coronavirus Local Fiscal Recovery Funding (CLFRF) from the US Treasury, along with the Award Terms & Conditions and Assurances of Compliance with the Civil Rights Requirements that are requirements of accepting these funds and that we appoint Town Administrator Valerie Capels serve as the Town's "Authorized Representative" as required by the Coronavirus Local Fiscal Recovery Funding (CLFRF) from the US Treasury, to sign the Award Terms & Conditions and Assurances of Compliance with the Civil Rights Requirements by no later than July 15, 2021."

Item VI.9. Coin drop application: Bristol Rescue, Friday, July 2, at multiple locations. Online is an [application from the Bristol Rescue Squad to conduct their annual coin drop](#) on Friday, July 2, from 5:00pm to 8:00pm at various locations indicated on the application.

RECOMMENDATION: Approval.

Item VI.10. Approval of the June 14 and June 21, 2021 meeting minutes. The June 14 minutes are still in the process of being reviewed and the June 21 minutes are in process. The original June 14 draft minutes are posted online. The completed minutes are expected to be posted online and e-mailed prior to Monday's meeting.

Item VI.11. Authorize accounts payable warrant and any liquor licenses. Accounts payable [warrant](#).

VII. OTHER BUSINESS.

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

- [Bristol WSID 5002 Source Protection Plan rev and LR approval 2021-06-21.](#)
- [Bristol Landfill Semi-Annual GWM Report 2021-06-18.](#)
- [E-mail AARP Community Challenge Grant outcome 2021-06-17.](#)
- [Addison County Climate Action Plan CEAC Roundtable 2021-06-09.](#)

- [Memo VOSHA Workplace Safety Top 10 Recommendations Relating to COVID-19 2021-06-08.](#)
- [E-mail VLR mass transit mask requirements still in place 2021-06-17.](#)

VI. EXECUTIVE SESSION.

The executive session scheduled for 6:30pm for personnel matters per 1 V.S.A. §313(a)(3) may need to be continued after the regular business, open session items.

Schedule

I experienced an unexpected setback today and will not be able drive for a few weeks. That is also the reason for the late distribution and truncated content of this Town Admin Report. Consequently, I will be working remotely until I am up and mobile again. I can be reached by email at townadmin@bristolvt.org and by phone. Messages left to 453-2410 ext 1 are forwarded to me by e-mail. I will respond either by phone or by e-mail, depending on timing, location, and cell/Internet connectivity.

Week of June 28

Monday: Working remotely.
6:30pm – Selectboard meeting via Zoom for me.

Tuesday: Working remotely.
10:00am – Stoney Hill design team meeting.

Wednesday: Working remotely.
10:00am – EWP pre-bid meeting at 25 West Street.
5:00pm – LEPC 8 Annual Meeting in E. Montpelier.

Thursday: Working remotely.
1:00pm – Clean Water Funding on-line training regarding subcontractor approval and debarment check.

Friday: Working remotely.
11:00am – Stoney Hill design team meeting.

Week of July 5

Monday: Holiday.

Tuesday: Working remotely. The packet for the July 12 meeting will either get posted that evening or over the weekend (more likely).

Wednesday: Vacation*.

Thursday: Vacation*.

Friday: Vacation*.

* At least that was the plan before today.

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., June 28, 7:00pm, Holley Hall and via Zoom.
- [Conservation Commission](#): Thurs., July 8, 6:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., July 12, 7:00pm Holley Hall and via Zoom.
- [Development Review Board](#): Tues., July 13, 7:00pm, Holley Hall and via Zoom.

- [Planning Commission](#): Tues., June 20, 7:00pm, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., July 21, 7:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., July 26, 7:00pm, Holley Hall and via Zoom.

Upcoming Agenda Items

- Stoney Hill/Firehouse Drive infrastructure construction bidding.
- Finalize Stoney Hill/Firehouse Apartments land transfer agreements.
- Finalize Stoney Hill infrastructure and ROW easement documents.
- Prospective Firefighter candidate interviews.
- Continued Procurement/Purchasing Policy updates.
- Continued Personnel Policy review and updates.
- Fire Dept. Training Room waiver document update.
- Finalize Town Treasurer and Town Clerk job descriptions.
- Village traffic concerns.
- 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