

Bristol Town Administrator's Report

August 20, 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, August 23, 2021 Meeting Agenda and Materials

I. 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, Selectboard members may determine 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=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. 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 one or more topics that are not part of the agenda.

IV. REGULAR BUSINESS.

Item IV.1. Consider award of construction contract for the West Street slope repair project; review next steps needed to go forward -- tentative. The bid opening for the West Street slope repair project was August 3, 2021. The following two bids were received:

Kings Trucking & Excavating, LLC (Cambridge, VT):	\$269,905.70
Birdseye Building Company, LLC (Richmond, VT):	\$613,409.62

The NRCS EWP grant was extended to December 31, 2021, but the project must be completed by December 10, 2021. [Online is a proposed schedule](#) based on the August 3 bid opening.

We understood that the property owners would not be expected to pay for the trail restoration, which was called out as a separate bid item (\$3,200) so it could be deducted from the proportion of what they would need to contribute. I learned late this past week that (1) [the trail factor was not correctly deducted from the property owners' shares](#) communicated to them; (2) that the trail restoration is not reimbursable through the grant at all, so the Town (or others) would be responsible for the full \$3,200 expense; (3) that a certain fencing item associated with two of the properties is also not eligible for grant reimbursement; and (4) the low bidder did not negotiate with Lathrop Wood Products, over whose property and lumber yard they will need to achieve access to the project site. Also, as of this writing, no word has been received from the fourth property owner regarding their participation.

Below is the most current representation of the project expenses and adjustments based on the Kings Trucking & Excavating bid. It incorporates the presumption that the non-reimbursable fencing expense will be paid by the corresponding property owners.

Estimated Landowner Cost using DDK JV Project Percentages

Kings Trucking & Excavating LLC Bid Check

NRCS/VTrans Item #	Item	Unit	Quantity	Unit Price	Total Price	Not EWP Reimbursable
NRCS-CS 8	Mobilization/Demobilization	LS	1	\$14,000.00	\$14,000.00	
NRCS-CS 11	Removal of Water	LS	1	\$28,000.00	\$28,000.00	
NRCS-VT 1	Site Preparation	LS	1	\$26,000.00	\$26,000.00	
NRCS-VT 5	Pollution Control	LS	1	\$19,000.00	\$19,000.00	
NRCS-VT 11	Earthwork-Earthfill	CY	2,000	\$39.00	\$78,000.00	

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NRCS-VT 11	Earthwork-Common Excavation	CY	1,360	\$23.53	\$32,000.80	
NRCS-VT 11	Earthwork-Rock Excavation	CY	5	\$100.00	\$500.00	
NRCS-VT 11	Earthwork-Trench Excavation	CY	5	\$100.00	\$500.00	
NRCS-VT 52	Seeding	SY	2,410	\$3.53	\$8,507.30	
301.26	Subbase of Crushed Gravel, Find Graded	CY	300	\$32.00	\$9,600.00	
613.12	Stone Fill, Type III	CY	740	\$32.43	\$23,998.20	
613.15	Riprap, Heavy Type (Modified)	CY	570	\$43.86	\$25,000.20	
620.25	Woven Wire Fence with Steel Posts	LF	85	\$18.82	\$1,599.70	X
900.64	Special Provision (Rebuild Hiking Trail)	LF	135	\$23.70	\$3,199.50	X
Total Base Bid:					\$269,905.70	

Incorrect unit price on bid document

Total EWP Reimbursable Bid: \$265,106.50
NRCS Share (75% of EWP Reimbursable Bid): \$198,829.88

Sponsor Share of Base Bid: \$71,075.83

Excluding Item 620.25 -\$1,599.70

Excluding Item 900.64 -\$3,199.50

Sponsor Share with Items 620.25 & 900.64 removed (25% of EWP reimbursable Bid): \$66,276.63

Property	Percentage of Project	Cost without Fence	Estimated Fence Length (ft)	Fence Cost	Cost with Fence
25 West Street	46%	\$30,487.25	67	\$1,260.94	\$31,748.19
27 West Street	36%	\$23,859.59	18	\$338.76	\$24,198.35
29 West Street	13%	\$8,615.96		\$0.00	\$8,615.96
31 West Street	5%	\$3,313.83		\$0.00	\$3,313.83
Total Landowner Cost		\$66,276.63	85		\$67,876.33
900.64 Special Provision (Rebuild Hiking Trail)		\$3,199.50			\$3,199.50
Total Sponsor Share (Landowner Cost + 960.64)		\$69,476.13			\$71,075.83

At this point, neither the Town nor the property owners have incurred any expenses or financial obligations. The obligation begins after the construction contract is signed.

A number of things must happen before a contract is signed:

- Project property owners must sign a temporary construction access easement and agree to maintain the repair for twenty years.
- The selected contractor will need to negotiate with Lathrop Wood Products for access through their yard to gain access to the river and the slope. A representative of the Lathrop property will also need to sign a temporary construction easement.
- Other adjacent property owners potentially affected by the construction activity may also need to sign a temporary access easement.
- A financial commitment agreement needs to be signed by each project property owner for their proportional share of the required 25% match. I

recommend using the agreement the Town has with Stoney Hill Properties for the business park infrastructure project as a model.

RECOMMENDATION: There are still a lot of moving parts to this, including re-reviewing the expenses and property owner obligations. The available window is short. If approved, there will need to be discussion about how the trail restoration component gets funded. Determine if additional information is needed. Consider accepting the Kings Trucking & Excavating's bid, subject all four property owners agreeing to participate and that the easements and financial agreements are obtained by September 17, 2021, give or take a day or two.

Item IV.2. Review of proposed amendments to the Fire Department exercise room liability waiver form. Online is a [waiver of liability form](#) the Selectboard approved a few years ago for use of the Fire Department exercise room by firefighters, [with proposed amendments](#) to allow members of the Bristol Police Department to also use the facility. The proposed amendments were prompted by the Police Department's desire to use the facility on their own time in order to maintain and/or improve fitness.

As I understand it, the Selectboard's concern at that time was about the Town's liability if a firefighter (or anyone else) was injured while using the equipment resulting in a workers comp claim—or worse—while doing something in a Town facility that was not considered then to within the scope of their jobs. It could be argued that remaining fit is within the scope of first responders' jobs, but how and when that is accomplished is a question. The Personnel Policy includes a provision for paying for memberships at the local gym for employees to help promote and facilitate fitness.

The proposed amendments were reviewed by VLCT PACIF Deputy Director of Underwriting & Loss Control Fred Satink. [Online are his comments and recommendations.](#) In short, he recommends it be reviewed by the Town Attorney, that the family member provision be eliminated, and that the equipment be regularly inspected and maintained.

RECOMMENDATION: Determine if additional information is needed. Add the p

Item IV.3. Consider request for additional street lighting on South Street. [Online is request from Eric Carter that additional street lighting be installed on South Street](#) on the new pole near George Vince's office. Also online is information from Green Mountain Power Distribution Designer Theresa Dessureault in response to the request. She and DPW Foreman Eric Cota checked things out but were unsure of what the problem area was. She expressed concern about the additional lighting could have on shining into nearby residents' windows in the evening. She noted that adding lights or increasing the size of the existing lights will affect the Town's monthly street light bill.

RECOMMENDATION: Discussion. Determine if additional information is needed.

Item IV.4. Consider Jackman’s Fuel pre-buy offer of fuel for Town operations for the period September 1, 2021 through April 30, 2022. Online are [the annual pre-buy offers for heating fuel](#) for each of the municipal facilities from Jackman’s at a pre-buy rate of \$2.20 per gallon--\$0.45 more than last year. The non-pre-buy rate will be determined at the time the fuel is purchased either without or beyond the pre-buy allocation. The pre-buy rate in FY2020 was \$1.75 per gallon. The pre-buy rate in FY2019 it was \$1.85 per gallon and the non-pre-buy rate was \$2.02. The pre-buy rate in FY2018 was \$1.65 and non-pre-buy rate was \$2.10. The table below is a snapshot of last year’s pre-buy, last year’s usage, and this year’s proposed pre-buy amounts.

	2021-2022 Gallons Pre-Buy	2020/2021 Gallons Pre-Buy	2020/2021 Gallons Pre- Buy Used
Fire Dept	2,700	2,400	2,670
Dog Pound	200	200	180
Garage	1,900	1,700	1,879
Pottery Kiln	250	250	240
Pottery Meter	320	350	305
Pump House	300	300	257
Hub Teen Center	325	400	315
Holley Hall Generator	200	100	157

The Public Works Department, Fire Department, and Holley Hall generator went over the pre-buy amounts for last season. The [Pre-Buy sheets \(starts on page 4\)](#) show last year’s usage, what Jackman’s estimates what the gallons should be for this year based on prior usage, and what the total dollar amount would be at \$2.20 per gallon.

The total dollar increase is \$3,654. Last year the Town paid \$9,975 and this year it will be \$13,629 based on this proposal. A refund check was issued for this past season in the amount of \$336.79 for the following accounts:

Pottery Kiln	\$16.79
Hub	\$148.73 (the Hub was closed for most of the season)
Water Dept.	\$75.24
Dog Pound	\$35.51
Pottery Meter	\$60.52
	\$336.79

RECOMMENDATION: Accept the proposed pre-buy contracts. Authorize Town Clerk and/or the Town Treasurer to sign the contracts.

Item IV.5. Set the FY2022 municipal tax rates. Online is [Town Treasurer Jen Myers’ memo with calculations of the municipal tax rates](#) for the general fund (\$0.2284), highway fund (\$0.2059), Recreation Department (\$0.0590), special articles (\$0.2316), local agreements (\$0.0040), and Police District (\$0.2961). The overall residential tax rate

reflects an increase of \$0.0020, or 0.28%. Also online is the [State Education Tax information](#) for FY2022.

RECOMMENDATION: Vote to approve the tax rates.

Item IV.6 Continued consideration and possible adoption of amendments to Bristol's Water Use Ordinance. Online is the [current work-in-progress draft of the Bristol Water Use Ordinance](#) that was provided at the previous meeting. It reflects a number of adjustments proposed by the Town Attorney. The document has been substantially reorganized and some provisions restated. Because this is essentially a new document, it was agreed that we would take some time to familiarize ourselves with it and the changes made.

RECOMMENDATION: Determine if more information is needed and next steps.

Item IV.7. Grant authorization request: Vermont Outdoor Recreation Economic Collaborative. [Online is a grant authorization request to re-apply to VOREC](#) for an ambitious project to promote Bristol's recreational assets and improve the economy.

The proposal is to:

1. Finish mapping community recreational assets (parks, trails, waterways)
2. Design and purchase comprehensive wayfaring signage including markers for
 - a. Three key entrances to towns
 - b. Trails
 - c. Outdoor recreation sites and facilities
 - d. Key community buildings and recreational spaces (library, town offices, schools)
3. Promote Bristol recreational opportunities via creation of an overarching marketing plan encompassing
 - a. Branding of community as recreational destination
 - b. Improved Internet presence and enhanced connectivity of related websites (Rec Club, Rec Department, Town, Schools)
 - c. Updated wayfaring signage (above)
 - d. Physical media
 - e. Events & event promotion

This proposal is the product of a consortium effort in 2019 to respond to this funding opportunity. Consortium partners currently include the Bristol Recreation Club, Bristol CORE, the Recreation Department and Teen Center, the Conservation Commission, and me. I agreed to be the administrative point person. The application was submitted in 2020 but was not funded.

The application deadline is Friday, August 27. The grant amount to be requested has not yet been nailed down. It will come into sharper focus as the proposed budget

comes together. No match is required, but leveraged resources would make for a more competitive application. In-kind resources will be maximized.

RECOMMENDATION: Approval.

Item IV.8. Grant authorization request: Addison County Transportation Planning Study for development of a new sidewalk on Airport Road. [Online is a Study Request Form from the Addison County Regional Planning Commission Transportation Advisory Committee](#) soliciting projects that could be funded through this program. The submission due date is September 3, 2021. Projects are funded in the \$15,000 to \$20,000 range. If bids come back on the selected project higher than that, the scope can either be scaled back or the Town can choose to make up the difference. Most recently, this program funded the Stoney Hill sidewalk scoping study and the Lincoln Road intersection and parking study currently underway. A scoping study for development of a new sidewalk on Munsill Avenue from West to Pine Street is currently underway, funded through a VTrans Bicycle and Pedestrian grant. The last two sidewalk-related projects on the list (so far) are:

- Scoping study for new sidewalk on Airport Drive from West Street to Mount Abe.
- Preliminary design of a new sidewalk alignment and restored green space on West Street from Champlain Farms to Howden Hall.
- Others?

I recommend the Airport Road sidewalk be next. I hope to have more information by Monday's meeting whether the study can go so far as to produce a basic design that could be bid for construction. Because Bristol projects have been funded two years in a row, the odds of being funded this round are slim; it all depends on what applications from other communities come in.

RECOMMENDATION: Determine if additional information or input is needed. Select one project and authorize submission of the request.

Item IV.7. 9. Review and approval of the June 28, July 12, July 26, August 9, and August 16, 2021 meeting minutes. The June 28, July 12, July 26, and August 9 meeting minutes are still in the process of being reviewed. The August 16 meeting minutes are in progress. The original draft minutes are posted online. The completed minutes are expected to be posted online and e-mailed prior to Monday's meeting.

Item IV.9. Authorize accounts payable warrant and any liquor licenses. Online is the [accounts payable warrant](#).

V. OTHER BUSINESS.

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

- [9A0358-3 Stoney Hill Act250 Permit and COS 2021-08-17.](#)
- [E-mail Gilbert Selectboard thanks 2021-08-10.](#)

- [Letter Richard Russell response to Heffernan 2021-08-09.](#)
- [COVID Memo to MAUSD Community August 12 2021.](#)
- [E-mail and letter ACRPC ARPA distribution status 2021-08-18.](#)
- [E-mail VTrans Municipal Highway- Stormwater Mitigation grant funding available 2021-08-20.](#)
- [2021 VLCT Annual Meeting Notice 2021-08-19.](#)

VI. EXECUTIVE SESSION.

The executive session may be needed for contract negotiations per 1 V.S.A. §313(a)(1)(A) and/or personnel matters per 1 V.S.A. §313(a)(3).

ARPA Funding

Still no word or updates on the status of total amount of ARPA funding the Town of Bristol can expect.

Stoney Hill Business Park Construction

Construction activity for the Stoney began this past week upon the issuance of the [Act 250 permit](#).

Private Tree Removal

A prominent tree was removed recently from the northern edge of the Walgreens parking lot that prompted some e-mails to me and posts on Front Porch Forum. It was a jarring and sad experience for many people to witness. The tree was removed from private property and was outside of the Town's jurisdiction.

Schedule

As many folks know, I needed to resume working remotely due to a leg injury and was unable to drive. There is a very good chance I will be able to return to the office this coming week, but there are a few variables that need to be confirmed first. I will have a better idea of that after I meet with the ACL doc this week. In the meantime, 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.

Week of August 23

Monday: Working remotely.
2:00pm – medical appt.
7:00pm – Seleboard meeting at Holley Hall and via Zoom.

Tuesday: Working remotely.

Wednesday: Working remotely.

Thursday: Probable return to the office.
9:00am – Staff meeting.

Friday: Probable return to the office.

Week of August 30

Monday: Vacation.

Tuesday: Vacation.

Wednesday: Vacation.

Thursday: Vacation.

Friday: Vacation.

Week of September 6

Monday: Labor Day holiday – Town Office closed.

Tuesday: Probable return to office.

Wednesday: Probable return to office.

Thursday: Probable return to office.

Friday: In office

- Acorn solar project lease execution.

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., Aug. 23, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Sept. 7, 7:00pm, via Zoom.
- Bristol CORE: Thurs., Sept. 9, 8:30am, via Zoom.
- [Conservation Commission](#): Thurs., Sept. 9, 6:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., Sept. 13, 7:00pm, Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Sept. 14, 7:00pm, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., Sept. 15, 7:00pm, via Zoom.

Upcoming Agenda Items

- West Street crosswalk design quotes.
- Bristol Water System Preliminary Engineering Report presentation.
- Firehouse Apartments CDBG grant application public meeting.
- Lincoln Road intersections and Bartlett Falls parking study final report and recommendations.
- Planning Commission quarterly update.
- Continued review of Bristol Water Use Ordinance updates.
- Selectboard priorities for use of ARPA funds; solicit community input.
- Continued Personnel Policy review and updates.
- Finalize Town Treasurer and Town Clerk job descriptions.
- Village traffic and speed limit 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