

Bristol Town Administrator's Report

September 11, 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, September 13, 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 on one or more topics that are not part of the agenda.

IV. REGULAR BUSINESS.

Item IV.1. Firehouse Apartments VCDP application public hearing and application resolution: Evernorth and Addison County Community Trust. Online is the [public hearing notice](#) to consider the Town's proposed Community Development Block Grant (CDBG) application to the Vermont Community Development Program on behalf of the [Addison County Community Trust](#) and [Evernorth](#) for \$535,000 toward the development of 20 units of new mixed-income rental housing units on Firehouse Drive.

Online are the following application documents:

- [VCDP pre-application](#) submitted on 06/10/2021
- [Draft VCDP application](#)
- [Drawings of the proposed housing project](#) (resolution reduced due to file size)

As part of the application process, the Selectboard must adopt a [resolution](#) authorizing the application and designating someone—me—to be the Town's representative.

The project is also scheduled to appear before the [Bristol Development Review Board](#) on Tuesday, September 14, 2021.

RECOMMENDATION: Discussion. Receive public comments. Vote to adopt the resolution authorizing submission of the application and designating the Town Administrator as the contact person and authorized official representing the Town.

Item IV.2. Lincoln Road intersections and Bartlett Falls parking study final report and recommendations. [Online is a report](#) Jenny Austin, P.E., of DuBois & King will be presenting regarding her assessment, findings, and recommendations for the Lincoln Road/Route 116 intersection, parking at Bartlett Falls, and the Briggs Hill Road/Lincoln Road intersection. Results of the [public feedback survey](#) will also be presented. Any other public input will be represented in a final report to be completed by the end of September.

RECOMMENDATION: Consider next steps. No specific action is expected.

Item IV.3. Bristol Water System Preliminary Engineering Report presentation: Green Mountain Engineering. This item may require more time than the 20 minutes initially allotted on the agenda. Online is the [Preliminary Engineering Report](#) prepared by Green Mountain Engineering for the phased replacement of Bristol's water distribution system. (The 75-page document is a large file, so the resolution was adjusted for this online version to reduce the file size.) It provides an analysis of the condition of the

system's water distribution mains, prioritizes those lines that should be scheduled for replacement, provides estimated costs, and identifies potential funding sources.

The report acknowledges that the water line replacements will need to occur in phases. Replacement of the Pine Street water line is recommended to be replaced first at an estimated cost of \$772,000.

Next steps would include design and permitting of the Pine Street water main (estimated timeframe: Nov. 2021 - June 2022), bidding, and construction (estimated time frame: July 2022 – Dec. 2022). The design and construction phases would require additional funding through the DWSRF. Construction would require voter bond approval.

RECOMMENDATION: Discussion. Determine what additional information may be needed. Try to get a handle on total projected costs for the Pine Street project, including total long-term debt. Consider potential use of ARPA funds (Agenda Item IV.9) to reduce the cost of construction.

Item IV.4. Consider Lawrence Memorial Library building maintenance needs: roof ice, stair painting, and more. [Online are communications](#) regarding maintenance concerns for the Lawrence Memorial Library building. Library Director Coco Moseley specifically calls attention to the roof and ice situation, front steps in need of re-painting, and potholes/puddles on Lawrence Lane that need attention. Included is the list Ted Lylis developed of his observations of the building's maintenance needs. Cost estimates were not available. Coco is particularly concerned that the roof and ice issue get addressed before the onset of winter.

[Online are photos](#) taken of some of these areas on Friday. Additional photos of problem areas might be made available prior to or at Monday's meeting.

Also [online is a copy of the 1996 agreement](#) between the Town and the Library Trustees outlining the maintenance responsibilities of each for the building and its operations. A question was raised whether the lack of snow shoveling of the front steps last winter due to the COVID-19 closure exacerbated their deterioration.

The current balance in the capital building fund is \$199,834.88. This does not include the \$30,000 appropriation for this year. Nor does it reflect the expenses related to the Holley Hall bell tower and slate roof repairs. (Those invoices have not yet been received.)

On late Friday afternoon it occurred to me to send an e-mail to Chris Hahn of Rooster Construction asking if he would be available and willing to look at the roof situation and provide guidance on appropriate next steps and estimated costs. I do not expect to have a response in time for Monday's meeting.

RECOMMENDATION: Discuss next steps (no pun intended).

Item IV.5. Consider coordination with the MAUSD Board regarding appointment of a Bristol representative to fill vacancy. [Online is an e-mail thread](#) regarding the appointment of a Bristol resident to fill a recent vacancy on the MAUSD School Board. It turns out the law changed in 2020 such that the Selectboard no longer advertises for and makes the appointment; the School Board now does that "in consultation" with the Selectboard. The MAUSD School Board has received [three expressions of interest](#) from prospective candidates and intends to interview them at their Tuesday, Sept. 14 meeting at the following times:

- 6:10-6:25 E. Jipner
- 6:25-6:40 W. Mount
- 6:40-6:55 A. Roleau

RECOMMENDATION: Consider sending one or two Selectboard delegates to participate in the MAUSD's interviews and deliberation. Alternatively, if Selectboard members feel you are already well-acquainted with each of the candidates, you may wish to deliberate in executives session regarding a recommendation.

Item IV.6 West Street slope repair project: updates, change order request. Online are the [proposed draft financing agreement](#) and [draft temporary access agreement](#) for the property owners to sign in order for the project to move forward. The financing agreement uses 27 West Street as an example to illustrate the proportional share. The agreement was reviewed by the Town Attorney. The financial agreement provides 6 months for the property owners to pay their share of the costs after the project is closed out; it does not dictate how they go about doing it. Failure to do so would result in a lien on the property and potential foreclosure. These documents were provided to the property owners by e-mail on Friday afternoon. (The adjacent property owners would also need to sign a slightly different temporary access easement. I have not yet reached out to them.)

The Lathrops will require \$20,000 in compensation for access through their lumber yard. This would bring the total project cost to \$289,906, of which, up to \$217,430 (75%) of eligible expenses could be funded through the EWP grant and \$72,477 would be paid by the sponsor if the additional expense is added to the original base contract price through a change order. The \$5,000 balance of this additional expense would be proportioned among the property owners. I propose that a change order be authorized for this change.

The actual numbers among the four property owners have moved around a bit since the bids were received:

- A fence at the top of the bank affecting two properties was deemed ineligible for grant funding as was added to their share;
- Deduction of the cost of the trail restoration needed to be recalculated; and
- The proportion of the additional access compensation expense needed to be added. Some feel they should not be held responsible for someone's oversight

in the bid process. We do not know yet if the contractor is open to sharing in this additional expense.

Understandably, these adjustments have made some property owners even more wary. It is a significant commitment and an unwelcome position to be in.

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*.

At the previous meeting, the Selectboard voted to accept the Kings Trucking & Excavating bid subject to 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. The window is very tight to accomplish this. I proposed setting up a Zoom meeting with all the owners, engineers, and NRCS representatives early next week to try to navigate these issues.

RECOMMENDATION: Vote to authorize the contract change order to include the additional access fee up to \$20,000, provided the project moves forward and the contract is ultimately executed.

Item IV.7. Stoney Hill Business Park infrastructure project update. There is not a lot to talk about with this, but I just wanted to report that things appear to be moving forward very smoothly. Updates:

- The Town road and sidewalk easement deeds and stormwater maintenance agreement were executed on Thursday, Sept. 9.
- Green Mountain Power is requiring an additional pole be installed to support the 3-phase mounting required. This will add approximately \$35,000 to the project cost. This will result in additional overhead wires, but a reduction in the conduit needed. The location of the additional pole has not yet been finalized, but will probably result in a shift in the location of one of the curb cuts to the housing development.
- The first Don Weston Excavating pay request is among Monday's warrants (\$91,569.60). This will mark the initiation of the first draw of the Northern Boarder Regional Commission and grant funds. The grant will pay 36% of the eligible expenses and Stoney Hill Properties will be billed for the 64% balance.
- The first on-site job meeting was held Thursday, Sept. 9. The next monthly meeting is planned for Thursday, Oct. 7.
- Online is the [current construction schedule](#). So far things are on track, but delays in delivery of some materials could change that. The sidewalk along Firehouse Drive is currently targeted for the second week of November. This dovetails with the next agenda item.
- The ledger for this project is available to anyone who would like to see it.

RECOMMENDATION: No action needed.

Item IV.8. Review of West Street crosswalk design quotes; select contractor. The table below summarizes the three proposals received in response to the Town of Bristol's [invitation to bid](#) for design of a crosswalk across West Street in the area of Firehouse Drive. The due date was 12:00pm, September 8, 2021. I tried to convey that this will be locally-funded project and that many of the procedural formalities usually associated with grant-funded projects would not apply. The proposals vary quite a bit in the levels of effort proposed, timelines, cost, and attention to detail.

	Bidder	Lump Sum Quote	Estimated Hours	Anticipated Completion
1	DuBois & King (Brandon, VT)	\$5,350	46	End of Oct. - mid-Nov.
2	Lamoureux & Dickinson (Essex, VT)	\$8,032.29	71	4 - 6 weeks
3	Otter Creek Engineering (E. Middlebury, VT)	\$3,800	39	1 month

RECOMMENDATION: The Selectboard may wish to deliberate in executive session regarding contract negotiations.

Item IV.9. American Rescue Plan Act (ARPA) funding update, begin discussion of potential projects for funding, next steps. [Online is a memo from the Addison County Regional Planning Commission](#) conveying the final total allocations to Addison County municipalities. Bristol was allocated \$402,210.35 in the first round; the county allocation amounts to \$746,263.45, for a **total ARPA allocation of \$1,148,473.79!** The distributions will be made in two installments, with 50% disbursed this year and 50% next year. Town Treasurer Jen Myers will (or has) set up a new account through which to track the revenues and expenses.

The purpose of this agenda item is primarily to update the Selectboard and public with this information and begin the discussions of how best to apply this once-in-a-lifetime opportunity. We have been repeatedly advised to be patient, deliberate, and systematic. Perhaps this first discussion might focus on a process the Selectboard would like to consider for going forward.

Below is the start of a list of some of the potential projects, with alternative funding sources that could possibly be leveraged. I also have a collection going of requests from citizens and outside agencies for use of Bristol's share. Online is a [list of eligible expenditure categories](#) from the U.S. Treasury of what the ARPA funds can be used for and an [FAQs document](#) prepared by VLCT. The [VLCT Web site](#) also has a lot of ARPA information and Katie Buckley was hired as VLCT's ARPA Director to assist member municipalities.

Project	Estimated Cost	Other Funding Sources
Pine Street water line replacement	\$772,000	Bond, DWSRF loan(s)
Basin Street/slope/stormwater	\$700,700	State stormwater grant, State transportation alt. grant, bond
Core Area sewer upgrade	+/- \$650,000	CWSRF loan(s), bond, NBRC
Sidewalks improvements	TBD	Bike Ped program
Broadband investment	TBD	
Revenue replacement	TBD	
Others		

RECOMMENDATION: Discussion. Determine next steps and what additional information may be needed.

Item IV.10. Consider renewal of the A. Johnson bequest investment. Town Treasurer Jen Myers has alerted us that the A. Johnson bequest investment is due to be renewed. How time flies. The beginning balance of the CD, currently held in a 48-month CD at North Country Federal Credit Union (NCFCU), was \$104,137.55. The investment earned \$2,997.86 in interest, making the current balance of the CD \$107,135.41. Jen recommends keeping it at the NCFCU for another 48 months where it would earn 0.70% interest. She suggests asking for a check for the interest earned to use toward adding or removing trees in Bristol and to renew only for the principal amount (\$104,137.55). For comparison, Jen reported that the National Bank of Middlebury 24-month CD rate is 0.35% interest.

There is not a specific revenue line in the budget I am aware of the interest income could be allocated to other than “miscellaneous revenue.” The expense, however, would likely be allocated to the Town Parks Tree Planting & Maintenance budget line item.

RECOMMENDATION: Accept Treasurer Jen Myers’ recommendation that the principal balance of the A. Johnson 48-month CD be renewed and that the interest earned be allocated for future tree work. Consider establishing a Tree Planting and Maintenance reserve fund at the next Town Meeting where such revenues and expenses could be allocated and unexpended funds would roll over and accumulate from year to year.

Item IV.11. Consider request from Bedard family for internment of ashes and placement of gravestone in the Briggs Hill Cemetery. Online is a [request from Michael Bedard](#) that the ashes of his brother, Bradley Bedard, be allowed to be interred in the Briggs Hill Cemetery in the Bedard family plot. This is on the agenda, in part, out of timely respect to the family, and because it is up to the Selectboard to make such decisions since the Town does not have a Cemetery Commission. Also, because all

of the Town-maintained cemeteries generally are no longer accepting burials, there is no clear process for responding to such requests. According to the map provided with [Michael Bedard's 2018 request](#) for his own accommodation, there appeared to be a vacant area in the Bedard family plot at that time. The Selectboard approved the 2018 request.

RECOMMENDATION: Determine if any additional information is needed. Consider approval.

Item IV.12. Grant application authorization request: Recreation Dept. for RiseVT grant. Online is a [grant authorization request from the Recreation Department](#) for an application to RiseVT for \$805 to purchase pickleball and disc golf equipment to have equipment on hand for people to learn how to play these two sports and to pay instructors when the Recreation Department hosts clinics in the spring of 2022. No matching funds are required.

RECOMMENDATION: Approval.

Item IV.13. Authorization to purchase computer screen through the Capital Technology Fund. Online is a [quote from Dell for a new computer monitor](#) for the Listers' office, like ones recently purchased for the Clerk and Treasurer that have a camera and microphone for remote meeting access. Though it is only for \$233.09, it requires Selectboard approval because it is proposed to be purchased through the Technology Reserve Fund.

RECOMMENDATION: Approval.

Item IV.14. Designation of Bristol delegate for VLCT PACIF annual meeting. [Online is information about the upcoming VLCT annual meeting.](#) As part of the [annual Town Fair hosted by the VLCT/PACIF](#), they invite member municipalities to designate a representative to participate in the business parts of the meeting. In recent years I have not been able to attend. I believe former Selectboard member Peter Coffey was the last Bristol representative to attend. All members can attend the Town Fair, but only one person can be a delegate for the business meeting(s). There is a fee, which the Town would cover.

RECOMMENDATION: Consider selecting a Selectboard delegate to the annual VLCT/PACIF annual meeting.

Item IV.15. Review and approval of the June 28, July 12, July 26, August 9, August 16, and August 23, 2021 meeting minutes. The August 9 minutes are posted for review. The June 28, July 12, July 26, August 16, and August 23 meeting minutes are still in the process of being reviewed. The original draft minutes are posted online. The reviewed minutes are expected to be posted online and e-mailed prior to Monday's meeting.

Item IV.16. Authorize accounts payable warrant and any liquor licenses. Online is the [accounts payable warrant](#).

V. OTHER BUSINESS.

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

- [Bristol RLF status report thru 2021-07-31](#).
- [20612 Kilbourn MHP Consecutive Exemption 2021-09-03](#).
- [Bristol Solar Landfill Certification Amendment 2021-09-07](#).
- [E-mail Aegis and Acorn construction update 2021-09-03](#).
- [E-mail Aegis and Acorn construction update 2021-09-10](#).
- [E-mails Green Peak solar PC post-construction followup 2021-09-07](#).
- [2021.08.31 Green Peak Solar Pet Response to HO 8-20-2021 Order76](#).
- [E-mails Eagle Scout project ideas 2021-08-25](#).
- [E-mail Governor Patriot Day Proclamation 2021-09-10](#).
- [E-mail VLR Scott press rel Tropical Storm Irene remembrance 2021-08-25](#).
- [E-mail VTrans Municipal Highway-Stormwater Mitigation grant funding available 2021-08-20](#).
- [ACRPC 2021 Sept Newsletter](#).

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).

September 11 Remembrance

Today is a solemn day for many people. I imagine everyone remembers where they were 20 years ago on the morning of September 11, 2001 when the Twin Towers fell and so many lives were destroyed. I will never forget. Many Vermonters have personal stories of how they were affected by that horrifying day. Governor Scott has issued a [proclamation declaring September 11 as Patriot Day](#) in Vermont, encouraging all Vermonters and municipalities to display the American flag.

Tropical Storm Irene

Another remembrance is that of the devastation of Tropical Storm Irene 10 years ago on August 28. As [Governor Scott noted in his commemoration of the event](#), the terrible event also brought out the best in Vermonters to help one another through the recovery. It also prompted significant investment in improving infrastructure to increase communities' resilience and to prevent future disasters.

Bristol Community Solar Project at the Landfill

Online and above under Other Business are two progress reports from Aegis. Construction of the ballasts and installation of the panels will soon be under way. Materials continue to be delivered to the site. Other updates:

- The transmission [easement with Green Mountain Power](#) was executed on Thursday.
- Also executed on Thursday was the [Lease, to be effective Sept. 13, 2021](#), in anticipation of the Bristol Community Solar closing on their financing arrangements on Friday. With

the financing secured, AES3 will be able to begin paying the Town under the terms of the Lease.

- The State issued the [amended Landfill Closure Certification](#) this week.

Schedule

I am happy to report that I was able to return to the office and have been able to walk around fairly well the last couple weeks. Alas, I will be back on crutches next week and working remotely following surgery to reconstruct the ACL and repair the meniscus. I hope to be back on my feet quickly. 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 September 13

Monday: Out of the office (out of town).
7:00pm – Selecboard meeting via Zoom.

Tuesday: 12:00pm – In office.

Wednesday: Uncertain schedule; potential medical preps for upcoming surgery.
10:00am – Addison County Partners (a transition from the Addison County Recovery Team)

Thursday: 7:30am – ACEDC Board
9:00am – Bristol CORE
12:00pm – In office.
6:00pm – ACSWMD Board Retreat

Friday: 9:00am – In office.

Week of September 20

Monday: 9:00am – In office

Tuesday: Knee surgery.

Wednesday: Working remotely.
12:15pm – Addison County EMDs meeting

Thursday: Working remotely.
9:00am – Staff meeting

Friday: Working remotely.

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., 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.
- Bristol CORE: Thurs., Sept. 16, 9:00am, via Zoom.
- [Selectboard](#): Mon., Sept. 27, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Oct. 5, 7:00pm, via Zoom.
- [Conservation Commission](#): Thurs., Oct. 14, 6:00pm, Holley Hall and via Zoom.

Upcoming Agenda Items

- New Bristol Police Officer introductions.
- Planning Commission quarterly update.
- Eagle Park universal fishing platform hazard mitigation design update and presentation.
- Grant authorization request: Historic Preservation 50% grant program. Various options exist for Holley Hall, Lawrence Library, Howden Hall.
- Grant authorization request: Municipal Highway and Stormwater Mitigation for Basin Street.
- 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