

Bristol Town Administrator's Report

January 9, 2022

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.

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

Monday, January 10, 2022 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."

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 an 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. Interviews and potential appointment of candidates to a newly-formed Bicycle Pedestrian Advisory Committee. The notice for soliciting candidates was posted numerous times on [Front Porch Forum](#). The following responses were received:

- [Dustin Corrigan](#), Lawson Lane
- [Christian DaBica](#), Pleasant Street
- [Kevin Masse](#), Stony Hill Road
- [Herb Schulte](#), North Street
- [Gerry Slager](#), Devino Lane
- [Marc Werner-Gavrin](#), Pleasant Street
- [Marianne Eaton](#), Hardscrabble Road

The candidates intend to be present either in person or via Zoom.

The committee is intended to consist of seven members, with representation from both inside and outside the Police District. The committee will be expected to conduct public meetings, have a chair and vice-chair, and follow the open meeting process.

RECOMMENDATION: Meet with the candidates and consider appointments. The Selectboard may wish to deliberate in executive session.

Item IV.2. John Graham Housing & Services (JGHS) and Addison County Community Trust (ACCT) presentation regarding their VHCB and ARPA funding request. This is on the agenda at [the request of Susan Whitmore](#) with the John Graham Housing & Services (JGHS), in partnership with Addison County Community Trust (ACCT), to discuss their planned request to the Vermont Housing & Conservation Board (VHCB) for American Relief Policy Act (ARPA) funding in February 2022.

RECOMMENDATION: No action is necessary.

Item IV.3. Acknowledgement of and response to Lewis-Teets complaint regarding recent Drake Smith Road maintenance. [Online is a letter from Orion Lewis and Jessica Teets](#) outlining their complaints and concerns regarding ditch maintenance on Drake Smith Road performed in October by the Public Works Department. They are requesting compensation for the following damages:

1. \$12,833 for approximately 600 square feet of land they believe was taken as a result of the ditching;
 2. \$450 for removed hostas for erosion mitigation
 3. \$250 for removed topsoil
- Total = \$13,533

[Online are e-mails](#) that reflect some of the follow-up communications in response to the complaint. Before Ian's and Peeker's visit with the property owner, DPW Foreman Eric Cota had also agreed to bring new soil in the spring to replace what was removed and improve the ditch. Eric may be present at the meeting to provide his perspective.

Drake Smith Road is a private road that the Town has been maintaining for decades. There are no known records at hand to provide insight into how this came about. There is a [1998 legal opinion and Selectboard action](#) that has led to the continued maintenance and plowing of this and a handful of other private roads.

As a private road, there is no established highway right-of-way. If a 3-rod right-of-way (49 ½ ft) is assumed, we may find the 25 feet from the center line extends well into the adjoining private properties' yards and/or buildings. Online is an interesting pamphlet produced by the [Vermont Institute for Government](#) in 2020, [The Public Right-of-Way and You -- An Introduction to Vermont Highway Law](#), that provides information in plain language about the rights and responsibilities of municipalities and property owners when it comes to highway maintenance.

RECOMMENDATION: Discussion. Determine an amount and authorize compensation for the removed hostas. Determine if any additional actions are necessary. Consider holding a public hearing to explore options for future maintenance of Drake Smith Road.

Item IV.4. Reconsideration of indoor masking requirements. Online are communications from Linda Andrews following up on the discussion at the last meeting about the Selectboard reconsidering some action to require the wearing of masks. Ian Albinson initially asked that the Selectboard consider requiring that visitors to indoor Town facilities, including meeting attendees, be required to wear masks.

From Linda Andrews:

- [Communications](#) regarding Burlington Free Press Journalist Elizabeth Murrays' about local mask mandates and a possible statewide mask mandate.
- [Communication](#) regarding a VTDigger.com article and the need for a mask mandate.

I have not had time to review all of this information to come up with a recommendation for the Selectboard that addresses last week's discussion about a "rule" rather than a "mandate." More information may be available prior to or at Monday's meeting.

RECOMMENDATION: Discussion. Determine next steps.

Item IV.5. American Rescue Plan Act (ARPA) funding update. Up until late last week, there would have been little to report. However, the U.S. Treasury issued a number of communications regarding their final rule and other guidance:

- [E-mail Treasury final rule implementing ARPA 2022-01-06.pdf](#)
- [Treasury SLFRF Compliance Statement 2022-01-06.pdf](#)
- [E-mail Treasury SLFRF Expenditure Report Template Now Available 2022-01-06.pdf](#)

But the one I recommend we pay attention to is from the VLCT:

- [E-mail VLCT re Treasury final rule pause 2022-01-09.pdf](#)

They recommend we sit tight while they review this latest information.

RECOMMENDATION: Discussion. No action is necessary.

Item IV.6. Budget and Capital Improvement Plan update: status and schedule. Because some departments are still getting budget and capital projects information together, there is not likely to be much to discuss or circle back on for this item.

We now know the legislature has passed a bill for the Governor's signature that will give municipalities the option of having an in-person Town Meeting, an all-Australian ballot Town Meeting, or to change the date to some time in the spring. Because this is not a warned agenda item, we should plan for the Selectboard to decide at the next meeting which option Bristol will choose.

Updated proposed schedule:

Jan. 13: Last day to file a petition with the Town Clerk for articles to be included on the Town Meeting warning.

- Jan. 17, **6:00pm** – Recreation Dept., Fire Dept., overall budget review; determine Town Meeting format, Town Meeting warning review.

Jan. 24: Last day to submit to the Town Clerk nominating petitions for Town offices to be voted by Australian ballot.

- Jan. 24, **7:00pm** – Finalize budgets and Town Meeting warning.

Jan. 30: Last day for the Selectboard to post the warning for Town Meeting.

- Feb. 28: Bristol Town Meeting (floor meeting)
- Mar. 1: Town Meeting Day (Australian ballot).

RECOMMENDATION: Discussion. No action is necessary.

Item IV.7. 2021 Town Report update: consider updates/additions to the annual Town Report. Ian Albinson would like to [suggest additions to the content of the Town Report](#). Some of the items are already there, but in a different format. This is on the agenda for discussion.

RECOMMENDATION: Discussion.

Item IV.8. Approval of Annual Certificate of Highway Mileage without changes. Online is the [annual VTrans Certificate of Mileage](#) for approval. Although Firehouse Drive has been extended, we still have a step or two to make before we can officially claim the additional mileage. Otherwise, there are no other changes to report.

RECOMMENDATION: Approval. Selectboard members will need to sign the certificate.

Item IV.9. Review and approval of the August 23, September 13, and December 13, December 20, 2021, and January 3, 2022 meeting minutes. The [December 13](#) reviewed minutes are available. The [November 29 special meeting](#) should have been added to this tally and are available. All the original drafts are posted online in the [Selectboard agendas-minutes table](#). The reviewed docs are in progress and will be posted and e-mailed when they become available.

Item VI.4. Authorize accounts payable warrant and any liquor licenses. [Warrant](#).

V. OTHER BUSINESS.

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

- [E-mails BCC Lloyd resignation 2022-01-02.pdf](#)
- [Hot housing market triggers CLA slide timesargus.com 2022-01-03.pdf](#)

Town Office Sign Improvement

Ian Albinson and his father generously refurbished the Bristol Town Office sign with a new oak outer frame and new hardware for hanging it. The green stuff growing in the lower corners was also removed. We express many thanks.

Schedule

I generally plan to get in the office around 9:00am most days. I plan to still work remotely one day a week, most often on Tuesdays. On those days 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. Winter travel conditions are likely to require some wiggle room on all of these plans.

Week of January 10

Monday: In the office.
7:00pm – Selectboard meeting (me via Zoom).

Tuesday: Working remotely.

Wednesday: 9:15am – Dr. appt. in Berlin. Should be in the office by noon.
1:30pm – RLF meeting either in person or via Zoom.



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Thursday: In the office.
Friday: In the office.
10:30am – 12:00pm – ARPA Webinar.

Week of January 17

Monday: In the office.
6:00pm – Selectboard meeting (me via Zoom).
Tuesday: Working remotely.
Wednesday: In the office.
10:00am – Addison County Partners meeting via Zoom.
Thursday: 7:30am – ACEDC Board meeting via Zoom.
10:00am – In the office.
Friday: In the 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., Jan. 3, **6:00pm**, Holley Hall and via Zoom.
- [Selectboard](#): Mon., Jan. 10, 7:00pm, Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Jan. 11, 7:00pm, Holley Hall and via Zoom.
- [Conservation Commission](#): Thurs., Jan. 13, 6:00pm, Holley Hall and via Zoom
- [Selectboard](#): Mon., Jan. 17, **6:00pm**, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., Jan.19, 7:00pm, via Zoom.
- [Selectboard](#): Mon., Jan. 24, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Feb. 1, 7:00pm, via Zoom.

Upcoming Agenda Items

- Budget preparations: Recreation Dept., Fire Dept., General Fund, follow-ups.
- Determine 2022 Town Meeting format.
- Class 4 highways and private roads maintenance policy.
- Re-adoption of a Residential Anti-Displacement and Relocation Plan.
- Appointment of volunteers to new ARPA Funding Advisory Committee.
- Selectboard priorities for use of ARPA funds; solicit community input.
- Begin preparing for town-wide reappraisal schedule and RFP for professional assistance.
- Continued Personnel Policy review and updates.
- Continued consideration of the Public Works/Police Department site analysis next steps.
- Process to become a Certified Local Government (CLG).
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator