

Bristol Town Administrator's Report

September 25, 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, September 26, 2022 Meeting Agenda and Materials

I. Call to Order: 7:00 P.M.

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."

- Add the request from [Kids Cancer Connection that a proclamation](#) be adopted recognizing October 23 - October 29 as Childhood Cancer Awareness Week in Bristol.

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. PUBLIC HEARING: Ordinance to Regulate Traffic and Vehicular Speeds within the Town of Bristol.

- Proposal to reduce village street vehicular speed limits to 25 miles per hour (mph).
- Opportunity to consolidate other Bristol vehicular speed limit ordinances into a single document.

Bristol currently has at least four ordinances regulating vehicular speed in town:

- [*Special Regulations as to Speed Limits in the Village of Bristol*](#). Adopted in 1957, this one applies only to what was then the Village of Bristol.
- [*Bristol Town Speed Limits Ordinance*](#). Adopted in 1977, this one applies to all the areas of the town outside what was then the Village.
- [*Ordinance Regulating Local Enforcement of Speed Limit on State Highway*](#). This ordinance was adopted in 2014 as a way to clearly authorized the Bristol Police Department to enforce speed limits on State highways and to enable the Town to keep some or all of the traffic fines issued.
- [*Ordinance Regulating Speed in School Zone Hardscrabble Road*](#). First adopted in 2014, it was amended in 2015 to specify the speed limit was intended to be in effect only when school was in session.

There are also specific ordinances for [regulating parking](#) (2017), [stop and yield intersections](#) (2004), one to [regulate crosswalks](#) (2009), one to regulate the [Mountain Street School Zone one-way street](#) (1999) and a [policy related to abutters and private owners](#) (date?).

[Online is a second draft of a proposed vehicular speed limit ordinance](#) that attempts to consolidate the first four of those listed and introduce a 25 mph speed limit in the village area. It is also includes additional elements based largely on the model ordinance in [Setting Speed Limits—A Guide for Vermont Towns](#) (VTrans, 2016). Several Vermont municipalities have adopted some form of this model ordinance.

This is an opportunity to discuss how narrow or broad the Selectboard would like the ordinance to be. References are made to existing ordinances that address parking, cross walks, stop and yield intersections.

Changes from the previous review:

- A new section under Article V was added for 15 miles per hour (15 MPH). It includes Airport Drive, Lawrence Lane, and Lower Meadow Lane. I did not change the subsequent section numbers just in case this new section is not sustained due to concerns expressed whether a 15 MPH zone is legal or enforceable.

- Changed Plank Road speed limits to 25 MPH to Jay Drive and 30 MPH to Burpee Road.
- Added Upper Notch Road and Upper Meehan Road to the 30 MPH section. Any others?
- Maple Avenue was corrected to Maple Street.
- Moved the statement that all other Town and State aid roads within the town of Bristol not otherwise listed would be at 35 MPH.
- Moved Lincoln Road and Briggs Road to the 35 MPH section.

RECOMMENDATION: Receive public comments. Adjustments. Consider adopting the ordinance, with these and any other adjustments.

V. REGULAR BUSINESS.

Item V.1 Munsill Avenue Sidewalk Scoping Study Alternatives Public Meeting: Dan Mallach, DuBois & King. Dan Mallach, PLA, AICP, with DuBois & King [will present their findings](#) based on analyses of site conditions, feedback from the previous scoping study meeting, and results from an online survey. While doing nothing remains an option, the alternatives range from a curbed sidewalk on the east side or a sidewalk on the east side with a grass strip. He will be present to explain the alternatives in more detail.

RECOMMENDATION: Receive information. Receive public comments. Consider voting on a preferred alternative.

Item V.2. Consider authorizing the Treasurer's Office to switch banking accounts from M&T Bank to the National Bank of Middlebury. Since the transition of Peoples United Bank to M&T Bank, the Treasurer and Clerk have encountered numerous difficulties with poor customer service and inability to gain access to Bristol's accounts. In August, M&T Bank announced it would be changing all account numbers and in early September they did. However, they have not yet issued passwords to allow authorized personnel to access to the accounts, nor have check books or deposit slips been issued. These accounts amount to more than \$1.6 million that the Clerk and Treasurer's office have not been able to access.

This proposal is to move all of the capital accounts held at M&T Bank to the National Bank of Middlebury. Credit card accounts and certain CD and money market investments would remain with M&T Bank—at least for now. Bristol's general fund account is currently at the National Bank of Middlebury and would remain a separate account. Having these accounts in the same institution will also allow for more efficient transfers of funds from capital accounts to and from the general fund. Anthony and Sharon are likely to be present to provide more information.

RECOMMENDATION: Vote to approve moving Bristol's capital accounts from M&T Bank to the National Bank of Middlebury.

Item V.3. Consider authorizing a tax anticipation note for \$1,200,000 through the National Bank of Middlebury. Based on a projection of estimated expenses vs. estimated

revenues through June 2023, the projection indicates revenues are not expected to meet expenses by more than a million dollars. It is not uncommon for revenues to get tight when the first property tax installment is still weeks away. Property tax bills will be sent out this coming week and the due date is November 15. It is also not uncommon for the Town to borrow funds from its capital accounts to cover the accounts payable warrants and then pay the funds back with appropriate interest before the end of the fiscal year. It is, in fact, a common practice. However, the Treasurer's office does not believe there is enough internal borrowing capacity at this point to meet the projected expenses in the short term or will be enough revenues to pay back the borrowed capital funds for their intended purposes.

The proposed tax anticipation note (TAN) will be in form of a line of credit. The Town will only be charged interest on the funds actually drawn down. Municipalities are authorized to take out a tax anticipation note one time each year and it must be paid off by the end of the fiscal year. Taking out a TAN is a typical practice for those municipalities that do not have sufficient capital funds to borrow from. Bristol last took out a TAN in 2010. Town Treasurer Anthony Delmonaco will be on hand to help explain the details.

RECOMMENDATION: Vote to authorize the tax anticipation note.

Item V.4. Consider acceptance of the representation letter from Monaghan Safar Ducham, PLLC, as bond counsel for the Pine Street water line replacement bond proposal. With the death of J. Paul Giuliani, Esq., Bristol's long-time bond counsel, the Selectboard authorized me to reach out to Brian Monaghan, Esq., who is among the Vermont Bond Bank's [list of approved bond counsel attorneys](#). I did and he accepted. Online is a [letter from Brian Monaghan](#) of Monaghan Safar Ducham, PLLC, outlining the terms of his representation for the purpose of the Pine Street Water Line bond vote.

RECOMMENDATION: Vote to accept the letter and authorize the Town Administrator to sign it.

Item V.5. Tentative: Consider approval of a necessity resolution for the purpose of a bond vote for the Pine Street water line replacement. This is listed as *tentative* because I and others were not sure if the details would fall into place in time to move forward with a bond vote for the Pine Street water line replacement along with the November 8 election day. It would constitute a special Town Meeting, which requires the warning for it be posted at least 30 days prior to the vote, or by October 8. If the Selectboard wishes to proceed with a bond vote as part of the November 8, 2022 election, it needs to pass a "necessity resolution" basically attesting to the public and institutions that there are no local funds available to pay for the project and borrowing is necessary.

Thanks to Brian Monaghan's Saturday morning sprint, [online is the necessity resolution](#) he drafted. I modified it a little to include the Selectboard's traditional information meetings held prior to Australian ballot votes for Monday, Nov. 7 and Monday, Oct. 24. It and the documents that follow are very specific to the water line;

however, we have also discussed stormwater and pedestrian improvements. Should the language be broadened? Brian Monaghan, Steve Palmer, and I are aiming to have a meeting sometime Monday to discuss some of these details and may have more information at the meeting.

RECOMMENDATION: Vote to adopt the necessity resolution, with or without revisions.

Item V.6. Tentative: Consider approval of the warning for special Town Meeting for the purpose of a bond vote for the Pine Street water line replacement. As with the previous item, this is listed as *tentative* because I and others were not sure if the details would fall into place in time to move forward with a bond vote for the Pine Street water line replacement along with the November 8 election day. [Online is a proposed warning](#). As noted above, some details may change if more information is provided at the meeting. If approved, with or without adjustments, it will need to be posted in the requisite places by Saturday, October 8.

Along with the warning is approval of the ballot. [Online is a proposed ballot](#). It, too, might be adjusted if the necessity resolution and warning language gets adjusted.

RECOMMENDATION: Vote to approve the warning and ballot, with or without adjustments.

Item V.7. Update on Basin Street stormwater and behind Howden Hall stormwater issues and consider authorization to proceed with repairs with funds from the Capital Road Fund. Recent rainstorms revealed there appears to be a blockage somewhere in the Main Street stormwater culvert or outlet on the Basin Street slope inhibiting water from flowing out and instead overflowing out of the inlet, down Main Street, and then down Basin Street. Eric reached out to area contractors for approaches and quotes about how to best address this. He will present his findings at the meeting.

Behind Howden Hall is a culvert outlet that is causing considerable erosion of the bank below it. While this and the above projects would be eligible for grant funds, we feel correction and/or stabilization of the situations cannot wait. Eric is also in the process of getting quotes for this project. He will also be able to provide more information about this situation. Information about funds available in the Capital Road Reserve fund will be provided at the meeting.

RECOMMENDATION: Consider approving use of Capital Road Reserve funds for immediate correction of these situations.

Item V.8. Consider authorization to proceed with Park Place sidewalk sections replacement at Park Place Dental with funds from the Sidewalk Reserve Fund. Replacement of these sidewalk panels were originally included in the RFP for the 2022 sidewalk work; however, the decision was made to reallocate that expense to completing the East Street project. This was largely because the Park Place sidewalk panels are still in

good condition and that drainage concerns were believed, at that time, to be able to be addressed by adjusting drainage through the green strip.

It came back to our attention that the panels need to be replaced because they have shifted such that their angles cause water and ice to accumulate in hazardous locations. Only three or four panels are involved.

Eric is in the process of getting quotes. The current balance of the Sidewalk Reserve Fund is \$39,285.94. With the FY2023 appropriation it the amount increases to \$79,285.94. The FY2023 sidewalk project has not yet been decided.

RECOMMENDATION: Vote to approve use of the Sidewalk Reserve Fund to address the Park Place sidewalk project.

Item V.9. Continued review and potential approval of proposed consolidated Driveway Access and Work in Right-of-Way permit application and fee adjustments for each. This is following up on the Selectboard's review at the previous meeting. [Online is an updated draft](#) of the combined applications.

RECOMMENDATION: Discussion. Adjustments as necessary. Vote to approve.

Item V.10. Consider approval of the Errors and Omissions report from the Listers. [Online is a report](#) from the Listers regarding an adjustment that needs to be made to the grand list.

RECOMMENDATION: Vote to accept the adjustment.

Item V.11. American Rescue Plan Act (ARPA) funding update. This is a recurring agenda item. Additional updates, if any, will be provided at the meeting.

RECOMMENDATION: Discussion. No action is necessary.

Item V.12 Review and approval of the August 22, and September 14, 2022 meeting minutes. The [August 22 minutes](#) are available; the September 14 minutes are in progress.

Item VI.13. Authorize accounts payable warrant and any liquor licenses. [Accounts payable warrant is posted online.](#)

VI. OTHER BUSINESS.

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

- [Bristol RLF status report thru 2022-08-31.pdf.](#)
- [Email BFD fire apparatus delay status bulletin 2022-09-24.pdf.](#)
- [E-mails Mission radio upgrade installation 2022-09-19.pdf.](#)
- [Letter Raymond closing Occupational Health clinic 2022-08-29.pdf.](#)
- [E-mail US Treasury downsizing support capacity 2022-09-23.pdf.](#)
- [Letter VTrans SRTS Spot Improvement Funding Announcement 2022-09-22.pdf.](#)

VII. EXECUTIVE SESSION.

No item is currently scheduled. This is a placeholder in the event The Selectboard wishes to deliberate in executive session regarding personnel matters per 1 V.S.A. §313(a)(3).

West Street Slope Repair

The certificate of final completion was issued on September 18, 2022. A request for reimbursement to the NRCS of \$211, 219 was submitted on September 21. The next step is to sort out the final costs associated with the affected properties, provide an opportunity for their review, and prepare invoices. The trail segment crossing the area will remain closed through the fall and winter seasons.

Pine Street Water Line Replacement Update

The construction permit was deemed administratively complete and is now going through the public review and comment period. It has been assigned permit number PID # C-4103-22.0 and can be tracked on the Environmental Notice Bulletin (ENB) at <https://enb.vermont.gov/>.

Lawrence Memorial Library and Holley Hall Painting and Repairs

Coco, Meridith, Freddie, and I met with Jackson Evans from the Preservation Trust of Vermont (PTV) this past week to conduct preliminary assessments of both the Library and Holley Hall. Based on his findings, he will then see who among their cache of historic preservation professionals is available to conduct a more in depth assessment of the buildings' needed repairs, prioritize them, and provide cost estimates.

Meanwhile, I went ahead and published the [RFP for restoration of the Library front porch](#). I am in the process of adapting that RFP to apply to Holley Hall's front porch area. It is a bit more complicated but I hope to get it out this coming week.

FY2021 Audit

We signed off on the draft FY2021 audit this past week. Next is the management letter, which we have not seen a draft of. We are told that once the management letter is ready, they will finalize the financial statement documents.

Universal Fishing Platform at Eagle Park

The extension request until December 31, 2023 to allow for permitting, bidding, and construction of the universal fishing platform has been approved.

Misc. Updates

- A groundbreaking celebration for Firehouse Apartments has been planned for Weds., Oct. 26, 1:30pm. on Firehouse Drive. The upstairs meeting room at the Fire Station has been reserved in case of inclement weather or opportunity to gather.
- Four bids have been received so far for the Ford F-350 pickup truck. Bids are due by 4:00pm, Sept. 28, 2022.

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 phone and by email at townadmin@bristolvt.org. 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 26

Monday: In the office.

Tuesday: Working from home.
12:30pm - Appointment in Montpelier.

Wednesday: In the office.
2:00pm – Munsill Ave. scoping study steering committee.
7:00pm – Inclusivity meeting.

Thursday: In the office.

Friday: Morning - Medical appointments in Burlington.
Afternoon – Working from home.

Week of October 3

Monday: In the office.

10:30am – Medical appointment via Zoom.
7:00pm – ARPA Funding Committee—in person at Holley Hall.

Tuesday: Working from home.

Wednesday: In the office.

Thursday: In the office.
1:30pm – ACEDC REDS committee meeting.

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., Sept. 26, 7:00pm, Holley Hall and via Zoom.
- [ARPA Funding Advisory Committee](#): Mon. Oct. 3, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Oct. 4, 7:00pm, at Howden Hall and via Zoom.
- [Selectboard](#): Mon., Oct. 10, 7:00pm, Holley Hall and via Zoom
- [Development Review Board](#): Tues., Oct. 11, 7:00pm, Holley Hall and via Zoom (if needed).
- [ARPA Funding Advisory Committee](#): Mon. Oct. 17:00pm, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., Oct. 19, via Zoom.
- [Selectboard](#): Mon., Oct. 24, 7:00pm, Holley Hall and via Zoom
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Upcoming Agenda Items

- Review FY2021 audit report.
- Review updated Revolving Loan Fund application materials and policies.
- Continued Personnel Policy review and updates.
- Final review and approval of Eagle Park Maintenance Plan.
- Class 4 highways and private roads maintenance policy.

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- Selectboard priorities for use of ARPA funds.
- Prepare for town-wide reappraisal schedule and RFP for professional assistance.
- Continued consideration of the Public Works site analysis and next steps.
- Process to become a Certified Local Government (CLG).
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator