

**^Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday April 26, 2021**

Selectboard members present: Chair Peeker Heffernan, Vice-Chair Ian Albinson, Joel Bouvier, Michelle Perlee, and Darla Senecal.

Staff present: Board Clerk Tasha Bouvier, Town Administrator Valerie Capels, Public Works Foreman Eric Cota, Fire Chief Brett LaRose, Town Clerk Sharon Lucia, Recreation Department Director Meridith McFarland, Assistant Recreation Director Alex Mihavics, Town Treasurer Jen Myers, Police Chief Bruce Nason, and Hub Director Taylor Welch.

Others present: Samantha Dunn (Evernorth), Jacqueline Fefee, Kevin Harper (Stoney Hill), Cherie Jackman, Paul Jackman, Shawn Kimball (NEAT TV), John Moyers, Jim Quaglino, Christopher Ross (*Addison Independent*), Roy Schiff (SLR), Elise Shanbacker (ACCT), Jessica Teets, Kristen Underwood, Jennifer Urban, and Erin Wheeler.

I. Call to Order. Chair Peeker Heffernan called the meeting to order at 7:02 p.m.

1. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). Valerie Capels noted that the meeting minutes item will need to be moved to next meeting and suggested the sidewalk RFP under regular business item #10 may need to be postponed if Selectboard members have not had a chance to the draft that was distributed that afternoon.

2. Overview of Zoom meeting operation and procedures: rules for participation, mute microphone, recognition by Chair, etc.

II. Public Forum. None.

III. Consent Agenda.

Ian Albinson moved to approve consent agenda. Joel Bouvier seconded. So voted.

1. Approve curb cut application 2021-02DA, Dwire, on Lower Notch Road per Public Works Foreman's recommendations.

2. Approve curb cut application 2021-03DA, Jackman, on Mountain View Street as proposed.

3. Approve curb cut application 2021-04DA, Davis, on Meehan Road per Public Works Foreman's recommendations.

4. Approve grant authorization request: Recreation Department application to the Vermont After School Summer Grant Program, for up to \$75,000.

5. Approve grant authorization request (retroactive): VTrans Structures application for Lincoln Road/New Haven River riverbank washout restoration.

6. Approve Green Mountain Power petition: request to rebuild poles on Lower Notch Road.

IV. Regular Business.

1. Stoney Hill residential development: density and Town property transfer negotiation update and next steps. Valerie Capels reported that this is a follow up from the February 23 Selectboard

meeting at which options were discussed for transferring some aspect of the Town's adjoining property to the Stoney Hill residential development project in order to accommodate increased density from the 15 currently approve to 20 units. The Selectboard expressed support at the time for the concept and asked that other alternatives be considered, such as a long-term lease or easement or an alternative configuration of the property to the south. Since then, the option of an interim zoning bylaw authorizing a density bonus under certain conditions was suggested. In her April 1, 2021 email, Samantha Dunn of Evernorth is asking the Selectboard to consider executing a memorandum of understanding (MOU) affirming the Selectboard's support while a final approach is decided about how to accomplish the increased density objective. The need to have an amended zoning permit no later than sometime in July is driving the timelines. They need to have an amended Act 250 permit in hand by October, which cannot be applied for until the amended zoning permit has been issued. Amending the zoning permit will require at least one public hearing before the Bristol Development Review Board. In the meantime, an MOU in hand for their presentation to funders on May 24 would strengthen their position if a final decision or other action has not been made. We have since confirmed that a long-term lease or easement on the Town property will not be an option for density purposes; the property must be in the applicant's ownership. Interim zoning creating a density bonus overlay district could be an option, but the timeline for defining the components and locations where it would be applicable is highly uncertain.

Samantha Dunn presented an alternative configuration of a potential lot line adjustment involving the Town's land to the south. Because this area is in different zoning district, more land area would be needed to the south to meet the density requirement. Michelle Perlee moved that the Selectboard agree to adjust the lot lines north of lot 2 to achieve what Evernorth needs and authorize Town Administrator to sign the MOU with Evernorth. Ian Albinson seconded. So voted. Joel Bouvier asked will there be any money given to the town for this. There was a consensus of Selectboard members the answer is no.

2. Eagle Park universal fishing platform proposal for engineering design services for flood mitigation. Valerie Capels reported that FEMA has estimated the cost to repair the universal fishing platform (UFP) to its pre-flood condition to be \$55,322. We have also been advised by FEMA that this project would probably qualify for additional hazard mitigation funding if additional or alternative elements were included to prevent future damages. Because the original design engineer would already have plans of the site and be familiar with the project, Conservation Commissioner Kristen Underwood reached out to Roy Schiff from the original design engineer Milone and McBroom for a cost proposal to evaluate the current condition of the site and develop an alternative design to reduce future damages. We have received his cost proposal; however, he is now with a new firm SLR. The quote is not being disclosed publicly in the event the Selectboard wishes to seek other proposals. Bristol's current procurement policy allows for sole source contracts and does not require multiple quotes for professional services, such as engineering. Ian Albinson moved to make the walkway to the platform safe and the platform usable for this summer season. Darla Senecal seconded. So voted. There was consensus the repairs would be done only if the platform and walkway can be fixed at a minimal cost. Ian Albinson moved to pursue funds for hazard mitigation funding with FEMA, which would include engineering costs. Michelle Perlee seconded. So voted.

3. Water Commission: water bill adjustment request from Jacqueline Fefee, 612 Rockydale Road. Peeker Heffernan noted that the Water Commission has maintained that if the water went

through the meter, that the bill must be paid. Michelle Perlee moved to have the bill stand, the interest and fees be waived, and have the water customer work with the office on a payment plan. Ian Albinson seconded. So voted. Joel Bouvier voted no.

4. Water Commission: application for new water connection, Paul Jackman, 23 Mountain View Street. Ian Albinson moved to approve the application for new water connection on 23 Mountain View Street with the following conditions as recommended: (1) compliance with the Bristol Water Ordinance; (2) compliance with the permit to perform work in the highway right-of-way; (3) that VTUMS be contacted at least two days in advance to witness the installation and to perform the connection to the curb stop; (4) that the applicant be responsible for the \$500 base connection fee, the actual cost of the meter, appurtenances, service line pipe, curb stop, charges for VTUMS' service, and any other materials associated with the installation; and (5) that the Town include a copy of the What To Do If You Have A Water Leak handout with the approved permit materials. Joel Bouvier seconded. So voted.

5. Town Green Park Use application: Bobcat Café Food Truck off West Street. Ian Albinson moved to approve the application with Bobcat Café Food Truck off West Street through the 2021 season. Darla Senecal seconded. So voted. Jennifer Urban and Erin Wheeler said they would like to have other vendors and bands to play the same night (when it is safe to do so). There was agreement that if any other vendors would like to join they would have to be approved by the Bobcat Café through the Bristol Recreation Department Director.

6. Recreation Department proposal for purchase of a bus or van for program transportation. Recreation Director Meridith McFarland, Teen Center Director Taylor Welch, presented a proposal the department is contemplating to purchase or lease a 15-passenger bus or van to be used to transport program patrons to various camps and/or event in and outside of town. Options explored include Betcha at \$700/day for 8 hours + 2 hours for the driver; borrow a bus from Hannaford Career Center for \$25/day summer only with the Town providing a driver and insurance; and buying a bus at one-time purchase costs plus on-going costs. Michelle Perlee suggested they contact Middlebury Transit because they were going out of business and were selling a number of vans and busses. Joel Bouvier recommended trying the rental through Hannaford for the first year. Other options were also discussed. It could be possible that funds from any number of state and federal COVID-related and/or recreation-related grant programs could be used. Meridith pointed out that funds from the Vermont After School Program could be used to rent a bus but not purchase one. Taylor Welch acknowledged that purchase of a van would increase the Town's insurance costs. Meridith will keep the Selectboard updated.

7. Third quarter budget status review; FY2020 audit status update. Jen Myers shared the narrative report she prepared highlighting various lines of the most recent budget status report. She noted there are some delinquent taxpayers that she will be having the Town lawyer send letters to them regarding a pending tax sale. Some of them are not ideal saleable properties that the Town might not want to end up owning. May 26 is a tentative target date. The Selectboard will have this as an agenda item on another night.

8. American Rescue Plan Act preliminary discussion. Valerie Capels reported that the Town received a letter from the Addison County Regional Planning Commission (ACRPC) and the Addison County Economic Development Corporation (ACEDC) encouraging member towns to

begin thinking about how they could best deploy the funds we are expected to receive through the American Rescue Plan Act (ARPA). She said she has been reluctant to get too far ahead of this subject without having more information about project or program eligibility, criteria, matching requirements, expected timelines, reporting and delivery requirements, and more. This information is expected to be released by the U. S. Treasury in a couple weeks. In the meantime, the Town of Bristol is expected to receive a total of \$1.1 million.

Valerie said infrastructure projects she expects would be high on Bristol's priority list include upgrades to the Core sewer system, the Pine Street water line replacement, upgrades at the water system pump house (control panel, generator), the Basin Street improvement project, and new sidewalks. She has received comments from others in the community who also have ideas and priorities.

There was consensus the Selectboard will wait to see what the parameters about this and discuss at a future meeting when the time comes. They will then develop what they think should be priority projects for the funding and solicit public input at a regular Selectboard meeting.

9. Review and adoption of the Bristol Local Emergency Management Plan. Valerie Capels noted that some updates were received regarding the Bristol Rescue contacts. Ian Albinson moved to adopt the Bristol Local Emergency Management Plan as amended and to designate Peeker Heffernan and Joel Bouvier as signors. Darla Senecal seconded. So voted.

10. East Street sidewalk replacement project draft RFP review, including Park Street section to be replaced. There was agreement that the alternative for having the Public Works Department do the preparation work be removed. There was discussion about whether to include a penalty for failing to meet the project deadline. The suggestion was made to incentivize for finishing early. Michelle Perlee suggested that 10% of the amount be withheld until a final walk through of the project has been done and the work has been done to the Town's satisfaction. Ian Albinson moved to accept RFP with changes without the Public Works option and adding in 10% being withheld until work has had a satisfactory final inspection. Michelle Perlee seconded. So voted.

Valerie Capels asked about the Park Place sidewalk work that needs to be done and is next on the list. A citizen expressed concern today by e-mail that a sidewalk section on Church Street needs to be added to the list. Peeker Heffernan suggested that the total linear feet planned be included in the RFP and the specific segments can be verified in the meantime.

There was discussion about how the 10-year sidewalk replacement plan will be updated as conditions continue to change. Ian Albinson reported he is working on a way to improve the list and to have an interactive map posted to the Web site.

It was also discussed that if the contractor is not following the proper MUTCD guidelines, they would get shut down and either Eric Cota or Valerie Capels would speak to the contractor about it.

11. Approval of the March 29 and April 12, 2021 meeting minutes. This will be moved to the next meeting.

12. Authorize accounts payable warrant and any liquor licenses. \$709,441.63.

13. Selectboard roundtable.

a. Ian Albinson asked that the full Zoom links be included on the agendas, so it's easier when he puts it on Front Porch Forum. He also asked when the sand buckets will be removed. Eric Cota said he will move them soon.

b. Darla Senecal thanked Bruce Nason for texting her back right away late one evening about a citizen concern. She noticed the new accessible signs that went up at Holley Hall and thanked everyone involved. She also said great job on the five-town food drive and thanked Bristol Fire Department and Shaw's for helping.

Michelle Perlee noted that Green U Day is Saturday May 1, 2021.

14. Town Administrator's report. Valerie Capels referenced her written report and noted she meant to add that the Acorn Energy is hosting another Bristol Community Solar information meeting on April 28 and that information about it was posted in FPF. She also acknowledged that Christopher Bapp and Anthony Goodrich have now joined the Public Works Department.

V. Other Business.

1. Correspondence, reports, correspondence received.

VI. Adjourn.

1. At 10:45 p.m. Ian Albinson moved to adjourn the meeting. Darla Senecal seconded. So voted.

Respectfully submitted,

Tasha Bouvier
Board Clerk

Valerie Capels
Town Administrator