

Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday, December 20, 2021

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

Members Absent: Chair Peeker Heffernan

Staff present: Town Administrator Valerie Capels; Treasurer Anthony Delmonaco, Fire Chief Brett LaRose; Board Clerk Sharon Lucia; Police Chief Bruce Nason.; Police Officer Josh Turner

Others present:, Lynn Dike, Kevin Hanson Planning Commission, Jason Hurd, Shawn Kimball (NEAT), Jim Quaglino, Tom Wallace.

I. Call to Order. Vice-Chair Ian Albinson called the meeting to order at 7:01 p.m.

1. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). There is one addition, and no removals, or adjustments.

Valerie Capels recommended one addition of adding an interview with candidate Jason Hurd. He expressed an interest in the Conservation Commission but there are currently no vacancies. There is a vacancy on the Planning Commission and Jason's skills appear to be in line with the Planning Commission's work. There was Selectboard agreement that it go under Regular Business Item IV. number 1a, Planning Commission.

Valerie Capels recommended one correction. The November 22, 2021, minutes have been adopted so it can be removed.

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

II. Public Forum.

1. Jim Quaglino thanked the Selectboard and all town employees for the great job they do all year round and wished everyone Happy Holidays. Ian Albinson also thanked Jim for attending the Selectboard meetings on a regular basis.

III. Department Head Roundtable.

1. Bristol Fire Department: Chief Brett LaRose thanked his firefighters for serving their community and wished them Happy Holidays.
2. Police Department (BPD): Chief Bruce Nason reported that during construction at Bristol Elementary School, the Fire Department loaned the Police Department traffic cones and thanked Chief LaRose for the use of the cones. When Bruce picked the cones up a couple of them were missing. He asked whoever borrowed the cones to please return them.
3. Town Clerk: Sharon Lucia reported she has been receiving appropriation requests and a candidate petition, so Election stuff is ramping up. VTUMS did a water read last week and the Town will be sending out bills this week. Land Records are still a work in process. The Town Report deadline for reports has passed so if you haven't submitted your report please do so. Ian

Albinson said the State is looking at having informational meetings as we did this year and asked what we thought about not having a Town Meeting. Sharon said until the State tells us otherwise, we are to go back to our normal process. Valerie Capels added that the State of Emergency has been lifted so we have reverted back to the Statute requirements.

4. Treasurer: Anthony Delmonaco introduced himself. He talked about the upcoming audit and the work that is going on with the new auditors. He has revamped the deposit structure and is looking for ways where we can be more efficient. He's learning more about his position and what is required. Valerie Capels added that he is doing a great job. Selectboard members welcomed him aboard.

IV. Regular Business.

1. Planning Commission quarterly update: Kevin Hanson.

Kevin Hanson Chair of Planning Commission gave an update. They have made decisions on the implementation plans for the Town Plan. The Commission considered a couple of state grants, one of which was the Municipal Planning Grant and the other one was a newer grant for Bylaw Modernization. We chose to apply for the Bylaw Modernization grant because it fits better with the Planning Commission's proposed housing concept. We would update zoning regulations to make them more realistic to existing conditions and to make towns more livable and affordable. Addison Regional Planning Commission suggested we do a multi-town grant with Monkton and Lincoln; however, they suggested this late in the game. We are far into the application process and felt that we might be at risk if we didn't continue forward on our own. The other issue with a multi-town application is there needs to be an umbrella of mutual benefit and we struggled with what that would be. We stayed as a town submitter and had applied for \$15,000 and change. We received word that the State was going to partially fund towns, and Bristol is one of those towns. The State asked if \$9,800 would be adequate and Kevin told the State that we could probably make it work. Kevin stated that there is budgeted money for the Planning Commission that we could use to supplement the grant. This grant is for two years, and it will cross a couple of budget years. Jeff Lunstead did most of the grant application work and did a great job. Kevin discussed the grant with Kris Perlee on how we can use that amount of money to update the bylaws. This grant is limited to the Village planning area and a little bit outside of the village on South Street and Plank Road. We also applied for an intern from the UVM Research Center. We laid out our strategy on housing and the Center was excited with the proposal and wishes to assist. We will have an intern during the spring semester to do some background work. The Planning Commission wants to understand the attributes of building lots; set-ups of the lots; and what works well in Bristol. There is a bicycle/pedestrian committee being formed but we're not sure yet how this will intertwine with the Planning Commission. We have had a change in membership through the last quarter. Chanin Hill became part of the Commission (Four Hills farm), and she will provide us with agriculture aspect and being outside of village resident. Unfortunately, John Kromer resigned from the Commission for personal reasons, leaving us down one member. We have been talking about training as other than Bill Sayre and Robert Rooker, we are a young board. The Commission does have a lot of good experience and diversity and 2022 will be a very busy year.

Ian Albinson asked about the information the Planning Commission sent out months ago to various boards including the Selectboard about the responsibilities of each board. Kevin said he didn't have anything to update. The Commission would be working on that in the first quarter of 2022. Ian said it's useful for the Planning Commission to give updates on the goals for the other committees to demonstrate what is working.

Michelle Perlee asked if the Planning Commission has looked at short-term rentals and how it affects long-term rentals in town. Kevin said they have not. The Commission is in the very early stages of the analysis of housing space. Part of the analysis is the air BNBs and we do have them in the village. We should keep that in mind when we start looking at housing. Michelle said that Burlington is looking at how to regulate the short-term rentals as it takes away from the long-term rentals. Kevin said they have had discussions on Air BNBs and how it relates to the requirements of hotels.

Joel asked Kevin what the Planning Commission could use from the Selectboard over the next year to meet their goals. The grant is for two years so it's not one and done. Kevin said they want to really look at housing and understand the regulations. Currently, the zoning regulations don't allow building within the village with the way zoning is now. As far as Selectboard support this dialogue is very important and the Selectboard is engaged with what the Commission is doing. The financial support from the Town is great too. Joel talked about the large homes on North Street and West Street that are currently owned by widows and what will happen with those homes once ownership changes. Kevin said it's an ongoing discussion with Planning Commission. The Town doesn't want to have rental units that may not keep up in these beautiful old homes. It will be a part of the older housing review, and hopefully we can find something in the middle. The grant that we applied for had a lot of white papers for the State that stressed incremental steps to accommodate flexibility in housing but not take away the characteristics.

Darla Senecal asked if there was any training or anything else to broaden their knowledge. Kevin said there is. There is training on how to write town plans and zoning regulations to minimize the ambiguity and to understand the mechanics of that whole system. The Town has Planned Unit Developments (PUDs) as part of our regulations, and they are sometimes confusing to understand. The Development Review Board (DRB) has great interest in that topic as well.

1A. Added interview with prospective Planning Commission candidate Jason Hurd.

Jason Hurd said he is originally from Tennessee. He moved here in 2016 and lives on Church Street with his partner and she works at Zeno Mountain. He joined the Army and was in for 10 years (combat medic) and was deployed to Bagdad in 2004-2005. He received his Bachelor of Science degree from East Tennessee State University in philosophy with concentration in bio-ethics. After he graduated college and left the army he became interested in sustainable farming and worked with several for profit and non-profit operations. He also began working with other non-profits in the foreign policy arena as he was specifically interested in addressing our conflicts in the Middle East. While learning about farming, the business, and the planning, he found himself diving into non-profit strategic planning and organizational development to help the groups achieve their vision. These two threads of land use and

organizational planning led him to New England where he received a Master of Science degree in ecological design, from the Conway School in North Hampton, MA. He and a fellow graduate started their own firm for strategic planning and organizational development. They have a wide variety of clients. They've helped startups develop business models and supply chains, helped farmers with crop planning and their grazing rotations while working on issues on their landscapes such as access, circulation, conservation, and erosion. He has helped with many non-profits as well. He has reviewed the Town Plan and is very interested.

Joel Bouvier made a motion to appoint Jason Hurd to the Planning Commission. Michelle Perlee seconded. So voted.

2. American Rescue Plan Act (ARPA) funding update. Valerie Capels said that we are still recruiting members for the committee. The notice has been reposted and the deadline for submissions has been extended to January 19, 2022. Currently we have received eight (8) requests or ideas for the funding totaling over \$850,000 which amounts to approximately 74% of what the Town has been allocated (\$1.1 million) over a two-year period. The request does not include any of town projects such as water, Basin Street, sidewalks, or other infrastructure.

Ian Albinson said we have a member from the Energy Committee and the Conservation Committee and are waiting for a response from the Planning Commission to be on the committee. We will interview the applicants next year and hopefully have a total of nine (9) positions filled.

3. Consider ACRPC request for municipal candidates for the Otter Creek Basin Water Quality Council (BWQC).

Valerie Capels said there is background information on the website to explain what this is. She received clarification today from Mike Winslow that the Regional Planning Commission is looking for two municipal reps from all 58 municipalities not two representatives from each one. Anyone interested is requested to fill out an application on the Regional Planning Commission's website. So, it is not for the Selectboard to select a candidate but to decide if any member wants to be considered for either of the two spots.

Michelle Perlee asked for clarification that it had to be a Selectboard member or another committee member. Valerie said yes. Michelle thought someone from the Conservation Commission, or the New Haven River Watch might be interested. Valerie said that the Chairs of the Committees were contacted by the Regional Planning Commission. She did ask Carolyn Dash (Conservation Commission) if she received an email but hasn't heard back from her.

4. Consider Errors and Omissions report from the Bristol Listers related to the 2021 Grand List.

Valerie Capels said there was a memo from the Listers and the correction they posted would increase the 2021 Grand List by \$4,100.

Michelle Perlee made a motion to accept the errors and omissions report. Joel Bouvier seconded the motion. So voted.

5. Budget workshop: Planning & Zoning, Fire Department, Listers, health insurance matters, other sections.

Fire Department: Chief Brett LaRose. Ian Albinson explained he is the liaison for the Fire Department and he and Valerie Capels met with Brett today to discuss his budget. Brett thanked Ian and Valerie for their assistance in preparing for today's meeting. Brett shared his budget and asked the Selectboard to start with what their questions might be and then continue from there. There are several items that Brett doesn't have the information for such as payroll insurance, propane, phone company, property insurance, the fire station bond payment and tower payment.

Sharon Lucia said that is in the agreement with the tower company and we agreed to pay the increase in taxes each year. Last year was \$1,800. Brett indicated that the lease agreement is a five-year lease agreement. The monthly lease expense goes up 3% each year. We go over that line item every year due to the tax reimbursement. Ian asked if there are any other options out there such as our using our own tower. Brett said went over the issues of putting up our own tower, the testing that goes into whether the tower has the right placement, and the terrain around here is a challenge. At the current site there is no backup power, so we must rely on someone else to let us know when the power is out, and we need to switch to the Middlebury site. Brett said we will definitely enter into a third five-year contract as this can't be resolved in the next two years. Michelle Perlee asked about the New Haven site. Brett said it hasn't been discussed and there are a lot of questions. He will have a conversation with Chief Muir. Joel Bouvier also asked about the water tower and Brett said a study would need to be done and that takes time and money. Joel asked about the Fire Department Loan and should it be converted to a solid interest rate for say 20 years. The treasurer needs to call the Bank and ask.

Ian asked Brett if he wanted to talk about Line 10 which is the biggest change in the budget and is labeled as OSHA requirements. Brett said he wants to combine Line 26 Hose service replacement and line 30 equipment service testing and maintenance. He recommends changing the name of OSHA requirements to FF Equipment Service and Compliance Testing. Joel asked if you take out Line 26 where does fire hose, and nozzle replacement get covered. Brett said it would be under the capital equipment line.

Michelle Perlee asked about worker's compensation for Fire Department and why it jumped. Valerie said that there is a tab for the PACIF insurance, and the information came from there. Joel asked about propane usage for the generator. Sharon Lucia said it's prebuy from Jackmans that was paid last Fall.

Brett talked about his dues line. There are mutual aid dues, the Vermont State Firefighters dues (death benefit not just line of duty death), and this year they are adding membership to the National Volunteer Fire Council (additional death benefit and on-line training).

Next Brett talked about several lines of the budget including but not limited to the supply line, and the electricity usage line, apparatus fuel line, dispatching services (Shelburne Police

Department), Chipman Hill repeater, Active 911 Service App (tied to firefighters personal phones) that supplies real time data if they're responding and where they are, all hydrants are mapped out on it as well, mowing and spring clean-up, custodial, annual services (facility expenses), fire fighter gear, radios and pagers, and PPE. Brett wants to reduce the Apparatus/Vehicle Maintenance line by \$5,000 as the 1997 Spartan has moved on and we won't be spending money on it. Joel asked about the life span of the fire trucks and if they should be moved from 25 to 20 years replacement schedule and should we be putting more in capital vehicle reserve fund. Brett said it is a moving target and is laid out in vehicle replacement plan which will be discussed at a later meeting.

Valerie said that VLCT visited several of our facilities earlier in the year for loss control purposes to prevent mishaps and one recommendation for the Fire Station was the mezzanine ladder. She asked if it was reflected in the budget. Brett said that it wasn't, and he hadn't had a chance to research it. One consideration is do we want a fixed ladder, a mobile ladder, or code-wise what ladder will comply. It also does not reflect the other item that the Fire Department might want to get a sensor that goes to an alarm company, and they send a notification that the furnace/water heater has failed. Brett asked Valerie if either of these items would be covered under the VLCT grant. She said that it probably would be. Joel Bouvier said he would assist Brett with the sensor piece.

Ian suggested they discuss the Labor line 6 regarding firefighter pay and if we are meeting the requirements under the Fair Labor Standard Act. At present a firefighter receives \$11 per hour for each emergency incident he/she responds to. They are not paid for training, or any other duties and tasks they are required to perform. Firefighters receive anywhere from \$500-900 a year. The Town pays the hourly rate so it is an employer-employee relationship, and to be compliance with Fair Labor Standards Act, the Town should be paying for all their hours not just when at a scene. This has not been discussed with the fire fighters. Brett presented a spreadsheet showing what the Fair Labor Standard Act numbers could be. Valerie said that it would also eliminate the tracking of each firefighter. Michelle asked if there would be upset firefighters? Brett said probably. If we pay hourly for everything, including training, it would increase the budget significantly or if you have a significant incident, such as a forest fire, it would be expensive paying hourly. Darla Senecal asked how neighboring fire departments are paid. Brett said that Middlebury gets paid for calls and training and he thinks Vergennes gets paid for calls. Other towns are private, not municipal departments. Brett said he can get more data to see what others are doing. Ian said that we have known about the non-compliance for a few years and it's something we need to deal with. Michelle asked if we paid for the training what would that be. Brett had done this 3-4 years ago and it was approximately an additional \$16,000 to \$18,000 a year to include compensation for required training and additional duties.

Planning & Zoning: Kris Perlee said he moved a few items around including meetings and added that to the salary line. The only other major increase is training which in the last few years was only for himself but this year the Planning Commission has requested additional training and he would like to include the Development Review Board in some training as well. Michelle Perlee asked about Advertising, which seems to be increasing. She also asked about how the members were tracked and paid. Kris includes the cost of advertising in permit fees. Michelle thought the Selectboard had changed the \$5 to \$10 per meeting for Planning

Commission and Development Review Board. Kris had already included in the budget the \$10 per meeting. Joel asked about the grant that the Planning Commission is getting and where does that go? Valerie explained it doesn't run through Kris' budget; the grant is set up as a separate account to track those expenses.

Listers: Valerie Capels presented the Listers budget. The main area of increase is in the compensation, software, and supplies lines. They are anticipating getting ready for another reappraisal. The professional fee line increased in case we get an assessor on board. There was discussion whether to change the Professional Fees line to Professional Services to better reflect the services of a professional Assessor. Joel Bouvier asked about map maintenance line and why nothing had been spent. Kris Perlee said that the Listers haven't done any map changes for a couple of years. Ian asked about software increase. Valerie said she thought there were changes in some of the software programs and license fees.

Health Insurance – Valerie Capels said that it's open enrollment and that there haven't been any changes requested from employees, so she recommends maintaining the status quo. She also noted the premium rates decreased. Open enrollment usually ends in December, but Blue Cross Blue Shield extended it to the end of January this year.

6. Consider adoption of a Residential Anti-Displacement and Relocation Plan.

Valerie Capels said that this is identical to the Residential Anti-Displacement Plan approved in 2005. The reason this is on the agenda is one of the conditions of VCDP funding for the apartment complex behind the Fire Station is to have this plan. Michelle Perlee wanted to know if this means that the Town is responsible to offer relocation assistance for the residents if something happens to this VCDP funded project. Valerie said the Town would be required to provide assistance to relocate the residents only if they are low and moderate income units being lost as a direct result of a CDBG-funded project. If it was an event such as fire, hurricane, or flood then the Town wouldn't be on the hook for rehousing the residents. Kris Perlee asked if a project funded with VCDP funds is destroyed or damaged in the future, such as a flood on the second floor of a large apartment complex leaves several low- and moderate-income units unusable and the some of the residents were displaced, would Town be responsible for providing that assistance? Ian agreed the language is overly broad. Valerie said she didn't think we have latitude to change the language as it came from funding agency. Ian asked Valerie if she could check on it. Sharon Lucia asked if there is a more current version. Valerie compared it with the 2005 version and it's the same. We do have additional time and push to next meeting on January 10, 2022.

7. Review and approval of the July 26, August 16, August 23, September 13, November 8, and November 22, 2021, and December 13, 2021, meeting minutes.

Valerie Capels indicated that only the July 26 and August 16, 2021, minutes were posted online and that the November 22, 2021, minutes with changes were approved at the December 13, 2021 meeting.

Michelle Perlee made a motion to approve the July 26 and August 16, 2021, minutes with changes. Joel Bouvier seconded. So voted.

8. Authorize accounts payable warrant and any liquor licenses. The check warrant is \$52,749.65. There are no liquor licenses. The special event permit was for January 15, 2022, annual event at the Fire Department.

9. Selectboard roundtable.

Joel Bouvier. Nothing.

Darla Senecal congratulated the Rec Dept for the great selection of holiday events they had for the season.

Ian Albinson asked if we should revisit the masking requirement next year for town buildings in light of the new variant. Darla thinks we should have a discussion on masking.

Michelle Perlee. Nothing.

10. Town Administrator's report. Valerie said the solar project at the Landfill is expected to go live on Wednesday, December 22, 2021. She has no new information on trash at stormwater pond. In her report, the January 24, 2022 meeting start time should be 7 pm not 6 pm.

V. Other Business.

1. Correspondence, reports, correspondence received.

Valerie Capels noted that the solar project update from November was originally overlooked.

VI. Executive Session. None. Valerie Capels noted that on January 3, 2022, the first half hour starting at 6:00 pm will be executive session and the public portion will start at 6:30 pm.

VII. Adjourn.

Joel Bouvier made motion to adjourn the meeting at 9:43 p.m. Michelle Perlee seconded. So voted.

Respectfully submitted,

Sharon A. Lucia
Board Clerk

Valerie Capels
Town Administrator