

Bristol Town Administrator's Report
July 23, 2023

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 other Selectboard activities and 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=WFdGNUtJYWx1eHMrenpqTkZmUUNGZz09>

Meeting ID: 879 1281 0018

Passcode: 619003

Join meeting by phone: 1 (646) 558-8656

Monday, July 24, 2023 Meeting Agenda and Materials

I. **Call to Order: 6:30 P.M.**

II. **EXECUTIVE SESSION re. personnel matters per 1 V.S.A. §313(a)(3), potential contract negotiations per 1 V.S.A. §313(a)(1)(A), and potential real estate negotiations per 1 V.S.A. §313(a)(2). *May be continued at the other end of the agenda.***

The primary purpose of this executive session is to review a Police Department compensation recommendation and to consider offering a Grant Writer/Administrator candidate the position. At the other end of the agenda, time permitting, potential real estate negotiations and/or contract negotiations may be discussed.

III. **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."

IV. 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.

V. 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 about one or more topics that are not part of the agenda.

VI. CONSENT AGENDA.

Item VI.1 Approve grant authorization request from Kristen Underwood's proposal for a Flood Resilient Communities Fund grant to conduct a scoping study/alternatives analysis of the New Haven River from the Hewitt Road bridge to the Saunders River Access to improve flood resiliency, improve water quality, and enhance habitats. [Online is a proposal and grant authorization request](#) from Kristen Underwood to apply to the [Flood Resilient Communities Fund](#) to conduct a scoping study/alternatives analysis of the New Haven River from the Hewitt Road bridge to the Saunders River Access to improve flood resiliency, improve water quality, and enhance habitats. The project objective further states: "This project will bring together landowners and project partners to consider alternatives for increasing flood resiliency and improving water quality along a 1.3-mile reach of the New Haven River extending downstream from Hewitt Lane crossing. An engineering firm will be hired to perform an Alternatives Analysis that considers a suite of projects to include removing berms, reconnecting floodplains, reconnecting flood chutes, conserving floodplains, buying out properties, moving or re-designing infrastructure, etc. Specific engineering tasks will include: (i) compiling a history of channel management from landowner outreach and review of historic records; (ii) conducting an updated stream geomorphic assessment along the project reach; (iii) developing a hydraulic model of the reach; and (iv) preparing an Alternatives Analysis."

A dollar figure has not been established yet, but Kristen estimates it to be tens of thousands. No match is required. The answer to her question about whether this project would overlap with ARPA fund allocations, the answer is no. She indicates the Addison Regional Planning Commission (ACRPC) is willing to administer the grant if the Town does not have the capacity to, which would need to be included in the project budget. Though we may be on the threshold of hiring a Grant Writer/Administrator with ARPA funds for this first year, the person may or may not be available for this project given the onboarding process, other commitments, and other factors. In the event the new Grant Writer/Administrator does participate in the administration of the project, FRCF funds would not be applied toward the administrative expense to prevent the overlap of ARPA fund use. Applications are due July 31, 2023.

RECOMMENDATION: Approval. Designate Kristen Underwood as the authorized Town representative. Authorize inclusion of funds in the proposal for ACRPC grant administration.

Item VI.2 Approve curb cut driveway access permit application 2023-03DA for the Masonic Libanus Lodge #47 for a new ADA entrance on North Street per DPW Foreman Eric Cota's recommended conditions. [Online is an application](#) for a driveway access and work in the right-of-way permit to establish a new driveway off of North Street to provide access a new ADA-accessible entrance at Masonic Libanus Lodge #47.

If approved, Public Works Foreman Eric Cota recommends the following conditions:

- That the driveway be seventeen feet (17') wide dug out between the sidewalk and the road, twelve inches (12") deep, with a road base put in with three inches (3") of crushed gravel level with the road surface.
- If the concrete breaks during construction, that it be replaced with six inch (6") thick, four feet (4') wide, 4,500 lb mix with fiber.
- Sight distance is good.
- An ADA-only access sign should be installed at the entrance.

RECOMMENDATION: Approval per Public Works Foreman Eric Cota's recommended conditions. However, we may want to briefly clarify whether any replaced sidewalk panels should be five feet (5') wide to ensure it/they would be compatible with any sidewalk improvement project anticipated in the near future in that area.

Item VI.3 Approve curb cut driveway access permit application 2023-04DA to relocate a driveway at 605 Cove Road per DPW Foreman Eric Cota's recommended conditions. [Online is an application](#) for a driveway access and work in the right-of-way permit to relocate an existing driveway at 605 Cove Road. The objective is to move it eastward to locate it to a higher elevation and improve sight distance.

If approved, Public Works Foreman Eric Cota recommends the following conditions:

- That the new driveway include a fifteen inch (15") by thirty foot (30') gray culvert;
- That "Blind Driveway Ahead" signs be installed on the north side of the driveway;
- That brush be cut back in both directions; and
- That the new driveway needs to be flat, with seventeen feet (17') back from the edge of the road.

RECOMMENDATION: Approval per Public Works Foreman Eric Cota's recommended conditions.

VII. WATER AND SEWER COMMISSION CONSENT AGENDA.

Item VII.1 Authorize submission of the Step III construction loan application to the DWSRF program for the Pine Street waterline replacement and designate Town Administrator Valerie Capels as the authorized representative. This agenda item is in keeping with previous approvals and authorizations for moving forward with the Pine Street Waterline Replacement Project; however the DWSRF Step III (construction) loan application specifically requires Selectboard authorization and designation of an authorized representative regarding the loan itself. I was the designated authorized representative on previous applications. Online is a scan of the [signature page indicating the Town's certification of approval](#). The rest of the 11-page application form is in the process of being completed.

RECOMMENDATION: Approval. Signatures will be needed on the certification form.

Item VII.2 Authorize submission of the Step II loan application to the DWSRF program for the Bristol West waterline replacement design and designate Town Administrator Valerie Capels as the authorized representative. Similar to the previous agenda item, this is in keeping with previous approvals for moving forward with the design and replacement of the district's c. 1905 water lines. This application focuses on design (Step II) for replacing water lines in the west side of the water district (west of North Street). The loan application specifically requires Selectboard authorization and designation of an authorized representative regarding the loan itself. Identical to the previous agenda item, [online is a scan of the signature page](#) indicating the Town's certification of approval. The rest of the 11-page application form is in the process of being completed.

RECOMMENDATION: Approval. Signatures will be needed on the certification form.

Item VII.3 Approve new residential water connection application for 65 W. Pleasant Street per Water Operator's recommended conditions. [Online an application for a new residential water service connection](#) at 65. W. Pleasant Street. If approved, Water Operator Jill Marsano of VTUMS and her team recommend the following conditions be included:

1. Three-quarter inch (3/4") Type K copper waterline must be used to complete the service and must meet AWWA standards.
2. Place the water service under the home in a space that is kept warm, insulated, and easily accessible for maintenance.
3. The pipe must be bedded in four inches (4") of sand below and twelve inches (12") of sand above.
4. The curb stop must be located in the green belt between the road and the sidewalk with the top of the curb stop buried two to three inches (2" – 3") below the finished grade.
5. The Water Operator must be contacted at least 48 hours in advance of the planned connection/installation.

6. The tap to the water main must be performed by an insured water tapping company, such as MACS or EJ Prescott.
7. The Water Operator must be present to witness the installation and connection to the Town's water system.
8. The applicant/owner must call the Water Operator to request a meter set once the space is heated and ready for active water.
9. The applicant/owner shall confirm these details with the Water Operator prior to any work being completed.
10. A Work in the Right-of-Way permit will be required from the Department of Public Works. The Foreman must be contacted before digging in the road is commenced. Contact: (802) 453-4707 or bristolhighway@gmavt.net.
11. Details of how the water service will go under the sidewalk will need to be coordinated with the Public Works Foreman.
12. All costs are to be incurred by the applicant/owners.
13. DIG SAFE will need to be contacted at least 48 hours prior to any excavation by calling 811 or going to the DigSafe Web site. Bristol is not a member, so the water and sewer utility will need to be contacted directly: VTUMS, (802) 377-2316.

RECOMMENDATION: Approval per the Water Operator's recommended conditions.

Item VII.4 Approve minor modification to the previously-approved Sewer Department budget so it is level-funded with the previous year rather than decreased. At the June 26, 2023 Sewer Commission meeting, there was much discussion about the shortfall of revenues and increasing operating costs of the sewer system, largely due to excessive inputs of grease, fats, and oils. While additional revenues were shifted to come from exterior grease trap users, an [FY2024 sewer budget was approved](#) that actually resulted in a 0.2% *decrease* in the revenue and expenses, from \$56,847 to \$56,720. I don't believe that was intended. I also found some irregularities in the "actuals" provided at the time. I propose the budget be [reapproved so to be level-funded with last year](#), but with the revenue shift to the exterior grease trap users as before. This updated proposed budget is a more accurate reflection of the gap between actual revenues and expenses, which was the result of not having implemented the rate increases previously approved. This revised budget does not change the FY2024 rates; it reflects implementation of the previously approved rates. The \$72 increase is placed in the Capital Reserve Fund line.

RECOMMENDATION: Approval.

VIII. REGULAR BUSINESS.

Item VIII.1 Consider Lincoln Road River Restoration Project bids and award of contract. [Online is the request for bids](#) for the Lincoln Road Riverbank Restoration project. The Town received a \$175,000 grant through VTrans for what was estimated to be a \$300,000 project, including \$52,000 for engineering. A pre-bid site visit was held Tuesday,

July 11, 2023 and a number of contractors participated. The bid opening was Friday, 10:00am, July 21, 2023, and following three bids were received:

[Masterson & Son Excavating](#) -- \$540,000.00

[Birdseye Sitework](#) -- \$541,133.00

[Waters Excavating](#) -- \$547,816.50

A fourth was received later in the day from Kingsbury Companies but was not accepted.

The apparent low bid of \$540,000 is clearly way above what was expected, yet within range of the others. Roy Schiff, P.E., and Brian Cote, P.E., of SLR International are in the process of preparing a bid tab analysis and recommendations. One option is to adjust the scope and rebid the project. I am doubtful the time required for that would allow the project to be completed this year. I expect it would also require an amendment to SLR's contract. The window for this work was expected to be August to October.

[I reached out](#) to the Addison County Regional Planning Commission and different VTrans divisions to see if additional funds might be available. The odds are very slim that enough additional funding can be secured in such a short period of time. Seeking additional grants through the regular cycles puts us into next year. It may also put off the Lincoln Road paving project, for which we received a \$200,000 paving grant through VTrans. The VTrans grant deadline for the riverbank project is December 31, 2023, so an extension would be needed.

What are the implications for holding off until next year? I don't know for how long Masterson would be willing to hold their bid price. Based on SLR's analysis, what are the risks that Lincoln Road would be undermined?

RECOMMENDATION: Wait and see what SLR Engineering recommends through their bid tab analysis, which I hope we will receive prior to Monday's meeting. Consider using the remaining ARPA funds? Determine if additional information is needed.

Item VIII.2 Consider Eagle Park Universal Fishing Platform Project bids and award of contract.

As reported previously, no bids were received at last month's bid opening for the [fishing platform repair project](#). The pre-bid site walk for the Lincoln Road project above was staged at Eagle Park and prospective bidders were invited to also consider bidding on the fishing platform project. A number of contractors requested the plan set and scope. The following two bids were received at Friday's bid opening:

[Masterson & Son Excavating](#) – \$72,600.00

[Birdseye Sitework](#) -- \$97,700.00

We received confirmation from FEMA Public Assistance Coordinator Richard Hosking that the low bid price is lower than the [approved FEMA hazard mitigation funding](#).

SLR is also in the process of preparing a bid tab analysis of this bid result. I expect we will receive this prior to Monday's meeting.

RECOMMENDATION: See what SLR's bid tab analysis recommends. Determine if additional information is needed. Consider approval and authorization to proceed.

Item VII.3. Discussion of potential long-term options to stabilize the Briggs Hill Road slope failure. Earlier this week, Eric made arrangements with Adam Driscoll to [install concrete blocks at the top of Briggs Hill Road](#) as a temporary, emergency measure to keep the slope failure between Briggs Hill Road and Lincoln Road from further undermining Briggs Hill Road. We do not know yet whether this will be reimbursable through FEMA, but something must be done. In accordance with the [emergency response provision in Bristol's procurement policy](#), Selectboard members concurred with the proposed course of action and use of Capital Road Reserve Funds to pay for it. Adam Driscoll agreed to a not-to-exceed cost of \$19,200, in accordance with FEMA requirements, but it could be less.

Eric is in the process of scoping out other long-term solutions for this area and has been in contact with at least two companies with very different approaches. We will be careful not to disclose specific cost estimates in case we end up going to bid for a preferred approach.

Thanks to multiple sleuths, we found contact information for the owner of the property between Briggs Hill Road and Lincoln Road impacted by the landslide, Brandon Fenner. I left a couple messages on a cell phone number explaining the situation but have not heard back yet. Eric believes the concrete block emergency measure can be completed within the right-of-way; but the longer-term fix will require agreement from the landowner.

RECOMMENDATION: Receive information. Consider next steps.

Item VII.4. Consider applying to the ACRPC Transportation Advisory Committee for a scoping study for upgrading LaFrance Road from Class 4 to Class 3. This is on the agenda for two reasons: (1) the Addison County Regional Planning Commission (ACRPC) Transportation Advisory Committee (TAC) is [soliciting proposals for transportation planning studies](#), due by August 8, 2023; and (2) the culvert on LaFrance Road, a Class 4 road, required maintenance after recent rain storms and floods. This is not the first time Town resources were requested and applied to maintain this Class 4

road that serves a number of properties and residents. Would it make sense to consider upgrading this to a Class 3 road and add it to the inventory of Town roads that receive a portion of State funding to help maintain? What would be required to upgrade it? How would that affect the Public Works Department operating budget? A scoping study of this sort would help answer those and other questions. It would not be a commitment to actually change the classification. An outcome of the study could be that it would not be recommended. Or if recommended, the study would outline benefits to the Town for doing so. Scoping studies through this program are no-cost to the Town and typically involve projects in the area of \$15,000. Recent projects completed through this program include the Briggs Hill/Lincoln Road intersection study and the Airport Drive sidewalk scoping study.

RECOMMENDATION: Approval to apply the ACRPC TAC program for this scoping study. Or discuss other ideas.

Item VII.5. Consider options for updating the Town-owned Seth Hill Waterworks (Lincoln, VT) Forest Conservation Plan that expires April 2024. [Online is a message from Town Clerk Sharon Lucia and a letter](#) received from the Vermont Dept. of Forest Parks & Recreation regarding the need to update the [Town of Bristol's Forest Conservation Plan](#) for the Seth Hill Waterworks in Lincoln, VT. Originally approved in 2014, it is due to be updated and resubmitted by April 2024. It is an interesting read! Sharon notes that the Town saves approximately \$3,000 per year by being in the Current Use Program. However, we should pay close attention to the list of items that needed work back in 2014 on page 6 of the report.

David Brynn and Darren Schibler of Vermont Family Forests prepared the original plan. As Sharon suggested, it may be practical to see if one or both are available to update it at this point. I talked with David Brynn this past week and he is interested. He intends to provide a proposal in time for Monday's meeting for consideration.

RECOMMENDATION: Determine if any other information is needed.

Item VII.6. Review and approval of the June 26, 2023 meeting minutes. The draft June 26 and July 10 minutes are in the process of being reviewed and are expected to be e-mailed and posted online when completed. The original drafts are posted online.

RECOMMENDATION: Adjustments as needed. Approval.

Item VI.12. Authorize accounts payable warrant and any liquor or tobacco licenses. The [accounts payable warrant](#) is online. The current value is \$248,578.84, but this may change if additional expenses are added prior to the meeting.

IX. OTHER BUSINESS.

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

- [E-mail Clerk American Legion and rental meter billing review 2023-07-19.pdf](#)
- [Notice The A Johnson Co Wetland Permit 2023-07-20.pdf](#)
- [E-mail BRD Newsletter 2023-07-21.pdf](#)

Miscellaneous Updates

- The kick-off meeting for the Basin Street improvement project is scheduled for Wednesday, July 26, 9:00am at Holley Hall and via Teams.
- The kick-off meeting for the Pine Street waterline replacement project is scheduled for Wednesday, July 26, 1:00pm at Holley Hall and via Zoom.

American Legion Water Meter Questions

[Sharon did more sleuthing](#) regarding the American Legion and rental unit water billing issues that suggested at least one of them had a significant water leak. She concluded there was no leak; rather, there were anomalies with the accounts and meter numbers that resulted in erroneous reads. She recommends that the charge be removed from the account.

TA Schedule

I generally plan to get in the office around 9:00am most days, winter weather permitting. 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 July 24

Monday: 6:30pm – Selectboard meeting.

Tuesday: In the office; will get in around 10:00am.

Wednesday: In the office.

9:00am – Basin Street project kick-off meeting

1:00pm – Pine Street waterline replacement project kick-off meeting

Thursday: In the office.

Friday: Vacation.

Week of July 31

Monday: Vacation.

Tuesday: Vacation.

Wednesday: Vacation.

Thursday: Vacation.

Friday: Vacation.

Week of August 7

Monday: In the office.

Tuesday: Working from home.

Wednesday: In the office.

Thursday: In the office.

Friday: In the office.

Upcoming Meetings

- [Selectboard](#): Mon., July 24, 6:30pm, Holley Hall and via Zoom.
- [Bicycle & Pedestrian Advisory Committee](#): Thurs., July 27, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Aug. 1, 7:00pm, at Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Aug. 8, 7:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., Aug. 14, 7:00pm, Holley Hall and via Zoom.
- [Bristol CORE](#): Thurs., Aug. 17, 9:00am, via Zoom.
- [Bristol Energy Committee](#): Weds., Aug. 16, 7:00pm, via Zoom.
- [Selectboard](#): Mon., Aug. 28, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Sept. 5, 7:00pm, at Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Sept. 12, 7:00pm, Holley Hall and via Zoom.
- [Conservation Commission](#): Thurs., Sept. 14, 6:00pm, Holley Hall and via Zoom.

Upcoming Agenda Items

- Continued Selectboard decisions for use of ARPA funds.
- Selectboard decisions for use of Bristol's share of opioid settlement funds.
- Continued review and update of the Revolving Loan Fund documents.
- Quarterly budget review.
- Continued consideration of Police Station alternatives.
- Continued consideration whether to pursue Police District expansion.
- Annual NEPBA Police Union contract review.
- Continued consideration of the Public Works facility alternatives.
- Presentation of the FY2021 and FY2022 audit reports by RHR Smith.
- Continued Personnel Policy review and updates.
- Continued consideration of new village vehicular speed limits.
- Review and approval of final Eagle Park Maintenance Plan.
- Class 4 highways and private roads maintenance policy.
- Process to become a Certified Local Government (CLG).
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator