

**Bristol Town Administrator's Report  
October 16, 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](http://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, October 16, 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) and real estate negotiations per 1 V.S.A. §313(a)(2).

**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. REGULAR BUSINESS.**

Item VI.1 Bristol Fire Department: Fire Chief Brett LaRose and Firefighter candidate Nicholas Guilbeault. Fire Chief Brett LaRose will be present to introduce new Firefighter candidate Nicholas Guilbeault.

RECOMMENDATION: Appointment. Add his entry to the historic Fire Department roster.

Item VI.2 Basin Street Improvement Project Local Concerns Meeting: Patrick Travers (Municipal Project Manager) and Christopher Lathrop (DuBois & King). After many years of study and consternation, we are finally moving forward to address the many concerns associated with Basin Street's steepness, safety, erosion, slope failure, and stormwater management.

This local concerns meeting will be an opportunity for members of the community to learn more about the project and to share information, concerns, and ideas. The project development process will be explained in general terms, a summary of the identified problems and/or conditions will be presented, and comments and concerns relative to the proposed project will be sought. The purpose of this meeting will not be to present solutions, rather to better define the problems and alternatives.

Funded in part through a VTrans Transportation Alternatives Grant, a Downtown Transportation Fund Grant, and a Clean Water Initiatives Grant, the multidisciplinary engineering and design firm DuBois & King has been hired to evaluate the situation and develop a cost-effective solution to improve vehicular and pedestrian safety, improve stormwater management, and mitigate the slope failures. [Online is a copy of their presentation](#) for the meeting.

The meeting [was advertised](#) in *The Addison Independent*, Front Porch Forum, Bristol's Web site, physical postings, and direct e-mail to immediate stakeholders.

RECOMMENDATION: Receive information. Discussion.

Item VI.3 Consider the Planning Commission's upcoming public hearings on proposed bylaw amendments, the Selectboard's public hearing, and options for adoption. [Online is information from Planning Commission Chair Kevin Hanson](#) about the upcoming public hearings the Planning Commission is planning for the bylaw amendments they have been working on, with assistance from the Addison County Regional Planning Commission and a municipal bylaw modernization grant through the State.

Their public hearings are planned for November 7 and November 21. In order to stay within the grant funding timeline and be eligible for forgiveness of the 10% required match, the project needs to be complete by December 31, 2023. This would require the Selectboard to hold its one minimum required hearing on either December 11 or December 18.

In addition to planning ahead for holding one or more hearings on the proposed bylaw amendments, the Selectboard is being asked to consider whether it will opt to vote on the proposed amendments "administratively" as part of a regular meeting as now allowed through the [S. 100 legislative changes](#) enacted this year or proceed with putting it before the electorate at the March 2023 Town Meeting. The Planning Commission would like to know before they begin their hearings so they can accurately represent next steps to the public.

RECOMMENDATION: I recommend that the Selectboard hold hearings on both December 11 and December 18 to give citizens a range of opportunities to participate. The December 11 meeting could be a more full presentation, with December 18 available for additional follow-up.

Item VI.4 Water Commission: Consider Lawson Lane water connection to Pine Street proposed financing and construction agreement and next steps. This item is a follow-up to the previous meeting where the water connection situation at Lawson Lane was discussed.

On the face of it, this should be a civil matter where the property purchasers were deceived by the developer and their engineer, both of whom are now deceased, as to the actual connection to the municipal system. While they had sole responsibility for compliance with those permits, it is unclear what role the Town/Water District may have had that ultimately resulted in the water systems for four residences (Lots 2, 5, 6, and 7) being connected to the Liberty Street water line rather than the Pine Street water line, contrary to that permitted and required by the Act 250 and water/wastewater permits issued by the State. Were they complicit? Was there some arrangement? Did they even know about it?

According to Paragraph 4 of the [the 2014 agreement](#) requiring them to connect to the new Pine Street water line:

"The easements and rights contained herein are subject to a condition that once the Town of Bristol upgrades the water line (or lines) along Pine Street, so-called, to the westerly edge of the right of way of Lawson Lane, so-called, to allow water service to Lots 2, 5, 6, and 7, lot Owners 2, 5, 6, and 7 shall connect to the Town of Bristol's municipal water system along Lawson Lane to said Pine Street (in the case of Lot 2, the connection shall be directly from Lot 2 to said

water system from Pine Street), so-called, water line (or lines) and shall discontinue the use of the existing water lines (from Liberty Street, so-called), at which time the aforesaid easements burdening Lots 2, 3, 4, and 5 shall be automatically extinguished. Lot Owners 2, 5, 6 and 7 shall connect to the Town of Bristol's municipal water system **within 60 days from the completion date of the Pine Street water line(s) upgrade, unless circumstances reasonably beyond the control of said Lot Owners, prevent such time frame. In such event, the work shall be completed as soon as reasonably practicable thereafter.**"

And there certainly are circumstances reasonably beyond their control at play. We are not aware of any hurry for the Liberty Street water lines and related easements to be abandoned or that anyone is planning to sell their property. Property owners could take time to scope out other, perhaps less costly options and plan for something in the spring. Or take whatever time they need.

Paragraph 3 of the same agreement also provides that:

**"Any construction, repair, replacement of said water line shall be performed in a good and workmanlike manner and at the sole expense of the Lot Owner(s) benefiting from or requiring the work.** Lot Own(s) agree that when any construction takes place within the Easement Area, Lot Owner(s) performing the work shall return the surface of the Easement Area (including but not limited to grass, landscaping, trees, etc.) and any other property disturbed by the Lot Owner(s) to its original condition prior to such construction. "

The **main reason** this is on the Selectboard's agenda is because there is a brief window of opportunity for the Town/Water District to arrange with the contractor (Munson Earth-Moving) through a contract amendment as it relates to the Pine Street Water Replacement Project, to get this done. They have provided cost estimates in the range of \$+/- 24,000 depending on the details. The amendment would be funded separately from the primary project funding and would need to be completely reimbursed by the property owners.

As the documents provide, there is no time pressure if the property owners want to explore and negotiate arrangements with other contractors for a future fix. At that point, there would be no reason for the Town/Water District to be involved except to approve the new water line connection to Pine Street.

As the Germons did, property owners could contract independently with VTUMS or another qualified company and work out payment options with them. Except for an [application for approval to connect to the new line under](#) the current standards, the Town does not need to be involved at all.

The **other reason** this is on the agenda is, **IF** the Selectboard agrees to proceed with a contract amendment with Munson to get this done, a temporary construction easement and financing agreement authorizing the Town/Water District to work on private property would be needed. [Online is a work-in-progress draft](#) of such an agreement based on our prior experience with similar infrastructure investments on the private property at the Stoney Hill Business Park and the 2019 Halloween Storm slope repair and Lewis Creek projects in which the property owners are obligated to reimburse the Town for their share of the expenses. The draft includes a number of WHEREAS's to lay the basis for the Town/Water District's involvement and then some THEREFORE WE AGREE terms related to a temporary construction easement and financing terms. At this point, the document is a concept. If the Selectboard/Water Commission chooses to proceed along this path, the details in the agreement would need to be further refined, but I do not anticipate any major deviation in the details.

RECOMMENDATION: Discussion. Determine if additional information is needed. Vote on a path forward.

Item VI.5 Water Commission: Consider retroactive approval of a water connection application for Ed and Whitney Germon at 73 Pine Street. Related to the above topic, [online is an application](#) from the Germons at 73 Pine Street (Lot 2). This was discussed a bit at the previous meeting. They contracted separately with VTUMS and the work has been completed.

RECOMMENDATION: Waive connection fee. Approval.

Item VI.6 Consider approval of a letter for the tax sale of for multiple properties in Bristol that are at least 3 years behind in property taxes. We are [expecting to receive a letter](#) from Town Attorney Kevin Brennan seeking authorization or support from the Selectboard to begin the tax sale process on nine or ten properties in Bristol that are at least three years delinquent on property taxes. The letter will be forwarded and posted online after it is received.

RECOMMENDATION: Remove the property from the list that has a purchase and sale agreement on it. Otherwise, approval.

Item VI.7 Consider award of a contract for update of Bristol's Local Hazard Mitigation Plan. As noted at the previous meeting, Bristol's federally-approved Local Hazard Mitigation Plan expires in January 2024. We received a grant through Vermont Emergency Management (VEM) of \$8,362.50. The local match is \$2,787.50, for a total project cost of \$11,150. The match can be cash or in-kind, or a combination. The grant funding runs through September 22, 2025.

A [request for proposals](#) was issued in August. Six proposals were received from the following entities by the September 20, 2023 due date:

- Exigency Consulting LLC
- katamai Solutions
- OPH Consulting
- Resilience LLC
- SEAM Solutions
- Threat Owl

Addison County Regional Planning Commission Emergency Planner Andrew L'Roe completed his review and scoring of the proposals. I completed my review, but have some questions to follow up on with some of the respondents. A memo with our recommendations will be provided for tonight's meeting.

RECOMMENDATION: Determine if more information will be needed. Accept the recommendation and authorize moving forward.

Item VI.8 Consider retroactive grant application authorization from the Hub Teen Center to the Vermont Community Foundation. [Online is a request for authorization](#) to apply for a \$4,500 grant through the Vermont Community Foundation for general program support and to expand arts and crafts. No match is required.

RECOMMENDATION: Approval.

Item VI.9 Consider approval of the Listers Errors and Omissions Report. [Online is an Errors and Omissions report](#) from the Listers with corrections to be made to the Grant List affecting 30 Fitch Avenue and 275 South 116 Road.

RECOMMENDATION: Approval.

Item VI.10 Review and approval of the September 11 and September 25, 2023 meeting minutes. The [Sept 11 minutes](#) are available for review and the Sept. 25 minutes are in the process of being reviewed. They are expected to be e-mailed and posted online when completed. The original draft is posted online.

RECOMMENDATION: Adjustments as needed. Approval.

Item VI.11 Authorize accounts payable warrant and any liquor or tobacco licenses. The current [accounts payable warrant is online](#). The current value is \$456,701.22, but this may change if additional expenses are added prior to the meeting.

## VII. OTHER BUSINESS.

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

- [Bristol Budget Status Report thu 2023-09-30.pdf.](#)
- [E-mail Moseley LML resignation 2023-10-02.pdf.](#)
- [E-mails Lincoln VTrans center line painting follow-ups 2023-10-05.pdf.](#)
- [E-mails BRS appropriation increase request and letters 2023-10-05.pdf.](#)
- [E-mails Jones The Boy closing lament 2023-09-27.pdf.](#)
- [E-mail Knight social justice upcoming events 2023-10-12.pdf.](#)
- [E-mail BRD Friday Newsletter 2023-10-13.pdf.](#)
- [Memo VLCT re Unemployment Mandate Changes 2023-09-15.pdf.](#)
- [E-mail ACRPC Conservation Commission gathering 2023-10-04.pdf.](#)
- [E-mail ACEDC Fall Newsletter 2023.pdf.](#)

### **Pine Street Waterline Replacement Project Update**

The Munsill Avenue waterline tie-in to the new Pine Street waterline went smoothly and water was restored to Munsill Avenue residents by mid-afternoon Friday. The tie-in of BristolWorks was also accomplished that afternoon. Earlier in the week, connection of all the service lines on Pine Street was completed. With that, the 1905 water line pipe on Pine Street was officially turned off and decommissioned.

This operation was scheduled for Friday to accommodate Bristol Bakery's and Mountain Health's requests and to minimize disruption to their operations in anticipation of their water being shut off for hours. It also generally fit with the pace and schedule of the overall project.

However, Jill and Steve will be quick to tell us that planning major utility operations on a Friday is usually not a good idea. If something goes wrong, parts and personnel may not be available until after the weekend. And that is what happened.

We learned on Saturday that at least two properties had been without water since the 1905 waterline was turned off: 63 Pine Street and 6 Lauritsen Lane. Jill and Cyrus were on site early Saturday morning and met with the property owners to identify the problem(s). Neither situation made sense. The service line had been connected to a line at 63 Pine and properties on Lauritsen Lane were understood to get their water from Maple Street.

It turns out the new service line at 63 Pine Street was somehow connected to an old line at the curb stop. Jill and Cyrus located the active line under the driveway. A new copper extension will be installed to connect to it.

The connection at 6 Lauritsen Lane is more complicated. Jill and Cyrus traced it across other properties to connect to the 1905 line on Pine Street. How and when that unidentified connection was made to Pine Street is not currently known. Oddly, it resembles the water line connection of Lawson Lane to Liberty Street. The fix will require that a "live tap" be made into the new Pine Street waterline. This requires a contractor with a specific qualification to

perform live taps. No one on Munson's team has this qualification. Jill and Cyrus contacted Mike MacDougal to do the live tap.

In the meantime, both properties were without water through the weekend. The 63 Pine Street resident had another place to stay. The 6 Lauritsen Lane residents preferred to stay. Jill and Cyrus planned to provide them with bottled water for drinking and buckets of water for cooking, cleaning, and other uses.

The original schedule for this week was for the remaining side streets to be tied in to the new Pine Street waterline. Liberty Street to be connected today (Monday), followed by Maple Street on Tuesday and Taylor Avenue on Wednesday. Because of the configuration of valves and lines at the Liberty Street intersection, that operation was expected to require a full long day and Munson was prepared to stay onsite until it is completed to ensure water is restored at the end of the day. Jill spent a fair amount of time last week putting notices on doorknobs up and down all the side streets to alert residents of the upcoming schedule and anticipated water shut offs.

However, addressing the 63 Pine Street and 6 Lauritsen Lane connections are now today's priority. Rather than disrupt the entire schedule, the plan currently is for Munson to try to tackle both Taylor and Maple tomorrow (Tuesday) and Liberty Street on Wednesday. This will require updated notices.

UPDATE: We just learned that 5 Lauritsen Lane has also been without water. The mystery continues.

### **Miscellaneous Updates**

- We learned that damages to the Lincoln Road riverbank from the July storms did not meet the threshold for Federal Highway Administration funding.
- GEODesign will be mobilizing on Main Street at the top of the Basin Street slope on Tuesday Oct. 17 to begin boring operations into the slope. The sidewalk will need to be closed and the Public Works Department will be removing part of the guardrail to facilitate access.
- The DuBois & King's environmental field staff have tentatively scheduled to visit the Briggs Hill Road slope failure site on October 19 to delineate wetlands and trees.
- DuBois & King is working with GEODesign to schedule soil borings for Briggs Hill Road.
- Roy Schiff, P.E., with SLR Engineering is in the process of getting an update from Masterson regarding the Eagle Park universal fishing platform repair, which was planned to begin in mid-October.
- The ribbon cutting at the Firehouse Apartments last week was well-attended and received statewide attention.
- We are continuing efforts to locate the septic system at the Lawrence Memorial Library and have a riser installed in the driveway. Coco had arranged to have Button Underground Locating check it out, which they did, but we have not yet received a report of their findings.



### **TA 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, although with the Pine Street weekly construction meetings scheduled for Tuesday mornings through the fall, some may be in person and some may be via Zoom. On the remote days I can be reached by phone and by email at [townadmin@bristolvt.org](mailto: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 October 16**

Monday: In the Office.  
7:00pm – Selectboard meeting.

Tuesday: In the office.  
10:00am - Pine Street waterline replacement weekly construction meeting.

Wednesday: In the office.

Thursday: **Working from home.**  
7:30am – ACEDC Board meeting.  
9:00am – Bristol CORE  
2:00pm – Med. Appt.  
7:00pm – ACSWMD Board meeting.

Friday: In the office.

#### **Week of October 23**

Monday: In the Office.

Tuesday: **Working from home (tentative).**  
10:00am - Pine Street waterline replacement weekly construction meeting.

Wednesday: In the office.

Thursday: In the office.

Friday: In the office.

### **Upcoming Meetings**

- [Selectboard](#): Mon., Oct. 16, 6:30pm, Holley Hall and via Zoom.
- [Bristol CORE](#): Thurs., Oct. 19, 9:00am, via Zoom.
- [Selectboard](#): Mon., Oct. 30, 7:00pm, Holley Hall and via Zoom.
- [Planning Commission](#): Tues., Nov. 7, 7:00pm, at Holley Hall and via Zoom.
- [Conservation Commission](#): Thurs., Nov. 9, 6:00pm, Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Nov. 14, 7:00pm, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., Nov. 15, 7:00pm, via Zoom.

### **Upcoming Agenda Items**

- Consider long-term options for stabilization of the Briggs Hill Road slope.
- Web site improvement options.
- Quarterly budget review.

- Job description and funding review for the new "Community Resource Social Worker" position.
- Lawrence Memorial Library septic system management update.
- Review of updated sidewalk replacement plan.
- Continued review and update of the Revolving Loan Fund documents.
- Continued Selectboard decisions for use of ARPA funds.
- Continued consideration of Police Station alternatives.
- Continued consideration whether to pursue Police District expansion.
- 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