

Bristol Town Administrator's Report
July 5, 2024

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=WFdGNUtJYWx1eHMrenpgTkZmUUNGZz09>

Meeting ID: 879 1281 0018

Passcode: 619003

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

Monday, July 8, 2024 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).

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

Item III.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."

- Items VI.4 and VI.5 should be Water Commission matters.

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 Consider request to revisit the new Child Care Contribution Tax: Town Treasurer Justin Bouvier. Town Treasurer Justin Bouvier would like to bring to the Selectboard's attention a complication regarding the childcare financial assistance payroll tax that went into effect July 1, 2024. Act 76 required childcare financial assistance contributions be added as a payroll tax: 0.44% of salary total: 0.33% must be covered by employers; 0.11% may either be contributed by employers or paid by employees. There was consensus among the Selectboard at the January 8, 2024 meeting that taxpayers should not be picking up any cost for this, as many residents will be paying it as well through their employer. However, it turns out to be a complicated process to set up through NEMRC and, if I understand this correctly, Bristol is only one of two communities statewide that chose not to cover the whole amount. Justin plans to be present to explain the particulars.

RECOMMENDATION: Reconsider whether to cover the full childcare financial assistance payroll tax.

Item VI.2 Bristol Fire Department presentation: Overview of proposed OSHA Emergency Response Rule and what it may mean for the BFD). Fire Chief Brett LaRose will share a [presentation](#) regarding proposed new OSHA (Occupational Safety and Health Administration) rules that will significantly affect Fire Department operations and budgets. These are proposed rules and I believe the comment period has been extended.

RECOMMENDATION: Determine what, if any, steps should be taken.

Item VI.3 Consider approval of a Master Services Agreement with VTM Engineering, PLC, for engineering services as Town Engineer: Steve Palmer, P.E. Before Green Mountain Engineering closed its doors in 2021, GME, and Alan Huizenga in particular was, in effect, the Town Engineer for many years. Since then, Steve Palmer, P.E., who worked with GME, has stepped in to fill that role with individual contracts for specific things, such as annual inspections and reports, water line projects, etc. This proposed [Master Services Agreement](#) would provide a framework for this partnership going forward. However, the next agenda item prompted us to realize a master services agreement would be appropriate for requests for engineering services that are outside of other activities.

RECOMMENDATION: Rather than need to renew it every year, and since it already includes provisions for adjusting the hourly rate(s), I recommend language somehow be included that it automatically renews from year to year unless otherwise modified or terminated.

Item VI.4 Water Commission: Consider approval of a Work Order with VTM Engineering and the scope of work for the School Street extension water line replacement project, such as design, construction specifications, cost estimating, bid process, construction agreement, and construction oversight. There is at least one major water leak associated with the water line at the northern end of School Street (also referred to as the School Street extension). Recent discussions have called for replacing that segment of circa 1905 water line entirely, as well as the curb stops. Because this section of road and waterline have been believed to be privately-owned, it was not initially included the Bristol West 1905 waterline replacement survey and design process. It has since been surveyed through the DWSRF Step II Engineering Services Agreement.

However, because replacement of this section of line cannot wait to be included in the broader 1905 replacement construction schedule, Steve has been asked to design the replacement on a more urgent schedule. This [proposed work order](#) relates to the previous agenda item, which is outside of any other initiative or funding source. This is an opportunity to review and clarify the scope work. Related to this and the next agenda item, considerations include impacts to stone walls, gardens, and repaving of the street.

RECOMMENDATION: Finalize the scope of work. Approval and authorization to proceed.

Item VI.5 Water Commission: School Street Extension water line replacement project: discussion of Town vs. property owner responsibilities and process going forward. This item directly relates to the previous agenda item. Before the old High School was sold as commercial property, it and the road and waterline were believed to be owned by the High School—a separate governing entity from the Town. Upon that sale, it was then believed the road and waterline became privately-owned. However, there are also opinions that they either are already or should be public.

This situation bears some similarity to the recent discussions about waterline extensions outside the public right-of-way and the agreement that, for lots of good reasons, such extensions should ultimately become part of the public water system. However, in the case of new waterline extensions, the developer or property owners are responsible for ALL of the costs.

The proposed cost for the design, bidding, and oversight (above) is \$9,800. The estimated construction costs or additional Water Operator costs specific to this initiative are not yet known. How these costs are to be paid for should be determined ahead of time, regardless of what the costs actually turn out to be.

The Selectboard/Water Commission discussed accepting the new waterline as an extension of the public water system through a quit claim deed from the property owners to the Town.

One important distinction between the acceptance of this and new waterline extensions outside of the public right-of-way is that the Water Commissioners and District will know that what has been constructed meets all of the District standards and criteria. That may not be the case with pre-existing private water lines elsewhere in the District.

RECOMMENDATION: Determine if additional information is needed and next steps.

Item VI.6 Consider development and adoption of a Livestock Running at Large Ordinance: Dennis Hysko. Dennis Hysko made an appearance before the Selectboard some months back with concerns about his neighbor's horses frequently running at large and onto his property. He requested that the Town develop and adopt an ordinance to control livestock running at large. New Haven recently adopted such an ordinance. The towns of Calais and Waterford also adopted such an ordinance. While they share similar essential provisions, such as provisions for fines and impoundment of the runaway animal, they also differ from one another.

One key consideration with the adoption of any new ordinance is whether the Town has the capacity to enforce it. Another consideration is the scope of the problem it is intending to address.

RECOMMENDATION: Discussion. Determine whether to pursue development of an ordinance.

Item VI.7 Consider request to purchase a new Police Department vehicle: Chief Nason. [Online is a request](#) from Police Chief Nason to purchase a 2023 Dodge Durango Pursuit all-wheel-drive vehicle from Chrysler Dodge Jeep Ram of Claremont, NH for \$39,687. It would replace the 2018 Ford Explorer. Chief Nason recommends the Ford Explorer be reassigned to the Community Resource Specialist. He proposes the balance in the Police Capital Vehicle Fund combined with the ARPA funds authorized for the purchase of a vehicle for the CRS position would pay for the new vehicle.

RECOMMENDATION: Approval.

Item VI.8 Consider the Green Mountain Stage Race's request for use of Town roads for their annual bicycle event on Sunday, September 1, 2024. [Online is this year's request](#) from Gary Kessler and the Green Mountain Stage Race for use of Bristol roads on September 1, 2024. The event would use the same Hewitt Road and South Street route as last year, turning right onto East Street/Rt. 116/17, coming through downtown Bristol and heading to the Appalachian Gap. A certificate of insurance with the Town and Bristol Police Department named as additional insureds is provided.

Public Works Foreman Eric Cota cautioned that they may be replacing culverts on Hewitt Road and, depending on the timing, they might not be paved back yet and still have gravel over them.

RECOMMENDATION: Approval as proposed.

Item IV.9 Consider approval of a minor adjustment to the Use Value Assessment Forest Conservation Plan for the Town of Bristol's Seth Hill Waterworks in Lincoln. The [Addison County Forester asked David Brynn](#) to make a small adjustment in the Use Value Assessment Forest Conservation Plan. David proposed an individual tree selection cut and it turned out not to be worth the effort. The proposed change affects [pages 8, 28, 32, and Appendix E2](#). Online is the [amended document](#).

RECOMMENDATION: Approval and authorization for the Town Administrator to re-sign the cover page.

Item VI.10 Review and approval of the February 12, June 3, June 10, June 17, and June 24, 2024 meeting minutes. The [June 3, 2024](#) minutes are posted online. Review of the February 12, June 10, and June 17, 2024 minutes is in progress. The original drafts are posted online. They will be posted to the Web site and e-mailed when completed.

RECOMMENDATION: Adjustments as needed. Approval.

Item VI.11 Authorize accounts payable warrant and any liquor or tobacco licenses. The accounts payable [warrant is in online](#). The amount is currently \$86,724.61, which could change by Monday's meeting.

RECOMMENDATION: Determine if additional information is needed. Approval.

VII. OTHER BUSINESS.

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

- [Bristol Budget Status Report thu 2024-06-28.pdf](#).
- [Bristol Allocation Letter JSB-Consulting Thomas PUD North and Pine 2024-06-28.pdf](#).
- [Bristol Landfill Semi-Annual GWM Report 2024-06-26.pdf](#).
- [Letter BPAC Sidewalk Scoping Project Support 2024-06-28.pdf](#).
- [Letter DCF to Municipalities Emergency Housing Program 2024-06-26.pdf](#).
- [Vermont Education Property Tax Rates 2024-07-02.pdf](#).

Bristol Equity Committee

Following the Equity Committee's first meeting, the following outcomes were achieved:

- Their regular meeting schedule will be the last Wednesday of the month at Holley Hall and via Zoom.
- Ian created a new page on the Web site: <https://bristolvt.org/boards-commissions-committees/equity-committee/>
- The following expiration terms were agreed:
 - Bryan Plant II 2025
 - Darla Senecal 2026
 - Krista Siringo 2026

Ainaka Luna 2027
Trevor Wilson 2027
Betsy Blair Alternate

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. On the remote days I can be reached by phone and by email at townadmin@bristolvt.org. Messages left to (802) 453-2410 ext. 1 are forwarded to me by e-mail. I will respond either by phone or by e-mail.

Week of July 8

Monday: In the office.
10:00am – FEMA Zoom check-in
6:30pm – Selectboard

Tuesday: Working from home.

Wednesday: In the office.
10:00am – Fixed Assets Zoom meeting with RHR Smith

Thursday: In the office.
9:00am – Accessible Town Parks Design Committee
11:00am – Monthly water meeting with VTUMS, VTM S and with Kevin Brown.

Friday: In the office.

Week of July 15

Monday: In the office.
3:00pm – Selectboard annual capital projects tour and road trip

Tuesday: Working from home.
7:00pm – Planning Commission

Wednesday: In the office.
10:00am – Hazard Mitigation Plan Update Committee

Thursday: In the office.
9:00am – Bristol CORE

Friday: In the office

Upcoming Meetings

- [Selectboard](#): Mon., July 8, 7:00pm, Holley Hall and via Zoom.
- [Development Review Board](#): Tues., July 9, 7:00pm, Holley Hall and via Zoom.
- [Conservation Commission](#): Thurs., July 11, 6:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., July 15, 3:00pm, annual capital projects tour and road trip.
- [Planning Commission](#): Tues., July 16, 7:00pm, Holley Hall and via Zoom.
- [Hazard Mitigation Plan Update Committee](#): Weds., July 17, 10:00am, via Zoom.
- [Bristol Energy Committee](#): Weds., July 17, 7:00pm, via Zoom.
- [Selectboard](#): Mon., July 22, 7:00pm, Holley Hall and via Zoom.
- [Bicycle Pedestrian Advisory Committee](#): Thurs., July 25, 7:00pm, via Zoom.
- [Bristol Equity Committee](#): Weds., July 31, 7:00pm, at Holley Hall and via Zoom.

Upcoming Agenda Items

- Water Commission: Review of proposed Water Use Ordinance updates and revision.
- Fire Department quotes for the purchase of the FD Utility Pickup Truck.
- Review of the MERP Energy Assessment Reports.
- Consider whether to develop and adopt a noise ordinance.
- Grant application authorization requests.
- Bristol Unified Development Regulations revisions public hearing.
- Capital Improvement Plan public hearing.
- Review draft RFP/scope of work for the Hewitt/Route 116 DPW site analysis.
- Continued consideration of an updated rate structure to address the Core Area Sewer's capital improvement needs and high strength waste management.
- Web site improvement options.
- Continued consideration of Police District expansion.
- Continued consideration of Police Station alternatives.
- Continued Personnel Policy review and updates.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator