

**Town of Bristol, VT  
Selectboard  
Minutes of Meeting  
Monday, July 8, 2024**

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**Members Present:** Ian Albinson, Joel Bouvier (Chair), Peeker Heffernan, Michelle Perlee (Vice-Chair), Jessica Teets

**Staff Present:** Valerie Capels (Town Administrator); Eric Cota (Public Works); Brett LaRose (Fire Chief); Bruce Nason (Police Chief)

**Others Present:** Kevin Brown, Dennis Hysko, Jill Marsano (VTUMS), Jim Quaglino

**I. Call to Order.** Joel Bouvier called the meeting to order at 6:30 pm.

**II. Executive Session**

**A MOTION** to enter Executive Session for the purpose of discussing personnel matters per 1 V.S.A. §313(a)(3) passed unanimously.

**III. Call to Order.** Joel Bouvier called the meeting to order at 7:00 pm.

**1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).**

No adjustments were necessary.

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

**IV. Public Forum.**

Nobody requested time to address the Board.

**V. Department Head Roundtable.**

Bruce Nason (Police Chief):

- July 4 went ok, there were some parking issues
  - The Department could have used more help, four full-time officers were working

Brett LaRose (Fire Chief):

- Lots of FD volunteers helped out with holiday events
- Annual Firefighters' Convention is coming up, Bristol will have four representatives in the annual games, in addition to participation in other aspects of the event

Jill Marsano (VTUMS):

- A temporary connection is in on Plank Road, connections will be placed on Jay Drive shortly
- Service Line Inventory – 13 left to receive/complete on west side, 70 on east side, Jill will likely do one more door hanging
  - New ordinance language will help get all necessary info in this type of situation

Eric Cota (Public Works):

- Pick up broom work is going well, staff is becoming more proficient in its use
- Mowing and summer maintenance ongoing
- Rain cleanouts ongoing

- Tree at cemetery – Eric has reminded John, and will remind again – Eric and Board members will check to see if any others need to be addressed
- Sidewalk sweeping doesn't appear to be necessary this year

## **VI. Regular Business**

### **1. Consider request to revisit the new Child Care Contribution Tax: Town Treasurer Justin Bouvier.**

Justin had provided a memo, the gist of which was that Bristol is the only town of those who use NEMRC that is asking employees to contribute the 1% of the new tax that the new statute allows for. He noted in his memo the time and related cost to the Town that it takes to set up each employee, and the less than \$120/month cost to the Town. There was some discussion of the matter, with most Board members concurring that the set up cost is a one-time expense and reiterating the earlier concern that taxpayers, many of whom were believed to be paying this portion of the new tax through their employment, would essentially be paying the tax twice if Town staff doesn't pick up their portion.

**MOTION:** Michelle made a motion to affirm the decision made in January to have employees cover the portion of the new tax as allowable by statute. The motion was seconded by Peeker, and passed with Jessica abstaining and Ian opposed.

### **2. Bristol Fire Department presentation: Overview of proposed OSHA Emergency Response Rule and what it may mean for the BFD.**

Brett outlined for the Board what to expect if the Rule passes as currently written. He mentioned the following requirements that will be imposed, expressing his concern regarding the onerous and expensive nature of many of these:

- Establishment of comprehensive emergency response and risk management plans, covering specific incident types
  - Additional documentation requirements, such as incident plans, are to be at a level of detail that would require an inordinate amount of time to prepare
- New health and medical standards, including physicals for every firefighter (cost of about \$200 each) every two years
- Increased training requirements:
  - All would need Firefighter One certification
  - Firefighter Two certification would be required for some – an additional 70-80 hours of training
  - Pump operators would need more specialized training – additional 60 hours, even for those who have years of experience on this type of equipment
  - Vermont lacks sufficient instructors, so travel would be necessary
  - Brett would not be qualified to serve as Fire Chief if this passes as proposed
- Tire and vehicle replacement schedules are dictated; the Department would no longer be able to work on having equipment last a few extra years

Brett indicated that he continues to work on bullet points for inclusion in a letter to submit from the

Town in response to this proposed Rule; the comment period closes on July 22, 2024. He thanked the Board for their continued support of the Department.

**3. Consider approval of a Master Services Agreement with VTM Engineering, PLC, for engineering services as Town Engineer: Steve Palmer, P.E.**

Valerie explained that most of Steve's work has been paid for through individual contracts, but that he also provides time completing general Town-related work in order to prepare for those individual projects. This master agreement would allow for that time to be compensated accordingly; Valerie also explained that this contract is exempt from any requirement to obtain quotes for the work from other contractors.

**MOTION:** Ian made a motion to approve a Master Services Agreement with VTM Engineering for the current year. The motion was seconded by Peeker, and passed unanimously.

**4. 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.**

Valerie explained that this is a work order to be placed within the just approved Master Agreement; Steve will be putting together design drawings and a bid package for this project, and he indicated that bids will be received in August for an early September award decision. Kevin Brown noted he will be working on related easement language, which will need to be completed before the project can commence. It was confirmed that the \$9800 for this work will be drawn from the Water District Capital Fund.

**MOTION:** Peeker made a motion to approve the Work Order with VTM Engineering as discussed. The motion was seconded by Ian.

In response to a question from Jessica regarding how many other similar situations exist, it was explained that this water line ownership configuration is the result of an unusual set of circumstances, and that is why the details of related responsibilities need to be addressed.

It was agreed that features such as stone walls and gardens should be included in the scope of the project, and that replacement of any galvanized lines from curb stops to residences will be the responsibility of the homeowner.

**VOTE:** The motion passed with Michelle and Jessica opposed and the rest in favor.

**5. School Street Extension water line replacement project: discussion of Town vs. property owner responsibilities and process going forward.**

Kevin Brown explained that an easement on the private road is necessary for the lines to be in place, but also for access to the lines for any required maintenance or repair work. He suggested that the Town work to obtain a quit claim/easement for all the infrastructure which is already located under School Street, the quit claim to have the current owners give up the right to the fixtures and the easement for

future access when needed. It was discussed whether the building which formerly housed the school was owned by the Bristol School District or the Town; Kevin explained it was likely the School District. It was indicated that Tom Wells' deed language may provide some pertinent information. It was also noted that the Bristol School District is no longer an entity, and that the property was likely sold before the larger, current school district was created.

The width of the easement needed was reviewed; Steve Palmer indicated that 10' on either side of the wastewater line and 5' on either side of the water line is required. It was also noted which lines are still in use and which have been capped and no longer in service.

Steve questioned what the purpose of the supply is; whether to provide domestic water to the houses involved or for a larger purpose such as looping through Church Street. Jill explained that loop would be installed if the plan is to provide a higher level of water quality, and that if the decision is to dead-end the line as a simple water supply, a flushing hydrant should be installed at the end of the line.

How to fully fund the project was discussed; Kevin noted that he can include language in the documents he will create which provides for the five property owners affected to contribute if it is the Board's preference that they do so. It was discussed that any cost sharing mechanism is hard to outline when the full cost of the project is not yet known.

Jill and Steve outlined the logistics that will be involved, including the need for shutting off service to some locations. Steve noted that he will do some planning with the people impacted before the work is underway, and that he will provide materials and cost information for review at an upcoming Board meeting.

One of the property owners present asked that it be shown that the residents have ownership before requesting that they contribute to the expenses of the project. While Kevin pointed out that a deed search may not lead to pertinent language to help determine current ownership of the lines, Michelle and Kevin offer to do some investigation into the matter.

#### **6. Consider development and adoption of a Livestock Running at Large Ordinance: Dennis Hysko.**

Valerie reported that she had looked into several other towns' ordinances of this type, and that they all had the same structure of fines to be imposed, but differed in impoundment requirements/possibilities.

There was some discussion of what exactly can be regulated: animals on the loose, adequate fencing, etc. Chief Nason noted that his Department does not have the ability to secure/contain large animals, and that in past occurrences either an officer has walked the animal back to the property or the owner has retrieved the animal. He stressed that the fine should be high enough to be effective, as loose animals can lead to injuries; he also noted that he gets calls regarding chickens.

Kevin Brown explained the logistics behind a ticketing mechanism and how the jurisdiction would flow with subsequent offences.

**7. Consider request to purchase a new Police Department vehicle: Chief Nason.**

Bruce indicated that it is time to replace the 2018 Ford Explorer, and provided a list of quotes received for either a new Explorer or a Dodge Durango; the lowest quote was for a 2023 Durango. In response to questions from the Board, Bruce explained that hybrids are more expensive, and that no dealers currently have anything suitable in stock for purchase. He also indicated that other Departments have had difficulty installing the necessary electronic equipment for Police Department work in a hybrid vehicle. Bruce explained that he personally does as much of the transfer of this equipment to a new vehicle as possible when a Department vehicle is replaced.

There was some discussion of whether to trade in the 2018 Explorer or to retain it for use by the Resource Specialist when they are hired. Bruce noted that it has been difficult to find the right person for this new position, and so it is uncertain when the role will be filled. Board members indicated that they would like to know the trade-in value of the Explorer in order to make the best decision regarding whether to retain it for an indefinite time period. There was also some discussion of using ARPA funds to bridge the gap between what is currently in the relevant capital fund and the cost of the new Durango.

**MOTION:** Pecker made a motion to go forward with the purchase of the 2023 6-cylinder Durango. The motion was seconded by Michelle, and passed unanimously.

**8. Consider the Green Mountain Stage Race's (GMSR) request for use of Town roads for their annual bicycle event on Sunday, September 1, 2024.**

Eric indicated that there might still be some gravel surface along the route where culvert replacements have been necessary following the recent flooding.

**MOTION:** Ian made a motion to approve the GMSR's request for use of Town roads on Sunday, September 1, 2024. The motion was seconded by Michelle, and passed unanimously.

**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.**

Valerie pointed out the few minor changes to the language, mostly related to removing requirements for light thinning and selective cutting in specific Areas of the Forest.

**MOTION:** Michelle made a motion to approve the updated Use Value Assessment Forest Conservation Plan as outlined. The motion was seconded by Ian, and passed unanimously.

**10. Review and approval of the February 12, June 3, June 10, and June 17, and June 24 2024 meeting minutes.**

Approval of the minutes was postponed until a future meeting.

**11. Authorize accounts payable warrant and any liquor or tobacco licenses.**

The warrant was for the amount of \$139,092.43

No licenses had been submitted for approval.

#### **12. Selectboard roundtable.**

Peeker indicated he had received a complaint about the tree canopy coming into the village, in that trucks are regularly ripping leaves down onto the ground. It was noted that on narrower streets there are also branches hitting side mirrors on vehicles, and that sidewalks in some areas need to have vegetation trimmed. Eric confirmed that he will look into these matters.

Ian noted he had been meeting with Town employees regarding the best software for taking electronic payments; one system looked at proved to be too complex for general use, so he is looking into other possibilities.

Joel reminded the group of the upcoming annual road trip.

Joel asked about sidewalk research, noting that it needs to be determined which areas should be addressed next.

Joel suggested the possible formation of an ordinance committee.

#### **13. Town Administrator's report.**

Valerie confirmed with Board members that a review of the UDRs should be included on the July 22 agenda in order to prepare for the public hearing at an August meeting.

Valerie also noted that she, Eric, and others have met to finalize the most recent plan for rails at the fishing platform, and that completion of the plans is moving forward.

#### **VII. Other Business.**

##### **1. Correspondence/reports received** were reviewed.

The Budget Status Report was noted; Justin will be reviewing the information and making any necessary adjustments.

#### **VIII. Executive Session**

**A MOTION** to enter Executive Session for the purpose of discussing personnel matters per 1 V.S.A. §313(a)(3) passed unanimously.

The meeting entered Executive Session at 10:24 pm and returned to open session at **xxx** pm.

#### **IX. Adjourn.**

The meeting adjourned at **xxx** pm.

Respectfully submitted,  
Carol Chamberlin, Recording Secretary