

Bristol Town Administrator's Report
August 11, 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=WFdGNUtJYWx1eHMrenpqTkZmUUNGZz09>

Meeting ID: 879 1281 0018

Passcode: 619003

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

Monday, August 12, 2024 Meeting Agenda and Materials

I. Call to Order: 6:30 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."

II. 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.

III. 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.

IV. CONSENT AGENDA.

The consent is a collection of agenda items that, if clear, straightforward, and agreeable to the Selectboard, can be voted on in a single motion for official action without the need to discuss each one individually. Items that are not clear or do warrant discussion should be removed and acted upon separately, usually after a vote on the consent agenda has been taken.

Item IV.1 Approve driveway access permit application #2024-02DA for Carl and Ed Shepard at 125 North Street for 25-foot wide driveway per Public Works Foreman's recommended conditions. [Online is an application](#) for a new access permit at 125 North Street. The purpose is to allow the property owners to access their inventory of stone materials without driving across their lawn. DPW Foreman Eric Cota recommends approval with the following conditions:

- That a thirty-foot long (30') x fifteen-inch (15") in diameter gray plastic culvert be installed with ten feet (10') of cover, compacted seventeen feet (17') back from the road edge, with no more than a two percent (2%) slope from the road level.
- The sight distances are good.
- Any disturbance near the road outside of the driveway must be put back to original or improved condition, grass seeded, and mulched.

RECOMMENDATION: Approval per DPW Foreman Eric Cota's recommendations.

Item IV.2 Approve Community Celebration event on the Town Green hosted by Addison Housing Works, Friday, Sept. 13, 4:00pm – 8:00pm. [Online is a proposal and plan](#) from the Addison Housing Works for a fundraising event on the Town Green, Sept. 13, 4:00pm to 8:00pm. In the event of rain, the event would be moved indoors at Holley Hall. Approximately 200 people are expected to attend. Three food vendors, including Bobcat Café (alcohol vendor) are planned.

According to [Bristol's Public Display and Assembly Ordinance](#), the proposed event would qualify for a Second Class permit, which can be approved by the Town Administrator or their designee. Consider it approved by me. However, because of the different variables included, I thought it would be better for the Selectboard to have an opportunity to weigh in, or at the very least, be aware of it.

RECOMMENDATION: Approval as proposed.

Item IV.3 Approve the proposed Jackman's Pre-Buy fuel contracts for Holley Hall, the Fire Station, Town Garage, Pottery Kiln, Pottery Meter, Pump House, and Hub Teen Center. [Online are the FY2025 annual pre-buy offers](#) for heating fuel for each of the municipal facilities from Jackman's at a pre-buy rate of \$ \$2.12 per gallon--\$0.07 more than last year. The new offers include a \$0.02 per gallon VT fuel tax. There appears to be a miscalculation on the Pottery Meter account; ours calculates to be \$689 vs. Jackman's \$742—a difference of \$53, (before the \$0.02 fuel tax). We

calculate the proposed total dollar amount to be \$11,128, compared to last year's \$11,890. Each year, we seem to be using less than we expect, resulting in refunds at the end of the year. The \$0.02 VT Fuel Tax is something new I am not familiar with. I do not know if this is something a municipality should be exempt from. We will verify whether it is applicable to municipal accounts. It's not a lot of money, so I recommend accepting the proposal with or without it. We will also verify the Pottery Meter account calculation.

RECOMMENDATION: Accept the proposed pre-buy contracts. Authorize the Town Clerk, the Town Treasurer, or the Town Administrator to sign the contracts.

Item IV.4 Approve issuance of a letter of support for Tandem's grant application to the Regional Economic Development Grant Program for improvements to their space on Main Street. Lauren Gammon, Owner/Chef of the [Nomadic Chef](#) on Bristol's Main Street, is [requesting a letter of support](#) from the Selectboard for her application to the Regional Economic Development Grant Program for exterior and interior improvements to the space locally known as Tandem at 26 Main Street. I recommended she consider adding upgrades to the grease trap system, if needed.

RECOMMENDATION: Approval.

V. REGULAR BUSINESS.

Item V.1 Public Hearing: Bristol Capital Improvement Plan: FY2025-FY2030. The [public hearing notice](#) for this item indicated it would be on the agenda around 7:00pm. As discussed at the [July 22 meeting](#), this is the Town of Bristol's first Capital Improvement Plan (CIP) to be proposed and adopted in accordance with [24 V.S.A. §4430](#) and [24 V.S.A. 4443](#). Prior to this, Bristol's capital budgets and programs have been incorporated in each year's annual Town Reports, annual budgets, and various other documents. This CIP attempts to bring those as well as other capital initiatives together in one document.

Although we have been working toward this for several years, it has been a slow work in progress, in part because there was not a specific deadline and data was sometimes difficult to track down. The renewal process for Bristol's Designated Downtown, however, introduced that deadline by requiring the adoption of a CIP as part of the renewal application process. Our draft application was submitted July 1, the final application is due September 2, and the Downtown Board is meeting September 23, 2024. (Ironically, [we learned last month](#) that, with the passage of Act 181 this 2024 legislative session, Downtown Designation renewal applications and check-ins will no longer be required.)

Some projects are still evolving and not all information is currently known. Narrative descriptions are still in the process of being developed and information about recently completed projects is in the process of being compiled. The good thing is

that this is a planning document. It is not binding and it is OK if some parts are still evolving. However, it will still be a useful document and will hopefully be a baseline for future updates to the CIP.

The Capital Improvement Plan includes the budget for the current FY2025 year and a program for the subsequent five years (FY2026-FY2030) that identifies the Town's priority capital funding needs, a recommended financing schedule, and possible sources of funds. As noted in the text, the purpose of the CIP is "to maintain a stable tax rate; to plan for orderly growth and development consistent with the Town's fiscal ability to provide facilities and services and in accordance with the Town Plan; and to anticipate facility and service needs and develop funding plans to address them."

Two hearings are scheduled in part to follow the statutory bylaw adoption process, and in part because the draft document for Monday night will still be a work-in-progress. Also, the next two agenda items directly relate to this topic and may result in additions or other adjustments to the draft document.

An updated draft will be posted before Monday's meeting. And a more complete document is expected to be available for the August 26 meeting, based on feedback from Monday's meeting and more time to fill in more information.

Three topics (at least) would be worth discussing: debt/borrowing, use of the ARPA funds, and a local option tax.

- [Town of Bristol Debt Management Policy \(2011\)](#)
- [VLCT guidance on municipal borrowing \(2023\)](#)
- [Allocations of Bristol's ARPA funds](#)
- [Local Option Tax](#)

Borrowing: 19 V.S.A. § 304(a)(3) and 24 V.S.A. § 1786a(b) allow municipalities to borrow without voter approval for the purchase of tools, equipment, and materials necessary for the construction, maintenance, or repair of highways and bridges so long as the term is five years or less. This is something we may want to keep in mind as we navigate all of these major capital road projects.

ARPA: Online is a [balance sheet](#) summarizing the allocations of ARPA funds made to date. Not accounting for any accrued interest, the available balance is \$249,325.21.

According to the VLCT Web site: "Time is running out for you to "obligate" your ARPA funds. Don't wait. Make a plan now. All ARPA funds must be "obligated" by December 31, 2023. Any ARPA funds not obligated by December 31, 2024 must be returned to Treasury. Just transferring your ARPA funds into your general fund without specifying an offsetting expenditure (example: "ARPA funds are being used to pay for payroll expenses for the period XX/XX/XXXX- XX/XX/XXXX") does not meet

the definition of obligated. "Allocating," "appropriating," "designating," "setting aside," "reserving," etc. your ARPA funds does not meet the definition for obligated!

If your municipality has remaining ARPA funds that are not obligated (aka under a signed contract or vendor accepted purchase order) and doesn't think that it will before October 1st, consider contacting VLCT for help creating a plan to ensure you keep every penny of your ARPA funds. There are solutions that we can help you find. Email us: arpa@vlct.org."

I have not contacted VLCT with questions about this but will continue to recommend that any pending ARPA balance be allocated to the Capital Roads Reserve Fund.

Local Option Tax. I recommend Bristol consider putting an item on an upcoming Town Meeting ballot to consider adoption some form of a local option tax. According to an unidentified Internet source, more than 109 Vermont municipalities have adopted some form of local option tax. The municipality can choose to apply it to some things and not others. The tax is paid by patrons and would not come out of the merchant's bottom line (other than the additional paperwork to deal with it.) Merchants and others would benefit from future savings in the municipal budget by reducing the amount needed to be raised by taxes for capital or community development investments.

If approved by voters, I would recommend the proceeds be limited to infrastructure investments, community and economic development initiatives, and debt reduction (if that's an allowable option). That would cover a lot of ground (no pun intended). I do not know how accounting for it works on the municipal side and whether proceeds automatically go into a specially designated fund. Much more to talk about.

For the purpose of the CIP, it would be helpful to know if the Selectboard would support this as a possible funding source.

RECOMMENDATION: Discussion. Provide feedback. ARPA: move the \$140K approved on June 12, 2023 into the recently created Recreation Equipment and Facilities Reserve Fund.

Item V.2 Update of the Hub Teen Center Skate Park Project and request for an additional \$60,000 allocation of ARPA funds. Hub Director Taylor Welch will present an update on the skate park project. On June 12, 2023, the Selectboard voted to allocate \$140,000 of ARPA funds toward the project. It was not clear then what the total budget would be. She is in the process of preparing a request for proposals for the design and construction of a new skate park. The draft RFP indicates a budget for design in the \$10,000 - \$35,000 range and a construction budget of approximately \$500,000.

RECOMMENDATION: Determine if more information is needed.

Item V.3 Energy Committee Presentation of the Municipal Energy Resilience Program (MERP) Level II assessments for Holley Hall, Lawrence Library, and Howden Hall (Richard Butz). Last year, the Town of Bristol applied to have free Level II energy assessments done through the Municipal Energy Resilience Program (MERP) for Holley Hall, Howden Hall, and Lawrence Library. The reports were received in June. Since then, the Bristol Energy Committee has been reviewing them and offers the following summaries and recommendations:

- [Holley Hall MERP Level 11 Assessment Summary.pdf](#).
- [Howden Hall MERP Level 11 Assessment Summary.pdf](#).
- [Lawrence Library MERP Level 11 Assessment Summary.pdf](#).

Full MERP Level 11 Assessment Reports:

- [Holley Hall MERP Level 11 Assessment Summary.pdf](#).
- [Howden Hall MERP Level 11 Assessment Summary.pdf](#).
- [Lawrence Library MERP Level 11 Assessment Summary.pdf](#).

Outcomes from this discussion will directly relate to the draft Capital Improvement Plan (above). Up to \$500,000 per eligible municipality (Bristol is one) is available for implementation, with no match required. I cannot my fingertips on when the implementation grant(s) is due, but believe it is time-sensitive.

The Holley Hall recommendations might also be eligible to be funded through the Vermont Hazard Mitigation Program, which also does not require a match. That grant application deadline has been extended to August 30, 2024.

Richard Butz and perhaps others from the Energy Committee plan to be present to discuss the details.

RECOMMENDATION: Determine if additional information is needed. Determine next steps. Authorize submission of grant applications to the BGS MERP program and/or the Vermont HMGP.

Item V.4 Consider Energy Committee proposed mission statement and by-laws. [Online is a draft mission statement and by-laws document](#) proposed by the Bristol Energy Committee. Richard Butz and perhaps others from the Energy Committee plan to be present to provide more information.

RECOMMENDATION: Discussion. Approval.

Item V.5 Review of meeting minutes. Online are the meeting minutes for [July 30](#), [July 29](#), and [June 3](#), 2024 for review. Others are in the process of being reviewed and will be posted and distributed when available. In the meantime, the original drafts are posted on the Web site.

Item V.6 Authorize accounts payable warrant and any liquor or tobacco licenses. The accounts payable warrant is online. The amount is currently \$71,889.69, which could change by Monday's meeting.

RECOMMENDATION: Determine if additional information is needed. Approval

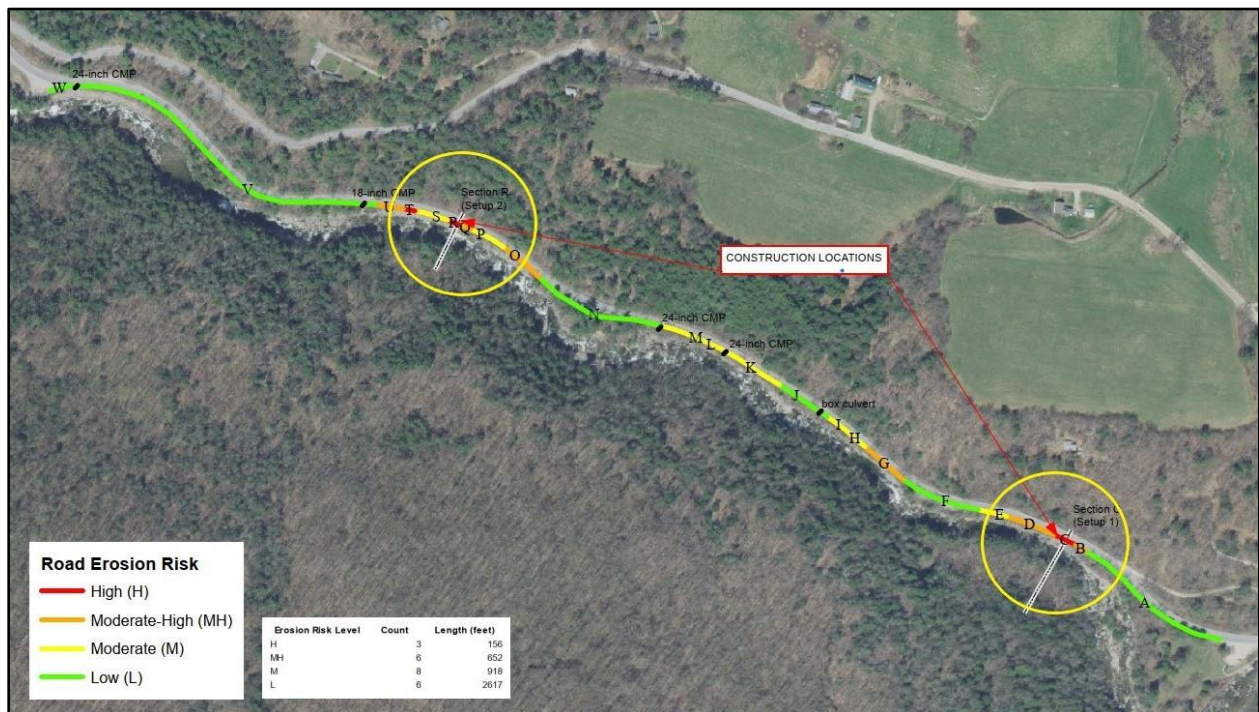
VI. OTHER BUSINESS.

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

- [E-mail BRD Newsletter 2024-08-01.pdf.](#)
- [E-mail BRD Newsletter 2024-08-09.pdf.](#)
- [E-mail Sec of State JP officiant scam alert 2024-07-26.pdf.](#)

Lincoln Road Projects

Masterson's team indicated they intend to start the Lincoln Road riverbank repair project the first week of September. They expect the project(s) could take up to a month to complete, but hopefully less. The decision has been made to not try to keep one lane of travel open, which would require flaggers and/or rented solar traffic lights and could lengthen the project's duration. Instead, the road will be closed to allow for speedier work without traffic interference. We are still in the process of determining at what points of access Lincoln Road would be closed to traffic.



Coordination with the Town of Lincoln has been initiated regarding the road closure, use of Briggs Hill Road/Atkins Road as a detour, and coordinated public messaging. The Bristol DPW will grade Atkins Road prior to the detour to bolster its ability to handle the additional traffic. Because Atkins Road narrows considerably as it approaches River Road in Lincoln, the question was raised whether solar traffic lights to manage one-lane passage would be prudent while Lincoln Road is closed.

Public notice and other outreach is expected to begin the week of August 19 to alert community members travelers of the upcoming road closure.

Briggs Hill Road Update

The rented solar traffic lights were installed last week to manage one-lane travel along the tender stretch of the road. The block wall at the base of the Briggs Hill Road slide was also installed. Additional signage has been ordered.



Town-Wide Reappraisal RFP Published

A [request for proposals \(RFP\)](#) was published this past week for town-wide appraisal services. Proposals are due by 11:00am, Thursday, Sept. 19. If all goes smoothly, selection of a contractor might be on the Selectboard's Sept. 23 agenda.

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 August 12

- Monday: In the office.
6:30pm – Selectboard
- Tuesday: Working from home.
- Wednesday: In the office.
- Thursday: 7:30am – ACEDC Board meeting.
9:00am – Bristol CORE.
11:00am – Monthly water meeting with SP & JM
5:00pm – Personal appt. in Waitsfield.
- Friday: Out of the office.

Week of August 19

Monday: In the office.
10:00am – FEMA Zoom check-in

Tuesday: **Working from home.**

Wednesday: In the office.

Thursday: In the office.

Friday: In the office.

Upcoming Meetings

- [Conservation Commission](#): Thurs., Aug. 8, 6:00pm, Holley Hall and via Zoom.
- [Selectboard](#): Mon., August 12, 6:30pm, Holley Hall and via Zoom.
- **August Primary Election**: Tues., Aug. 13, 7:00am – 7:00pm, upstairs at Holley Hall
- [Planning Commission](#): Tues., Aug. 20, 7:00pm, Holley Hall and via Zoom.
- [Bristol Energy Committee](#): Weds., Aug. 21, 7:00pm, via Zoom.
- [Bicycle Pedestrian Advisory Committee](#): Thurs., Aug. 22, 7:00pm, via Zoom.
- [Selectboard](#): Mon., Aug. 26, 6:30pm, Holley Hall and via Zoom.
- [Development Review Board](#): Tues., Aug. 27, 7:00pm, Holley Hall and via Zoom.
- [Bristol Equity Committee](#): Weds., Aug. 28, 7:00pm, at Holley Hall and via Zoom.

Upcoming Agenda Items

- Final Capital Improvement Plan public hearing.
- Set property tax rate.
- Conservation Commission candidate interview.
- Prep for Selectboard zoning revisions public hearing in September.
- Water Commission: Consider updated and revised water rate schedule.
- Water Commission: School Street Extension waterline bids, contract award.
- Water Commission: Review of proposed Water Use Ordinance updates and revision.
- Water Commission: Adam & Amber Thomas residential subdivision water connection application.
- Consider whether to adopt a Livestock Running At Large ordinance.
- Consider whether to develop and adopt a Noise Ordinance.
- Consider whether to adopt a Sidewalk or Road Obstruction Ordinance.
- Fire Department quotes for the purchase of the FD Utility Pickup Truck.
- Bristol Unified Development Regulations revisions public hearing.
- Continued consideration of an updated rate structure to address the Core Area Sewer's capital improvement needs and high strength waste management.
- Continued consideration of Police District expansion.
- Continued consideration of Police Station alternatives.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator