

**Town of Bristol, VT
Selectboard
Minutes of Meeting
Monday, April 15, 2024**

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 Foreman)

Others Present: Kevin Brown, Cyrus Marsano (VTUMS), Jill Marsano (VTUMS), Steve Palmer (VTM Engineering), Jim Quaglino.

I. Call to Order. Joel Bouvier called the meeting to order at 6:00 pm.

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

No adjustments were needed.

II. Regular Business

1. Revisit follow-up to the DWSRF RF3-477.3.0 loan offer.

Valerie summarized that the terms of the funding/financing offer from DEC for the Pine Street project were disappointing, and that it had been decided at a previous meeting to follow up with the Governor's Office and other officials to express this disappointment/frustration and ask for a reconsideration of Bristol's application. While considering the content of these communications, Valerie suggested that a more prudent approach, and one that may better preserve the relationships that Bristol has with the entities involved, would be to express Bristol's disappointment in a manner that provides feedback on the process; and to explain that, if the Town had been advised earlier in the process of the benchmarks and calculation inputs involved in the determination, the project would have been amended accordingly in order to better qualify for funding. Commission members expressed their frustration, particularly noting that they felt misled by messages received early in the process which indicated that funding was likely, when in the end DEC had nothing to offer but a loan with no forgiveness attached. It was pointed out that this is not the first time the Town has found itself in a situation where the information provided by State program staff did not lead to the expected result.

Jill spoke of conversations she had with DEC staff, attempting to adjust the ERU number used in their calculations and also to have included in the calculations monies that were spent on the Pine Street project that had already been expended or for other reasons were not included in the application materials submitted. No leeway was provided by DEC; and Jill expressed concern that this project only covered one half mile of line, and that there are another 9.5 miles to be updated. Frustration was noted in that the Board worked to keep costs down: work is being broken into manageable pieces, the costs were kept down in the original proposal, and the project came in under budget. This appears to have worked against the Town's receiving funding assistance, as the project was deemed to be not expensive enough in relation to the median income level used in the calculations.

Jill pointed out that funds available through these state programs do not carry forward, and she would like to find out if any remaining funds/forgiveness may be awarded to towns in Bristol's situation and how to determine if that is a possibility. Cyrus noted that he has followed up on the matter with Senator Bray, who indicated that the offer provided of a 30-year loan at 2% is final. DEC staff has indicated that Bristol will qualify for 50% forgiveness for the upcoming project; that information has not yet been provided in a written determination of any type.

It was discussed that the ERU calculation also prevented the Town from qualifying for principal forgiveness. Jill explained she would like to see a working copy of the spreadsheet used by DEC for

these calculations in order to better understand what aspect(s) of Bristol's ERU numbers are negatively impacting the results. It was noted that the KTP Trailer park was 40+ individual connections and the Woodland apartments was 36 connections before they were both absorbed into the Water System; yet each one of these is structured as just one connection with a meter pit. Jill said she provided detailed information regarding these configurations to DEC, including ERU totals based on annual consumption. She also noted that there are five layers of ratcheting calculations to dig through when figuring this out, indicating that she has never before experienced this level of confusing calculations in her many years of operating multiple water systems.

As it needs to be understood how the State's ERU calculations differ from Bristol's calculations, it was agreed that Valerie will request a working copy of the spreadsheet used from DEC, and if not successful, to submit a Records Request to DEC for the same.

Potentially a letter will also be sent to the Governor's Office, explaining how Bristol's lack of financial relief does not appear to fit with what his goals are for distribution of related monies. Valerie is also working on outlining information that may be used in communications with State entities, describing a) how a lower-income segment of the community will be greatly impacted by and b) the effect on the system's largest rate payers, of the anticipated 40% increase in rates required as a result of needing to borrow the full amount of the Pine Street project.

2. Consider adoption of water line design and construction policies and standards for water lines and appurtenances outside of a public right-of-way.

Valerie explained that there are many documents and sources of information regarding the matters to potentially be included in developing/amending policies and related materials, and that this meeting is an opportunity to discuss those matters so that she has better insight when drafting documents for further review by the Commission and others.

Several points were raised during the discussion, with some general concepts agreed upon and some details to be worked through:

- It was agreed that the technology exists to pinpoint locations of infrastructure connections, and indicated that all location information should be included in the system's records, for new connections and lines when installed and for older connections as the information becomes available.
- The policies, procedures, and standards for the water system should be detailed and specific, avoiding the need for individual applications to come before the Commission for review and approval of projects/proposed exceptions to the rules.
- Configuration and location of curb stops and meter pits, and related property owner responsibilities and land easements, were a central part of much of the meeting's discussion.
 - Jill recommended that all connections be individual curb stops, avoiding the need to interact with homeowners' associations or shutting off several residents when there is an individual person associated with a group connection who has not paid or has a leak and needs to be shut off.

- Meter pits at the main point of connection with the system help solve some of this, but individual meters/shutoffs are then still necessary for usage to be allocated and to allow for the potential shutoff of an individual user(s). With meter pit/individual connection configurations, the issue of the Town having access to the individual meters/shutoffs needs to be addressed.
- It was agreed that clear delineations between what the Town owns/operates and what individuals own/operate are necessary.
- Easements may be granted to the Town to allow work on the system.
- Requiring the creation of a Homeowners' Association may be included in connection agreements where necessary.
- Jill noted that ideally all connections are placed in the Town right-of-way along roadways; however, some connections have been established along private roads.
- Steve suggested that other system's policies and related information be researched, noting that there are costs associated with various solutions, including the costs related to any work needing to be completed by a licensed water operator, even on private property.
- Kevin pointed out that the Town may own equipment which is part of the system even if it is located outside of the Town's ROW.
- Steve suggested that only apartment buildings should be allowed to be set up so that one bill is provided and the owner/property manager allocates the associated costs; for all others it makes more sense for each homeowner to be billed directly, as what may originally be established as a single property owner with several houses may over time become individually owned homes.
- There was some discussion of the Town building to standard up to a meter pit location, and then allowing the property owner(s) to do as they desire between the pit and their building; this would need to be specifically written out in any agreements made, and residents would need a licensed operator to fix any problems.
- Line size specifications were touched on briefly, with it being pointed out that as the water lines move outward, larger distribution lines are needed to provide adequate pressure for fire safety.

Eric indicated that the sections of the current policy which are related to his work are in place and for the most part straightforward and easy to follow.

It was agreed that Jill, Cyrus, Steve, and Kevin will collaborate on preparing draft documents for further review. Jill and Kevin indicated that the current matters under consideration may potentially be covered through creation of an Appendix C (which is referred to in the Policy but does not exist), and that in general standards, rates, and so forth may be changed without going through the process of amending the Ordinance.

III. Adjourn.

The meeting adjourned at 7:43 pm.

Respectfully submitted,

Carol Chamberlin, Recording Secretary, Valerie Capels, Town Administrator