

Bristol Town Administrator's Report

November 17, 2017

Monday November 20, 2017 Meeting Agenda and Materials

Item .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.”

RECOMMENDATION: Review and vote on any adjustments to the agenda.

II. VISITOR APPOINTMENTS.

Item II.1. Application for use of Bristol Parks: Outdoor Live Nativity at Town Green, Dec. 17, 4:00-5:00pm. Enclosed is an application for use of the Town Green for an outdoor live nativity performance Friday, Dec. 17, 4:00-5:00pm, with an hour on each end for set up and take down. Because it is expected to attract fewer than 200 people and last less than 48 hours, it falls within Class 2 Permit category in Bristol's Public Displays and Assemblages Ordinance. Although the Town Administrator is designated as the Permit Officer for Class 2 Permits, this is before the Selectboard in case there are any concerns about religious displays on public property. I am told the Selectboard approved a comparable event two years ago.

RECOMMENDATION: This is a privately sponsored event that does not preclude other organizations from requesting alternative religious expressions. Approval.

Item II.2. Porter Knight: Bristol Trail Network update. Porter Knight will be present to provide an update of the Bristol Recreation Club's Trail Network initiative.

RECOMMENDATION: Discussion.

III. REGULAR BUSINESS.

Item III.1. Public Forum. This is an opportunity for citizens who are not on the agenda to briefly share comments and concerns with the Board.

Item III.2. Communications Committee update: Ian Albinson. Ian Albinson, Linda Andrews, Mary Arbuckle, Sally Burrell, Anne Wallace and I met earlier this month to discuss communications and various strategies for improving civic engagement in municipal affairs. Ian will present a summary of the discussion and ideas to put forward.

RECOMMENDATION: Discussion; determine next steps.

The Revolving Loan Fund Committee will have met Thursday, Nov. 16, to consider the following three applications. Minutes of the meeting are expected to be circulated prior to Monday's meeting. More information on each application will also be provided at Monday's meeting.

Item III.3. Consider Revolving Loan Fund loan adjustment: Vermont Tree Goods request regarding collateral for second loan. It's my understanding that property in Underhill, Vermont owned by John Monks which was identified as collateral for a loan to Vermont Tree Goods is in the process of being foreclosed.

RECOMMENDATION: Receive additional information at the meeting and the RLF Committee's recommendation.

Item III.4. Consider Revolving Loan Fund application: Wade Properties. Wade Properties is seeking a loan of at least \$15,000 to upgrade windows and undertake some interior repairs in the building at 1 Main Street/2 South Street. The loan amount remains to be determined pending final estimates.

RECOMMENDATION: Receive additional information at the meeting and the RLF Committee's recommendation.

Item III.5. Consider National Bank of Middlebury subordination agreement 1 Main Street (2 South Street). Enclosed is a request from Middlebury National Bank that the Town of Bristol approve a subordination agreement for Bristol Works, which has a loan through the Revolving Loan Fund. The balance as of September 1, 2017 was \$149,942 and it matures in 2023. The borrower is consolidating existing debt. Although the Town will continue to be in 3rd position to the primary and secondary lenders, the amount of debt in the 1st and 2nd positions will have increased.

RECOMMENDATION: Receive additional information at the meeting and the RLF Committee's recommendation. If approved, authorize the Selectboard Chair to sign on behalf of the Town.

Item III.6. Purchase of Police Dept. cruiser. Enclosed are three quotes for the purchase of a new Police cruiser: Heritage Ford at \$30,614, Formula Ford at \$30,995, and G. Stone Motors at \$31,586. Replacement of the cruiser is on schedule as part of the 3-year cruiser capital replacement plan. The Police Capital Vehicle Replacement Fund (#066) has a current balance of \$37,586.80. The FY2018 budgeted allocation of \$12,500 will be transferred to the fund in April 2018.

RECOMMENDATION: Approve purchase of the vehicle. Other factors in addition to the lowest cost proposal may be a consideration. Possible deliberation in Executive Session per 1 V.S.A. §313(a)(1)(A).

Item III.7. North Street speed limit and signage proposals. Enclosed is a request from Bob Donniss that the Selectboard consider reducing the speed limit on North Street from 40 MPH to 30 MPH approximately 300 feet before Bristol Rescue. 23 VSA §1007-Local Speed Limits provides that an adjustment to the speed limit below 35 MPH would require an engineering and traffic investigation. Speed limits in the Village were established at 30 MPH in an ordinance adopted in 1957. Maximum speed

limits outside the Village were established to be 35 MPH, except Burpee Road (TH 6) and Monkton Road (TH 4), which were set at 40 MPH, in an ordinance adopted in 1977. The Bristol Rescue facility is located on TH 4 outside of the Village.

He also recommends that signs be posted on the northbound and southbound lanes on North Street announcing to motorists there is an emergency response facility ahead.

RECOMMENDATION: Discussion; determine if additional information is needed.

Item III.7. Request by Awakening Sanctuary for property tax exemption. The Selectboard considered this request in Executive Session at the November 6 meeting as it was considered pending litigation. Numerous documents related to Awakening Sanctuary's request for tax exemption were provided at that meeting. The Listers denied their request and Awakening Sanctuary had indicated their intention to appeal to Superior Court. Awakening Sanctuary has entered into agreements in at least two other Vermont municipalities to voluntarily pay an amount equivalent to the municipal portion of the property tax in recognition of the municipal services received. Their 2016 tax bill of \$9,641.34 included \$3,760.39 for the municipal share of taxes. Town Attorney Kevin Brennan has provided two sample agreements from other communities and recommends the Selectboard accept Awakening Sanctuary's offer to enter into a similar agreement. He is looking for direction on which approach the Selectboard would prefer for the agreement and he will prepare it.

RECOMMENDATION: Determine if additional information is needed. If the Selectboard accepts Awakening Sanctuary's offer to pay a sum toward the value of the municipal services received, I recommend the "Good Neighbor Agreement" approach be adapted. And because the agreement would be in place in perpetuity, a fixed sum different (higher or lower) than the calculated municipal share, which would continue to adjust over time, may not be in the Town's long term best interest.

Item III.8. Review and approve minutes of November 6, 2017. Very draft minutes are enclosed for reference, but I do not believe they are ready for approval. Additional review is needed, including listening to the recording for clarification of certain matters. A non-edited draft was made available on-line last week to meet the statutory timeline.

RECOMMENDATION: If a more final draft of the minutes is not made available before the meeting, postpone action.

IV. OTHER BUSINESS.

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

- E-mails, 11/16/2017, re West Street project citizen concerns.
- E-mails, 11/15/2017, re Town Green fountain work to begin in May 2018.

- E-mail and Annual Evaluation Report from GME, 11/13/2017, re Bristol Landfill Post-Closure Annual Report.
- Cost estimate from Ted Lylis, 11/11/2017, for repair of the Coach House doors, accepted per Purchasing Policy.
- Note from Lister Craig Scribner, 11/07/2017, reporting his findings that Airport Drive is owned entirely by the Union District from West Street to the gate.
- Statutory and VLCT summary of incompatible governmental offices.

V. EXECUTIVE SESSION.

Prior to entering Executive Session, a motion to find that premature general knowledge would clearly place the Selectboard or other parties at a substantial disadvantage regarding a particular personnel-related matter per. 1 V.S.A. §313(a)(3) or possible contract negotiation matters per 1 V.S.A. §313(a)(1)(A) would need to be made.

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West Street Project Update

Jamie Simpson and Ben Cale of Green Mountain Engineering, Lindsay Vincelette of Munson Earth-Moving, Road Foreman Peter Bouvier, and I met last week. At that time the area was being prepped for pavement. An updated schedule was provided that has final completion and winter shutdown scheduled for Nov. 23.

The current contract completion date for the West Street project is Tuesday, Nov. 21, 2017. Two Change Orders (No. 4 and No. 5) are pending that include a request for two additional days of time. They are awaiting USDA's concurrence before being forwarded to the Town. GME believes the two days are justified due to specific situations that contributed to delays beyond the contractor's control.

If the Change Orders are approved, the completion date would be changed to Thursday, Nov. 23, 2017. Due to the Thanksgiving holiday, the contractor would be given until the end of the day Friday, Nov. 24, 2017.

Rather than press Munson into completing the sidewalks now under questionable conditions that could lead to inferior results, there was agreement at last week's meeting that sidewalk sections will be paved with asphalt for the winter as an interim measure until Munson returns in the spring to replace the sidewalk from Maple Street to Airport Drive with 5' x 5' concrete panels. The sidewalk elevation will also be raised to improve drainage and final restoration of the green spaces and front yards will be completed.

The primary focus now is getting the road prepped and paved and the sidewalk stabilized. Pike was expected to be there at the end of last week or early this week; however, Lindsay reported yesterday that Pike has been delayed due to precipitation on other projects. The base course of paving is expected to begin on Monday, Nov. 20, followed by the top course on Tuesday.

The water line is essentially complete; however the pressure reducing valve behind the Fire Station and the meter manhole at the Woodlands Apartments have yet to be installed. Testing of the water line after everything has been installed will need to wait until spring 2018.

Liquidated damages are very likely to occur associated with the work remaining for spring 2018. In addition, when the contract commences in the spring for sidewalk preparation, pour, and surface restoration, GME's time spent monitoring that work will be billable to the contractor.

Woodland Apartments Water Connection

I've been in touch with Tyler Billingsley of East Engineering. He provided Susan Bowen with a cost proposal (I have not seen it) for design and oversight of the water line improvements into the Woodland Apartments complex. He is awaiting her response. Prior to that, she and I spoke on the phone and are working on a date to meet.

Police Union Contract Negotiations

The Town received a proposed contract from the New England Police Benevolent Association on Nov. 1. It was forwarded to Town Attorney Kevin Brennan for review. A Nov. 9 meeting to begin negotiations was postponed because Kevin and I needed more time to review the document. Since then, feedback from the Vermont League of Cities and Towns and Kevin leads to the recommendation that the Town engage an attorney with specific labor relations experience. Kevin provided us with the name of a Middlebury attorney to consider. I will also tap VLCT for a recommendation. A new date to begin the negotiations has not yet been set.

Memory Tree Replaced

The Memory Tree in the Town Green was replaced on Tuesday by the folks from Greenhaven. Darla did post a notice to Front Porch Forum about the upcoming replacement and an invitation for donations to help offset the cost. One donation of \$20.00 has been received.

FY2017 Audit

Sullivan Powers & Company were camped out in the meeting room Monday, Tuesday, and Wednesday, keeping Jen and Peter Ryan quite busy. Preliminary indications are very favorable from an audit perspective and they expect to have a draft report to us by the end of December.

FY2019 Budget

I have been working on updating the budget docs and plan to get them to the department heads early next week. At the Selectboard's Dec. 4 meeting we will take a closer look at the schedule and how things are shaping up.

My Schedule

Unless otherwise noted, I typically expect to be in from 8:00am to 4:30pm.

Monday:	6:00pm Selectboard
Tuesday:	In at noon.
Thursday:	Town Office is CLOSED.
Friday:	Town Office is CLOSED.

Miscellaneous

- Executed authorization to proceed agreement through the Governor's Highway Safety Program for OP/DUI/Equipment.
- Executed Green Mountain Engineering contract amendment for the Core Sewer System Upgrade, as approved by the Selectboard on Nov. 6.
- Sent Selectboard response to Ronald LaRose's October 30, 2017 letter.
- Tracked down the Core Area Sewer 1992/1993 GME record drawings.
- Working with GME to get requisitions in the pipeline to USDA Rural Development for West Street project loan reimbursements to the Town.
- Sent letter to David McQuade re Champlain Farms chronic puddle.
- Contacted Scenic Valley Landscaping for post-wind storm cleanup of Town Green.
- Posted Selectboard meeting time change to Front Porch Forum.

Upcoming Meetings and Workshops

Below are meetings that citizens, staff, board members, or others might be interested in.

Italicized entries are workshops put on by others. Underlined entries include on-line hyperlinks for more information.

- [Selectboard](#): Mon., Nov. 20, 6:00pm, at Holley Hall.
- Thanksgiving: Thurs., Nov. 23 – Town Office CLOSED.
- Day After Thanksgiving: Fri., Nov. 24 – Town Office CLOSED.
- [Conservation Commission](#): Thurs., Dec. 7, 6:00pm, at Holley Hall.
- [Bristol CORE](#): Weds., Dec. 20, 9:30am, at Holley Hall.
- [Selectboard](#): Mon., Dec. 4, 6:00pm, at Holley Hall.
- [Municipal Road Management For Decision-Makers](#): Weds., Dec. 6, 8:30am-3:30pm, Capitol Plaza, Montpelier, \$30.00.
- [Planning Commission](#): Tues., Dec. 19, 7:00pm, at Holley Hall.
- [Selectboard](#): Mon., Dec. 18, 6:00pm, at Holley Hall.
- [Bristol Recreation Club](#): Thurs., Nov. 30, 6:30pm, LaRose Surveys office.

Upcoming Agenda Items

Likely agenda items for upcoming meetings include:

- Grant application request from Road Dept. to the Vermont Agency of Natural Resources Ecosystem Restoration Program (ERP) for Stormwater Planning Analysis.
- Review budget status and schedule.
- Vermont Gas Memorandum of Understanding.
- Meet with Planning Commissioners.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator