

Bristol Town Administrator's Report

June 29, 2018

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 enclosures relate to printed or electronic documents provided to them in advance of or at the meeting. This report is also intended to provide information to Town officials and the public about Selectboard activities and other Town affairs. Except as provided under Vermont's public records laws, all documents are available upon request.

Monday July 9, 2018 Meeting Agenda and Materials

I. CALL TO ORDER.

Item I.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. PUBLIC FORUM.

Item II.1. 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, not only for time management of the meeting, but to allow for the public to receive notice of the matter on a future agenda.

III. SCHEDULED APPOINTMENTS.

Item III.1. Tree Warden candidate interviews: Fred Schroeder, Tom Shea, Ashleigh Smith, John Sweptston. Enclosed are correspondences from four Bristol residents expressing interest in the vacant Tree Warden position: Fred Schroeder, Tom Shea, Ashleigh Smith, and John Sweptston.

RECOMMENDATION: The candidates have been invited to be present to meet jointly with the Selectboard. The Selectboard may wish to deliberate in Executive Session per 1 V.S.A. §313(a)(3) regarding the appointment or evaluation of a public officer..

Item III.2. Brett LaRose: Fire Station drainage punch list item and request on behalf of the N.H. Munsill Hose, Hook & Ladder Company to apply epoxy to the Fire Station floor. Enclosed is information regarding an unresolved stormwater drainage concern at the Fire Station. It was originally a punch list item related to the construction of the station; however, the 12-month warranty period has elapsed and this is on the agenda to consider how to address it going forward. The deficiency was also noted in the annual stormwater inspection report. Information may be available at the meeting regarding possible options.

Members of the N.H. Munsill Hose, Hook & Ladder Company would like to propose paying for the application of an epoxy to the Fire Station floor. It is an element that

was omitted from the original Fire Station construction project because of the expense. The members are seeking Selectboard approval before taking it to the corporation board for further consideration.

RECOMMENDATION: Determine if additional information is needed. Authorize the N.H. Munsill Hose, Hook & Ladder Company to proceed.

IV. REGULAR BUSINESS.

Item IV.1. Consider approving use of VT-Alert for public notification system. Enclosed in an email and supporting information from Town Clerk/Treasurer Jen Myers recommending that the Selectboard revisit the adoption of the VT-Alert public notification system. The Town was interested in participating in 2015, but it was not implemented and the system has since changed. A draft memo of adoption is enclosed for consideration.

RECOMMENDATION: Vote to adopt the VT-Alert notification system. Identify individuals who should be included. Arrange for set-up and training.

Item IV.2. Consider adjustments to Agreement between Town and Vermont Gas Systems, Inc. proposed by VGS. Proposed edits from Vermont Gas were forwarded to Town Attorney Kevin Brown to review. Enclosed are his comments and recommendations.

RECOMMENDATION: Discussion. The Selectboard may wish to deliberate in Executive Session regarding contract negotiations.

Item IV.3. Consider request by Green Mountain Stage Race for use of Town roads. Enclosed is the Green Mountain Stage Race's 18th annual request for use of the Town roads on September 2, 2018. The route would go through downtown Bristol on 116 and use the Notch Road and South Street before turning right onto Rt. 116/17 heading to the Appalachian Gap. Racers would start to arrive in Bristol at around 10:00am and the very last racer would be through town by about 1:30pm. Police officers will be located at major intersections.

RECOMMENDATION: Approval.

Item IV.4. Consider amendment to the Stoney Hill Properties, LLC purchase and sale agreement and certain conditions. Enclosed are a number of documents associated with the pending sale of 8.61 acres behind the new Fire Station. The original purchase and sale agreement between the Town of Bristol and Stoney Hill Properties, LLC, dated July 27, 2015, established a closing date of no later than August 27, 2018 and included a number of conditions the Town (the Seller) must meet in order to qualify for the \$35,000 per acre purchase price. Special Conditions 8.A.i and iii have been completed.

Well Head Protection Area Removal

Special Condition 8.A.iv requires accomplishing the elimination of the well head protection area that encumbers most of the site. This requires that Woodland Apartments off Lovers Lane be connected to the municipal water system so that their well can be disabled. In 2016, voters approved a bond for the West Street water and stormwater project, which extended the water main from West Street to Lovers Lane and included installation of a meter pit to serve the apartments and a new fire hydrant. Then-owner Dennis Bowen died suddenly in 2017 before a written commitment for the Woodland Apartments connection could be executed and the property has been tied up in probate court. Only recently did his daughter, Susan Bowen, gain fiduciary authority to proceed with the project. She hired East Engineering last year for design and permitting of the water line connection. The Permit to Construct was recently submitted to the Vermont Department of Environmental Conservation, but issuance of the permit could take months. East Engineering is awaiting the green light from Susan Bowen to proceed with completion of the bid documents and putting it out to bid for construction. He would also serve as the project manager during construction. Only after the connection is complete and the well serving Woodland Apartments is disabled can the well head protection area be eliminated.

Utilities

Special Condition 8.A.ii. requires the Seller (Town) to install three-phase electrical power to the southerly boundary of the Fire Station property. Green Mountain Power provided a quote of \$5,550.88 to do that work. Kevin Harper initiated communication recently with GMP to get an updated quote.

Special Condition 8.A.v. requires the Seller to install fiber optic, telephone, and data lines to the southerly boundary line of the Fire Station property. Waitsfield and Champlain Valley Telecom is in the process of developing a quote.

Stipulation #3 in the Bristol Fire Station Agreement, also executed on July 27, 2015, also requires that roadway built to A76 Standards to be a public town road with curbing and accompanying appropriate sidewalks to the southerly boundary of the property to allow for future continuation.

| Pending Work | Estimate/Price | Notes |
|------------------------------|-----------------------|---|
| 380' sidewalk | \$15,960 | Estimated at \$42/lf; not sure about curbing. |
| Build remaining 180' of road | \$3,960 | 180' x \$22/foot |
| Pave remaining 180' of road | \$6,488 | 519 yds @ 12.50/yd |
| Three-phase electricity | \$5,551 | GMP quote #23257 |
| Fiber optic, telephone, data | TBD | |
| TOTAL | \$31,959 | |

The sale of the property is expected to offset these costs. We need to discuss how this work is expected to be completed and where the interim funds will come from.

Voter Approval

Special Condition 8.B. requires voter approval at a regular or special Town Meeting. It turns out, however, voter approval is not required by statute for municipalities to sell land. Perhaps it was a decision of the Selectboard at that time to have voters decide, which 24 V.S.A. § 1061 authorizes selectboards to do. 24 V.S.A. § 1061 also provides the alternative that the notice be posted in at least three places and published in the newspaper at least 30 days before the planned conveyance. If a petition signed by 5% of the legal voters is received within 30 days of the date of posting/publication, a special Town Meeting would need to be called to allow the voters to decide. A special Town Meeting would also require at least 30 days notice. Enclosed is a draft notice of conveyance. The details would need to be filled in. If approved (at least in concept) on July 9, the soonest it could be published would be the Monday, July 16, 2018 *Addison County Independent*. It should first be reviewed by our Town Attorney to ensure the notice is sufficient.

Purchase Price

Enclosed is a table prepared by Assistant Treasurer Peter Ryan itemizing costs associated with this project that were not included in the Fire Station or West Street water and stormwater project bonds. Sale of the property was expected to offset these costs. Under the current agreement, if the above conditions are not met, the price per acre drops to \$25,000—an overall reduction of \$51,982.

P&S Amendment

The proposed amendment to the purchase and sale agreement includes the option to use the public notice of conveyance approach instead of requiring voter approval, adjusted dates for meeting the conditions, and an adjusted payment schedule.

RECOMMENDATION: Discussion. The Selectboard may wish to deliberate in Executive Session regarding contract negotiations.

Item IV.5. Continued review of Selectboard goals, priorities, and general schedule for 2018 – 2019. Enclosed is an updated Selectboard calendar for the year ahead. Its purpose is to provide an overview of matters that are expected to be on the Selectboard's docket over the coming months. A general list is also provided of pending projects and activities. I hope to have for the July 9 meeting a more detailed list of those activities and their status. This is an opportunity to consider the Selectboard's goals, identify matters that should be added to the lists, set priorities, and identify target dates for matters to be taken up or completed.

RECOMMENDATION: Discussion.

Item IV.6. Approval of meeting minutes of June 25 and June 27, 2018. A draft of the June 27, 2018 minutes is complete (yay!). A non-reviewed draft of the June 25, 2018 is enclosed for reference.

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

V. OTHER BUSINESS.

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

- Letter from the Vermont Division for Historic Preservation, 06/27/2018, reporting that the Downtown Transportation Grant-funded sidewalk and lighting improvement project was determined to have no negative impacts on downtown historic properties.
- 2017-2018 Annual Core Area Wastewater System Evaluation, June 2018, prepared by Green Mountain Engineering.

VI. EXECUTIVE SESSION.

The Selectboard may deliberate in Executive Session per 1 V.S.A. §313(a)(3) regarding the appointment or evaluation of a public officer or employee, potential real estate negotiations per 1 V.S.A. §313(a)(2), and potential contract negotiations per 1 V.S.A. §313(a)(1)(A).

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Minutes

Previous minutes are again not on the agenda for review or action for the same reasons as before. I expect we will be able to catch up on review of the collection of draft minutes in the coming weeks.

Schedules

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

Week of July 2

Out of the office.

Week of July 9

Monday: 7:00pm – Selectboard.

Tuesday: In at 12:00pm.

Wednesday: 3:00pm – Meeting with Ian.

Upcoming Meetings

Below are meetings that citizens, staff, board members, or others might be interested in. Underlined entries include on-line hyperlinks for more information.

- Selectboard: Mon., July 9, 7:00pm, at Holley Hall.
- Conservation Commission: Thurs., July 12, 6:00pm, at Holley Hall.
- Planning Commission: Tues., July 17, 7:00pm, at Holley Hall.
- Bristol CORE: Weds., July 18, 9:00am, Holley Hall.
- **Bristol Energy Committee**: Weds., July 18, 7:00pm, at Holley Hall.
- Selectboard: Mon., July 23, 7:00pm, at Holley Hall.

Upcoming Agenda Items

Likely agenda items for upcoming meetings include:

- Fire Department revised policy manual.
- Set tax rate.
- Continued appointment/reappointment of local officials.
- Continued consideration of the Orchard Terrace water line extension and cash flow projections.
- Police Chief candidate interviews.
- Review Recreation Dept. survey results.
- Sidewalk replacement bids.
- Howden Hall and band stand painting bids.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator