

Bristol Town Administrator's Report

July 17, 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 23, 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. Everett and Nancy Lee: request to abate water bill. Enclosed is a request from Everett and Nancy Lee that a portion of their water bill be abated.

RECOMMENDATION: Discussion. Determine next steps.

Item III.2. Consider request from Treefort, LLC for Bristol Cliffs Café water bill abatement. Enclosed is a letter from Barbara and Chris Conner, et al., requesting abatement of the recent water bill for Bristol Cliffs Café, which was more than double the typical water bill for that period. The overage is attributed to the same leak that resulted in a large sewer bill, which the Selectboard partially abated at the meeting on June 25, 2018. The leak was attributed to a failed O-ring at the meter; there was discussion about whether the leak was on the Water District's side or the owner's side of the meter.

RECOMMENDATION: Discussion. Determine next steps.

IV. REGULAR BUSINESS.

Item IV.1. Consider next steps and possible finalization of Agreement between Town and Vermont Gas Systems. In response to the Selectboard's question from the previous meeting, Town Attorney Kevin Brown affirmed that any construction after the initial installation would be Vermont Gas' sole liability and that the indemnification language in the

agreement is very broad. If or when VGS adds a service line, they will need to apply and receive a permit to work in the roadways and right-of-way. That permit, issued by the Public Works Foreman or his/her designee, should contain the language that it is subject to the terms and conditions of the License Agreement. The Selectboard may also want to consider including a condition in the ROW permit that the proposed service connection plan be reviewed by the Town Engineer and Town Administrator to ensure there are no conflicts with existing or planned infrastructure.

A letter was received from Attorney Jim Dumont asserting that 24 V.S.A. §1061 regarding conveyance of real estate applies to this agreement and that a Notice of Conveyance would need to 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. Or, as we discussed at the previous meeting regarding Stoney Hill Properties, the Selectboard could, on its own initiative, could elect to go right to the special Town Meeting.

RECOMMENDATION: Discussion. Determine next steps.

Item IV.2. Finalize amendment to the Stoney Hill Properties, LLC purchase and sale agreement.

At the previous meeting, the Selectboard endorsed the proposed Purchase and Sale Agreement amendment, subject to Kevin Harper and I working out the final dates to be included. A deadline of June 30, 2019 was initially proposed for completion of the Town's infrastructure commitments. The date in the current draft has been pulled back to December 31, 2018 to reflect the fact that, even if the construction permit for the Woodland Apartments connection is not issued until October, there would still be plenty of time to complete the two-week job. Also, a number of people have expressed the opinion that bids may be more favorable than originally expected, especially with materials costs expected to increase next year.

Enclosed is a copy of the Notice of Intent to Convey Real Estate, which has been posted at the Town Office, Shaw's, Library, and Web site and published in the July 16 *Addison Independent*.

RECOMMENDATION: Vote to accept final amendment.

Item IV.3. Consider curb cut application #18-03DA: Wilma Wood on Hardscrabble Road (tentative). Enclosed is a curb cut application for access to a new residential use off Hardscrabble Road. It has not yet been reviewed by the Public Works Foreman or the Assistant Foreman, but there is a chance we will receive their recommendation by Monday's meeting. An E-911 address will not be assigned until the location of the driveway has been approved.

RECOMMENDATION: Receive recommendation from the Public Works Foreman or the Assistant Foreman, if available. Approval per his recommendation.

Item IV.4. Approval of meeting minutes of July 9, 2018. A partially-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.

- E-mail from Brian LaClair, 07/16/2018, re Bristol Hub updates.
- Notice from the VT Dept. of Taxes, 07/12/2018, re Education Tax Rates for FY2019.
- Memo from the ACSWMD, 07/06/2018, re solicitation of interest to participate in a regional drop-off center pilot project.
- Letter from Vermont Gas Systems, Inc., 06/27/2018, re stream alteration permit application.
- Official notice from the U.S. Court of Federal Claims of a class action suit regarding federal underpayment of payment in lieu of taxes for federal lands.
- E-mail from Matlak Mayforth, 06/25/2018, re Historic Preservation conference follow-up.
- Note of thanks from Melanie Kessler, 06/25/2018.
- E-mail from the Bristol Fire Dept., 06/14/2018, re refurbished computer follow-up.

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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Schedules

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

Week of July 23

Monday: 7:00pm – Selectboard.

Tuesday: In at 12:00pm.

Wednesday: 9:00am – TreeWorks quarterly loan meeting.
1:30 – Town Office will close.

Thursday: 10:00am – meeting with Meridith and VLCT Loss Control at Holley Hall, followed by meeting with Eric Cota at the DPW site.

Friday: TBD – VTrans monitoring visit for grants BC1753, GR1017, P01795, and P01603.

Week of July 30

No scheduled meetings so far.

New Recreation Department Assistant

We are happy to announce that Alex Mihavics, currently residing in Hinesburg, has accepted the position of Recreation Department Assistant! He comes to us with a Bachelor's Degree in Business Administration and is currently the Assistant Director at the Pok-O-MacCready Outdoor Education Center in Willsboro, NY. He will join us full time on August 6 and has kindly agreed to transition in starting this week at 4 to 8 hours per week until then.

New Public Works Employee

We are also happy to report that Joshua Martell, a resident of Lincoln, will be joining the Public Works Department team on July 30! He brings a wide range of experience, with the most recent being a Transportation Journeyman for the Vermont Agency of Transportation.

West Street Infrastructure Project

On Friday, July 13, Public Works Foreman Eric Cota and I did the final walk-through with representatives from Munson Earth-Moving and Green Mountain Engineering. All agreed that this second crew from Munson went much more smoothly and with better results than the previous crew, thanks to the oversight and prompt attention to matters from Foreman Rodney Rivers, Project Superintendent Eric Freehart, and Vice President Lindsay Vincelette. There is a one-year warranty on all the work, including the sidewalk and restored green spaces. The lack of rain has challenged the grass from getting established, but there is expected to be enough viable seed present that it should take hold if we get some rain or property owners water the areas. Eric Cota was very pleased with the corrected paving on West Street and Lovers Lane.

Band Stand Painting

Reminder that Patrick Lepore from *Always Quality Painting* plans to begin the job July 23. Painting is expected to happen Tuesday and Wednesday, weather permitting.

We received word from Ken Weston that the Bristol Band officers voted to pay for the band stand renovation! The bid price was \$2,900. Thank you Bristol Band for your thoughtful generosity!

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 23, 7:00pm, at Holley Hall.
- [Selectboard](#): Mon., August 6, 7:00pm, at Holley Hall.
- [Conservation Commission](#): Thurs., August 9, 6:00pm, at Holley Hall.
- [Bristol CORE](#): Weds., August 15, 9:00am, Holley Hall.
- **Bristol Energy Committee**: Weds., August 15, 7:00pm, at Holley Hall.
- **Bristol Hub Teen Center 20th Birthday/Anniversary**: Fri., August 17, 2:00pm, at the Hub and Skate Park.
- [Planning Commission](#): Tues., August 21, 7:00pm, at Holley Hall.

Upcoming Agenda Items

Likely agenda items for upcoming meetings include:

- Fire Department revised policy manual.
- Set tax rate.
- Water Ordinance updates.
- 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