

**Town of Bristol, Vermont
Selectboard Meeting Minutes of
Monday December 17, 2018**

Selectboard members present: Chair Peter Coffey, Vice-Chair Joel Bouvier, Peeker Heffernan, and Ted Lylis. Late arrival: Michelle Perlee.

Staff present: Town Administrator Valerie Capels, DPW Foreman Eric Cota, Police Chief Bruce Nason, Zoning Administrator Kris Perlee.

Others present: Ian Albinson, Shawn Kimball (NeafTV), Andrew L'Roe (ACRPC), Jim Quaglino.

I. Call to Order.

1. Chair Peter Coffey called the meeting to order at 6:00 p.m. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). No additions, removals, or adjustments.

II. Public Forum.

1. Jim Quaglino – Thank you to the Selectboard and all the town employees and volunteers who did so much work for the Town this year and wish everyone a Merry Christmas and Happy New Year. Selectboard responded in kind.

III. Regular Business.

1. **Continued consideration of the proposed updates to the Bristol zoning permit and subdivision fee scheduled.** Kris Perlee joined. This was on the Agenda back in October and some questions arose as to examples that were provided and the definition and application of the term residential vs commercial. Kris is here to explain the rationale behind the uses of those different terms and why in some instances a multi-family house is considered residential and not commercial. When the zoning regulations were redone and even in the previous zoning regulations - residential is residential whether there is one dwelling unit or 10. Commercial by definition in the zoning regulations is someone who sells or produces a good to the public. A rental unit is not such a thing. As far as safety goes anything over three units Division of Fire Safety is involved so from that standpoint is covered there. Any multi-family dwelling in the town at a minimum has to go through site plan review and almost all of them has to go through conditional use. The Town regulations prohibit multi-family dwellings on West St as we didn't want larger older homes in the Gateway into town turned into apartment buildings – changes dynamic. To Convert or build a multi-family structure conditional use is a fairly rigorous process – must provide site map, parking specs, meet landscaping criteria and the hardest is septic which is controlled by the state. Acker Building on Liberty Street is multi family. It went through site plan review and met all criteria. Permitted prior to new zoning regulations. The same project could not be permitted today under current regulations. He could not add to it without going through Zoning Board of Adjustment and proving it out as an addition to a non-conforming but it wouldn't happen as it's a prohibited use. This question came in the connection with the fee schedule and examples provided where residential fee was applied to different scenarios and why the commercial fee isn't applied. Residential replacement on the proposed list there's a \$50 fee. This is more for the mobile homes where a new one is swapped for the old one and the fee is for the administrative processing to be done. For a fire we would not charge this fee. Report shows

the activity has gone on this year – NEMRC software doesn't total out. Signs – different amounts – Kris' mistake in typing. Certificate of Compliance also had mistake in typing as well. Has there been any complaints about proposed fees, in particular, commercial? It's based on square footage and there is a significant amount of time spent on commercial projects. If we adopt subdivision regulations then we would go from a one acre to ten acre town which would change projects that would need to go through Act 250. Is Selectboard is comfortable approving the fee structure? Michelle made motion to accept new fees as noted. Ted Lylis seconded. Fees are effective January 1, 2019. So voted.

2. Planning & Zoning Department update: Kris Perlee. Combined with item 1.

3. Budget workshop: Fire Department. Brett Larose joined the conversation. What is current stipend for officers (7) and 9 next year. Budget reflects 10% reduction but not a true reduction. Does not include administrative assistant, clerk or town administrator time as previously reflected. 2017/2018 budget Labor - was the overage for the fire? No. Made up six months to get firemen pay in fiscal year instead of calendar year and are now paying twice a year. Supply line – deals with paper, copier, etc. anything that doesn't go to another line. Building maintenance – shoot right over that real quick and we're six months in year. The floor work was all figured in – what wasn't figured in was \$2,000 in air bag filters for air vac units and it has to be purchased every 18 months. JW & DE Ryan's maintenance of mechanical service – haven't been able to get them here. Tim Ryan gave Brett the amount – the town doesn't have a contract with Ryan's. Worker's Compensation – is that number from VLCT – yes. Telephone - \$3,600 – close to \$3,700 – is that enough? Both years went over. What are numbers – we can look into it. Strictly phone no internet. Maybe go up a couple of hundred instead of \$400. Stipends – what are current ones – Truck Lt \$250; Truck Captain \$350; Lt \$500; Captain \$600; 2nd Assistant to Chief \$950; 1st Assistant to Chief \$1,050; Chief \$2,400. Two new positions will be \$500 each. Board members came to Chief that individuals who handle maintenance of the trucks should get more – bumped them and everyone else; \$9,500 for 2019/2020 year; \$500 for two new Lt positions; apparatus maintenance positions \$600; Two Captain positions \$650 each; Assistant Chief \$1,250; Deputy Chief \$1,750; Chief \$3,000; the last two those were the numbers that were advertised for the positions. Property Valuation is from VLCT as well. VLCT operates on a calendar year. Minimum increases January 1. Accident and Disability number not sure of source of figure. That's what we paid last year. Radios and pagers – combined maintenance and purchase of new pagers – wait until end of fiscal year. Active 911 app is used by some fire departments (\$10 per phone) and installed on personal phones. Shows a lot of information – very useful tool. Five-year rotation for pagers – how long to replace? Hard to say. New pager is \$450; repair is \$100. Can't depend on app only with the limited cell coverage in VT – always a delay. Didn't spend a lot last year because of purchase of new vehicle.

Tower lease – Already renewed for another five years with an annual 3% increase. We could look at having our own tower on back of fire station but would need to do testing. Would Water Tower work – no there would not be service in all directions. Chipman Hill repeater is back up site in Middlebury. A mobile repeater won't fill the gap. In a couple of years do testing to find out where best reception is. New Haven was the last known area for best reception when the

Bristol Rescue Squad did a test. The New Haven Fire Department does have space for the Fire Department but they don't currently have an outbuilding. When New Haven builds new fire station there will be an outbuilding.

Is \$25,000 enough for vehicle maintenance? Already at \$16,000 – tires were planned expense (\$5,000 for one truck). Annual chassis and pump service have been done on the big trucks. Had a set back with blown hydraulic line on engine tanker is expensive to fix and had to have towed (\$1,000+). Building and maintenance line (become \$13,500) – good inventory of dress uniforms that we can repurposed – would like to move \$1,000 from uniform line to building maintenance line. Make a building repair line separate from planned maintenance line. No repair items are baked in \$12,500 line. Pump out the water storage tanks – everything that drains out into the fire station and has to be disposed of - \$700-\$800 – at least once a year. Does not appear in building maintenance. Maybe \$1,000 goes to building maintenance line from uniforms and start new line with \$1,000 for building repair line. Leave uniform line – we do a great job of keeping clean and maintained. Desabrais dry cleaned uniforms for free.

Capital Plans – fiscal year 2016 the town had received advice from the auditors that it be changed from capital plan to operating material for e.g. the PPE materials – is there an overlap of PPE \$13,000 line item in operating plan and capital plan? There is not turn out gear and is still listed in capital plan. Is that because of grant? Using capital equipment funds to make up difference – not an annual expense. We underspent on capital equipment plan last year so was able to justify using those funds to make up because we missed out on 6 sets of turn out gear a year ago. Switched from 2% tax assessment to a flat \$70,000 allocation and this year is increased to \$100,000 allocation and taking from bond account \$30,000 and asking the tax payers to reallocate to that line to catch up on apparatus. Need of replacement engine and keeping figures crossed that it holds on for a couple of years. Taking \$30,000 out of here going to a different line and we don't want it to look like we're saving in one area but increasing in another – taxes weren't lowered. Be transparent by listing the changes. Other options for Town – can lease fire engines now. Nice to know that we are putting money in capital fund rather than asking all of it up front. Invest this money in CD? That's a treasurer question.

Town Clerk asked if any of the officers, in particular the Chief and Deputy Chief, are sworn in – No. Have Selectboard Chair swear in top two positions and then Chief could swear in remaining officers. Good idea – similar oath as Justice of the Peace or newly elected official. Something to consider so we have legal record. Town Admin will talk to Town Clerk about it.

4. All-Hazards Mitigation Plan adoption and resolution. Andrew L'Roe from Regional Planning Commission joined the conversation.

This is a 5 year plan that FEMA requires for funding. Does the Town have suggestions but there are items that can't be taken out. FEMA has already approved and needs the Town signature. The FEMA summary was helpful. A prompt for the Town on how prepared the Town is for disasters such as flood, wind storms, ice storms. What can we be planning now to mitigate or

prevent or be prepared to respond or minimize damage. Capital investments, projects to plan and budget for over time. Familiarize and look at when review emergency management plan. There are grants, etc. available. Should overlap with Town Plan – need to communicate with each other. Goes into land use with flood plan. Town has applied for and received grant funding from ACRPC to write a fluvial river hazards to go in Town Plan. Mitigation for 2004 flood included in new Stormwater system. LEOP – do you know how the Plan is going to change; about half the plan is the same and there will be asking for specific information about who is in charge. Can accept plan as is or if you feel adjustments are warranted before approval or subject to certain things being changed. If things were to be requested to change it would have to go back to FEMA. Brett was part of process but has not seen finished product. Joel Bouvier made motion to accept Plan and Ted Lylis seconded. Motion carried.

5. Emergency preparedness general discussion and update.

VT Emergency Management is doing state wide catastrophic practice (October 2019) that's going to last three days. Talked to Eric Forand who is the State Training Officer at VT Emergency Management they would like the town to participate as much or as little as possible. They want to receive info from Towns to see how the State can deal with it at Emergency Operations Center in receiving all this information at once. Level 200 class that Jen and Therese took it. Still a kit in Administrators office that can be used but needs to be updated. Do some exercises to lead up to practice. Need to update personnel information. Incident command post and emergency operations center – there is a difference. March or April will be doing update to LEOP. Have a local event. Invite three regional coordinators and contact local coordinator to assist with preparing local event. Who is State expecting to be involved? We can do as little as two hours or all day. Who could get here and who couldn't? Take advantage of Vermont Alert Administrator to give brief overview of new system and what it means to the town. Last time was three years ago on an old system.

6. Budget workshop: Public Works Department. Eric Cota.

Garage - sign rents and water dept. VTUMs does have some signs. Use portable Street light. Only saw is still at garage and is the PWD saw. Used only about three times. Materials for sale on Front Page Forum. Increase in health insurance – new employee. Reduction in disability insurance? Do not know why its lower. Need to double check numbers. No administrative costs are included in this budget. All in general fund. Parts - \$13,000 – last year was \$14,000. Is that enough? Got rid of problem truck so we should be good with \$13,000. Oil and anti-freeze \$2,500 (\$2800 2016/2017 almost \$2600 last year and at \$1272 already this year). Buy by bulk (barrel). Hydraulic fuel – don't use unless blow a hose. Think it will be ok. Contracted repair is down \$2,000 (based on old truck). \$1,300 will be good. Some are still under warranty. Garage Supply line – ok with \$5,500; will have better idea after this budget year. Will make it work.

Includes any supplies; light bulbs, toilet paper, etc. anything to do with garage. Water nozzle, broom, gas for torches. Propane jumped – cost – using more. No used oil in gray barn – just propane. Increased from \$3,000 to \$4,000. Gray barn is newest building. Green building has been insulated but needs some additional work. Open big doors and back in truck loses a lot of heat. Gray barn – propane isn't big enough for the barn. How big is burner? Don't know. Door doesn't shut all of the way due to shifting. Maintenance line – gray building – floor is settling towards dump. Capital Building Fund – not a lot in the account. Is gray building worth fixing? Building isn't big enough and needs way more than its worth. Newest barn is 40 years old (early 80's). Green bldg. built in 1971. Green building in better shape. Green building – doors are too small. Do we do whole new building? Add on to green building? Will be out of gravel maybe 4-5 years (every other year). If buildings weren't there take out gravel – go towards paying new building. Put new building by salt shed. Put new barn where green barn is and dig out where gray barn is? Make going to salt shed more gradual. Need to look at and plan on new capital barn. Is old barn good enough to move? Not really. Tandam's don't fit well. Would Selectboard be interested in authorizing an expenditure from the capital building fund sum yet to be determined? Town Administrator put together a scope of work and advertise for an engineer to do this evaluation – between \$10,000 and \$15,000? Last year's balance is about \$77,000 – added \$30,000 to capital fund? Starksboro was \$1 million. Don't want to have a study sitting on shelf if we can't do for 5-6 years. Maybe have engineer discuss phase in. Howden Hall needs painting (last painted 13 years ago). Consensus to put out to do scope of work and put out to bid. No money involved yet. Salt line – heard prices were going up. \$79.80 per ton this year. \$50,000 is about 3.5 loads (depends on storm how much you use). Maybe 4.5 buckets which is pretty close to one load. Storm drains, catch basins, guardrails – if we have bad winter we spend more for salt then we don't do storm drains, catch basins, guardrails. Upper Notch and Lincoln Rd need guardrails or need to be fixed. New line item – stone for ditching. There are new state regulations for ditching depending on grades of ditch you need to add stone. \$4,000. Would cover the amount of ditching that we do per year. If we don't ditch don't have to stone. Notch Rd – we are ditching and will need to be ditched when we pave – have some grant money from Addison County Regional Planning Commission to get grant money for the stone work we need to do at Notch project. As long as you take the sand out you can leave the stone. A lot of towns were complaining about having to take out stone and wash and put back. Pavement markings line – why is it zero? Peter had already bought the paint in last year's budget. Storm drainage – stormwater work – West St (Merchants bank across) catch basin – put in 2 years ago; one by park ECI did last time they paved. Culvert would be replaced as normal culvert work. It was discussed previously about moving catch basin out of community bank's driveway but it would involve moving and realigning the pipes. Tie from those two to bring back to North St intersection and tie into that system. Had Water Department scope it out from Post Office to North St. The jetter would only go from driveway from Champlain Farms to Holly Hall and then it hits something. Need to dig up and see if there is a collapsed pipe in there. One by post office and nothing in front of Champlain Farms. Where the water sits up here (that's about where jetter stops) and hopefully it's a collapsed pipe and we can fix and then add a catch basin. This would be done at same time as one in front of bank. Do we have enough money to do this? Mostly labor; bank to park culvert line and replace with plastic pipe (might already have). Might need ADA for lane shifting; do half and pave it and then do other half the next day. In front of

Champlain Farms do that one the next week – get it dug up or if Water Dept’s camera is working can see what’s there. This would be in this year’s budget not next years budget. Spent an hour or so looking at pipes – there’s a pipe that dumps behind Howden Hall – don’t know how it gets there. There’s also a 3 ft penstock that goes over bank go up about 50’ goes to metal culvert that’s rotted. Goes from park to post office to bank. Nothing on North Street goes toward Champlain Farms. Would want contractor to do tie into North Street. Met with Dubois & King regarding the slope at Champlain Farms and if when Route 116 in town is paved the slope can be changed. If there’s a broken pipe we need to fix that as well. Would like to add money for paving - Add to \$10,000 and \$5,000 to sidewalks. Special appropriations. Roughly 20 miles of paved road – how long does paving last – estimate 15 years if paved from ground up. Approximately \$200,000 for a mile of paved road. New Haven spends about \$400,000 a year on paving. Is there paving plan for village. North St from Pine to Pine Tree barns to be repaved this spring. Holding off on Pine St because of water line work to be done. Munsill then Elm are breaking up and is next in line for paving. Does \$2,500 come out of water to highway department for paving each year.

Long range capital plan – grader estimate may be a little low. Closer to \$300,000 in 2020/2021. Are we doing pickup this year? Body and motor and transmission is good. Notice a little bit of growling in front end. Need to check out. Could wait another year to replace truck. Grader mow board has hole in it in center – take mow off and have someone (Sargent’s) to bend a piece of metal (used mow board is \$22,000). Grader has pretty good oil leaks not sure where they are coming from. Starting to bounce again – wheel axle may be bent again. \$5,000. Maybe move up grader purchase. If you buy a return from rent it will give you warranty. Did that with loader. Run the numbers. Peeker can check price on new grader that might be comparable. Undesignated fund balance of \$200,000 for 2018. Keep 5% (overall budget) in rainy day fund. Would need to be put on town warning to use. Pickup – plan was flat bed with dump and v box sander with v plow 350-450 bracket (can be 3-4 years old). Signs, cold patching – if small truck goes down that pickup could plow village. Has 4-wheel drive - can do Briggs Hill Rd and Estey Rd if freightliner goes down.

7. Bristol Revolving Loan Fund: consider writing off Liz Lovely debt due to bankruptcy.

Michelle couldn’t find the bankruptcy. See what decree says and they granted the bankruptcy.

Did she have a personal guaranty? Can’t do anything with this until we find out

Article in BFP – Chapter 7 bankruptcy in Indiana (per Ian Albinson).

Did we make claim? Did we receive bankruptcy? Were we listed as creditor? (\$75,000). Table it for now.

8. Approval of meeting minutes of December 3, 2018 and December 18, 2017. Michelle to accept minutes for December 3, 2018. Peeker seconded. Joel - Comment Second page #7 – VGS gas line law suit attorney’s fees (12.18.2017 minutes). Motion accepted.

9. Authorize accounts payable warrant and any liquor licenses. \$202,223.99. No liquor licenses.

10. Selectboard Concerns.

a. Ted – downtown lights the north one in front of NBM and in front of Woki’s is still out. Eastview is looking for lights.

b. Ted - Condition of sidewalks after last storm – treacherous. Streets are usually good and sidewalks are typically good but this last storm people were walking in the street as sidewalks were bad. We need a better job of maintaining.

c. Ted - Phone Books. Throwing them out window to homes. Some still sitting in driveways. Don’t know what company is doing this?

d. Ted – trees look good on park.

Michelle - Devino estate. Checked with Probate Court and they will send inventory and decree of distribution.

Joel – Middlebury residents thanked businesses in Bristol for the last 3-4 Fridays that it was nice to see them open.

11. Town Administrator’s report.

Valerie - Town Report – need to think about dedication. Off line we can share ideas. Wants to follow up on sidewalks. Mountain Street was a block of ice. Public Works dept tried to get it taken care of. Mountain Street is next sidewalk to be replaced. Peter C. and Valerie get together to write Town Report.

IV. Other Business.

1. Correspondence, reports, correspondence received.

Letter from State of Vermont – grant has been closed out so items in letter no longer apply.

Executive Session: personnel matters per 1 VSA §313(a)(3) and potential contract negotiations per 1 VSA §313(a)(1)(A).

1. At approximately 8:26 pm Michelle Perlee moved to enter executive session to discuss personnel matter, potential contract negotiations and real estate negotiations per 1 V.S.A. §313(a)(3). Peeker Heffernan seconded, so voted.

Respectfully submitted by,

Sharon Lucia
Admin. Assistant and Assistant Town Clerk