

# **Bristol Town Administrator's Report**

## **February 15, 2019**

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, February 18, 2019 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.**

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. POLICE DISTRICT PUBLIC INFORMATION MEETING.**

This is the first of two public information meetings regarding the Bristol Police District and its proposed FY2020 budget. The second will be Monday, March 4, 2019, 6:00pm, upstairs in Holley Hall.

The proposed revenues and expenses in FY2020 are expected to increase by 1.6% however, the amount slated to be raised by taxes reflects a -0.4% decrease. The largest component of the increase in expenses is in compensation and benefits, as is the case among all the departments. A proportion of administrative expenses associated with the Town Clerk/Treasurer, Administrative Assistant, and Town Administrator is no longer being charged off to the department. Detail revenues are projected to decrease by almost -29%, which will be offset by the projecting increase in the MAUSD contract by 125%.

#### **IV. VISITOR APPOINTMENTS.**

Item IV.1. Brett LaRose and Raluca Cristea: Bristol Firefighter candidate. Enclosed is a memo from Fire Chief Brett LaRose recommending the appointment of Raluca Cristea as an on-call paid volunteer firefighter. Brett and Raluca are planning to be present at the meeting.

RECOMMENDATION: Discussion; possible deliberation in Executive Session per 1 V.S.A. §313(a)(3).

Item IV.2. Brian McCormick: Complaint regarding Todd Baldwin's dogs. Enclosed are copies of correspondences and Selectboard meeting minutes reflecting the numerous occasions between 2016 and 2018 the Selectboard and former Town Administrator Therese Kirby were asked to address the issue of Todd Baldwin's barking dogs. Brian McCormick has requested to meet with the Selectboard to express his continued concerns. Todd Baldwin is aware of this agenda item and has declined to attend. He reported that the shock collars are placed on the dogs between 3:00pm and 6:00pm and are taken off around 7:30am. He said they bark when they are getting fed or if there is a bear around.

RECOMMENDATION: Discussion; determine next steps. Consider scheduling a public hearing for March 18, 2019 to receive additional information.

Item IV.3. David Rosen and Melanie Lloyd: Conservation Commission candidates. Enclosed is a note from former Conservation Commissioner David Rosen and a volunteer application form from Melanie Lloyd, both expressing interest in serving on the Conservation Commission. Both will be present to meet with the Selectboard. There is currently one vacant seat (formerly Pete Diminico's), whose term runs to March 2020. David Henderson's term is up in March 2020; however, he has announced his intention to resign in March 2019 (see Agenda Item VI).

RECOMMENDATION: Discussion; possible deliberation in Executive Session per 1 V.S.A. §313(a)(3).

Item IV.4. Melanie Kessler: Public Assemblage permit request for 3rd Annual Human Powered Parade, Saturday, May 11, 2019. Enclosed is a proposed outline and mapped route of the 3<sup>rd</sup> Annual Human Powered Parade, scheduled for Saturday, May 11, 2019. The parade and festival will be based at the Bristol Hub and Skate Park and is proposed to include the following activities:

- 10:00am -11:00am: BMX show, bike decorating, test rides, games
- 11:00am - 12:30pm: Parade and community engagement stops, art, music
- 12:30pm -2:30pm: Bike Powered Music Stage, Pickleball, bike races, cargo test rides, advocacy, performances.

The event was approved by the Selectboard on April 2, 2018 with the condition that helmets will be worn by everyone, limit riding 2 by 2 as much as possible, and that traffic and road details be worked out with then-Lieutenant Bruce Nason.

RECOMMENDATION: Discuss the details; approval.

Item IV.5. Porter Knight and Kristin Underwood: Memorial Park improvements project update. Porter Knight and Kristin Underwood will be present to provide an update on the results of the structural assessment performed at Memorial Forest Park. Porter will

also provide an update on the status of the RTP grant recently applied for by the Bristol Rec Club and next steps for the park.

RECOMMENDATION: Receive the update; discussion.

## V. REGULAR BUSINESS.

Item V.1. Recreation Department: adjustment of Assistant the to Director title to Assistant Director. Enclosed is a proposal to change the Recreation Department Assistant to the Director title to Assistant Director. This change is currently limited only to the title; the outline of duties remains the same. The intent is for the title to reflect the fact that the position is more than administrative support to the directors and to convey that the position has authority in the absence of either director.

RECOMMENDATION: Approval.

Item V.2. Consider authorization for the Recreation Director to apply for a RiseVT Amplify grant funds to promote the Bristol Walking Group. Enclosed is a grant summary form for authorization for the Recreation Dept. to apply for a \$500 grant through the Rise VT Amplify program to promote the formation of a new Bristol Walking Group. The application was actually already submitted on February 7, 2019 (oops) and does not require a match. Below is an excerpt from the application that provides a nice description:

“The Bristol Recreation Department is collaborating with Mountain Health Center, Bristol Recreation Club, and BFit in bringing a healthy lifestyle to all ages of our community. The program that we are working together on is through RiseVT and promoting walking groups of Bristol. We have created a volunteer base, location check points, and a kick-off party that is in conjunction with Come Alive Outside on March 17.

“This program will bring community members of all ages to participate in a healthy, fun way to get exercise and explore the streets of Bristol and surrounding trails. Many of our older community members are looking into ways of staying active physically and socially, the walking group of Bristol will be a great resource for those looking to get outside.

“Bristol's demographics shows a high concentration of people in the age range of 35-54 and then a rise in the ages of 65-74. These are the age ranges that we are reaching out towards to promote healthy lifestyles through social events.”

Meridith plans to be present if there any questions.

RECOMMENDATION: Approval.

Item V.3. Public Assemblage permit request: Vermont Paddlers Club New Haven Ledges Race, April 13, 2019 (April 20 backup date), Eagle Park. Enclosed is a Use of Park/Public Assemblages application for us of Eagle Park and an event overview for the 10<sup>th</sup> annual New Haven Ledges Race.

According to the overview letter, the race course and format will be the same as the past several years, beginning from a start ramp below Eagle Park ending well up river of Route 116 in the pool below Bartlett Falls. The overview also provides specific details of how various matters will be addressed, including provisions for emergency response. According to the Public Assemblages Ordinance, this requires a Class 3 permit because of the nature of the event and Selectboard approval is required.

RECOMMENDATION: Approval.

Item V.4. Town Meeting preparations with Moderator Fred Baser. Enclosed is a copy of the March 4, 2019 Town Meeting warning. Moderator Fred Baser will be present to review the articles and discuss any other matters that may pertain to preparations for the floor portion of the annual Town Meeting.

RECOMMENDATION: Discussion.

Item V.5. Consider request from a motorist for reimbursement of damages to vehicle from collision with a pot hole on Rocky Dale Road. Enclosed is documentation related to a request from Amber Germain for reimbursement of \$357 for damage done to her vehicle after hitting a pothole on Rocky Dale Road on February 5, 2019 at approx. 6:30pm. The Town's deductible through VLCT PACIF is \$1,000, so it is not practical to submit a claim. The VLCT PACIF has typically maintained that municipalities are not legally liable for property damage due to municipal highway maintenance operations (potholes in particular), as long as negligence was not involved on the part of the Town and reasonable efforts were made in a reasonable timeframe to repair the condition that caused the damage once it was known. They go further to say that the fact a road develops a pothole is not the fault of the Town. It is, however, the duty of the Town to make reasonable efforts to address the situation in a reasonable time once notified of it. It would be up to the Selectboard to decide if the facts of a given situation warrant some other consideration. Additional information will be available at the meeting.

RECOMMENDATION: Determine next steps and if additional information is necessary.

Item V.6. Consider acceptance of a proposed contract with DuBois & King for the Main Street Lighting and Sidewalk Improvements Project. Enclosed is a proposed contract with DuBois & King for engineering services for the Main Street Lighting and Sidewalk Improvement Project. Representatives of D&K met with me and Bristol CORE Board members Amanda Sorrell and Ian Albinson this week to review the scope of work and

associated costs. They explained the rationale for their proposed approaches and associated costs. Although the numbers in their cost proposal are not changed, the contract will be based on a maximum limiting amount (MLA) rather than lump sum or open-ended time and materials basis. In this way, the Town will benefit if their costs come in lower than estimated and the maximum cost is known. The construction inspection services component (\$12,041 estimated) was removed to be negotiated after the construction contractor is selected because the inspection services needed will be influenced by the construction contractor selected and we will have a better idea at that point what would be appropriate.

RECOMMENDATION: Approval; authorize the Town Administrator to sign the contact.

Item V.7. Consider authorization for the Town Administrator to apply for additional Downtown Transportation Fund grant funds for the Main Street Lighting and Sidewalk Improvement Project. Enclosed is a grant summary form and application resolution for authorizing the Town Administrator to apply for an additional \$47,500 grant through the Vermont Downtown Transportation Fund. Even though we received the maximum grant award amount of \$100,000 for the project last year, we are eligible to apply for additional funds this year. However, we are advised to request less than the maximum amount. Our application last year to the VTrans Bicycle and Pedestrian Program for \$181,700 was not funded. Enclosed is a table with updated project cost estimates based on the cost figures from the 01/09/2019 DuBois & Kind cost proposal. Although the grant would only reduce the updated overall project cost by \$2,700 to be funded through the Revolving Loan Fund or other sources (from \$147,867 to \$145,159), it would close the MLA engineering cost gap and provide for the addition of benches and bike racks on Main Street.

RECOMMENDATION: Approval; approve and sign the Downtown Transportation Fund application resolution.

Item V.8. Approval of meeting minutes of December 17, 2018, January 28, 2019, and February 4, 2019. Draft minutes of the February 4, 2019 meeting are enclosed. Draft minutes of the December 17, 2018 and January 28, 2019 are in progress. If not e-mailed and posted prior to Monday's meeting, they should be available at an upcoming meeting.

## **VI. OTHER BUSINESS.**

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

- E-mail on behalf of David Henderson, 01/04/2019, regarding his intent to resign from the Conservation Commission.
- E-mail and quote, 02/11/2019, from Tree Ridge regarding installation of additional wireless microphones in Holley Hall.
- E-mails 02/05/2019, re Mountain Street drainage and BES dry wells.
- Budget status report through 01/31/2019.

- Letter from Prevent Child Abuse, 01/25/2019, re Child Abuse Prevention Month invitation.

## **VII. EXECUTIVE SESSION.**

The Selectboard may deliberate in Executive Session per 1 V.S.A. §313(a)(3) regarding personnel matters per 1 V.S.A. §313(a)(3), contract negotiations per 1 V.S.A. §313(a)(1)(A), and pending litigation per 1 V.S.A. §313(a)(1)(E).

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### **Town Reports to the Printer**

The Town Report is at the printer and is expected to be delivered to the Town Office by Wednesday, February 20, 2019.

### **2019-2020 Mowing Out to Bid**

A request for proposals has been issued for mowing bids for the 2019 and 2020 mowing seasons. Properties include all the Town-owned building grounds, parks, cemeteries, and the sewer leach field. Bids are due by noon, March 1, 2019.

### **Quotes for Maple Street Tree Replacement**

I have begun to receive quotes for the installation of Autumn Blaze maple trees on Maple Street. This will likely be on the March 18, 2019 Selectboard agenda.

### **Priority List Applications Submitted**

The CWSRF Priority List application for the Bristol Core Sewer upgrade planning loan was successfully submitted. We went ahead and added one to the DWSRF Priority List for a planning loan to begin the engineering for the Pine Street water line replacement, which was identified in the Water District Long-Range Capital Plan.

### **Schedule**

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

#### **Week of Feb. 18**

Monday: President's Day Holiday – Town Office will be CLOSED.  
6:00pm – Selectboard.

Tuesday: 12:00pm – appointment in S. Burlington; should be in by 1:00pm.

Wednesday: Out of the office: various meetings and appointments.

Thursday: 7:30am – ACEDC Board meeting in Middlebury.  
10:00am – Informational meeting on Northern Border Regional Commission (NBRC) funding opportunity @ Middlebury Town Office.  
12:30pm – Eric Forand re Cat 4 training exercise.

#### **Week of Feb. 25**

Monday: 7:30am – PT in Waitsfield; should be in by 10:00am.

Tuesday: 10:00am – VT-Alert training at Holley Hall.  
4:00pm – Appt. in Berlin, will need to leave by 2:45pm.

### **Upcoming Meetings**

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

- [Selectboard](#): Mon., Feb. 18, 6:00pm, at Holley Hall.
- [Planning Commission](#): Tues., Feb. 19, 7:00pm, at Holley Hall.
- [Bristol Energy Committee](#): Weds., Feb. 20, 7:00pm, at Lawrence Memorial Library.
- [Selectboard](#): Mon., Mar. 4, 6:00pm, at Holley Hall.
- [Bristol CORE](#): Weds., Mar. 6, 9:00am, Holley Hall.
- Daylight Saving Time: Sunday, March 10, 2019, 2:00am.
- [Selectboard](#): Mon., Mar. 18, 7:00pm, at Holley Hall
- [Conservation Commission](#): Thurs., Mar. 14, 6:00pm, at Holley Hall.

### **Upcoming Agenda Items**

Likely agenda items for upcoming meetings include:

- Police District informational meeting.
- Maple Street tree replacement quotes.
- Review of mowing bids for the 2019 and 2020 seasons.
- Bristol Fire Dept. policies review.
- Continued appointment/reappointment of local officials.
- Water Ordinance updates.
- Adirondack View right-of-way status.
- Police Union contract review.
- Continued consideration of the Orchard Terrace water line extension and cash flow projections.
- Other stuff.

Respectfully submitted,

Valerie Capels, Town Administrator