

**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.

Jim Quaglino expressed thanks to the Selectboard and all the town employees and volunteers who did so much work for the Town this year and wished everyone a Merry Christmas and Happy New Year. Selectboard members responded in kind.

III. Regular Business.

1. **Continued consideration of the proposed updates to the Bristol zoning permit and subdivision fee scheduled.** This was on the agenda in October and some questions arose regarding examples that were provided and the definition and application of the term residential vs commercial. Kris Perlee explained the rationale behind the use of those different terms and why in some instances a multi-family house is considered residential and not commercial. In the zoning regulations, residential is residential whether there is one dwelling unit or ten and commercial by definition is someone who sells or produces a good to the public. A rental unit is not such a product. Anything over three units the Vermont Division of Fire Safety is involved. Multi-family dwellings must go through site plan review and almost all of them go through conditional use review. Multi-family dwellings are prohibited on West Street to prevent the larger older homes in the gateway into town being turned into apartment buildings and changing the dynamic. 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 was not applied. Kris explained the residential replacement fee of \$50 is for mobile homes where a new one is swapped for the old one and the fee is for the administrative processing to be done. Kris explained the NEMRC report of activity that has gone on this year. 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. Michelle Perlee made motion to accept new fees as presented to take effect January 1, 2019. Ted Lylis seconded. So voted.

2. Planning & Zoning Department update: Kris Perlee. This was combined with item 1.

3. Budget workshop: Fire Department. Fire Chief Brett Larose explained the proposed changes in stipends for officers and increasing the number from 7 to 9 next year. The budget reflects 10% reduction, but not a true reduction because it does not include administrative assistant, clerk, or town administrator time as previously reflected. The 2017/2018 Labor figure reflects the six months transition to get firemen pay on a fiscal year instead of calendar year and are now paying twice a year. Supply line – deals with paper, copier, etc. anything that does not go to another line. Building maintenance is already over six months into the year. The floor work was all figured in; what was not figured in was \$2,000 in air bag filters for air vac units and it needs to be purchased every 18 months. Telephone expense was discussed, as both years went over. It is strictly phone, no Internet. Valerie will look into it.

Current stipends: Truck Lt \$250; Truck Captain \$350; Lt \$500; Captain \$600; 2nd Assistant to Chief \$950; 1st Assistant to Chief \$1,050; Chief \$2,400. Brett proposes two new positions at \$500 each. It had been suggested 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, which operates on a calendar year. The premium increases January 1. It was not clear how the Accident and Disability number was derived; it is what was paid last year. Radios and pagers – combined maintenance and purchase of new pagers – wait until end of fiscal year. The Active 911 app is used by some fire departments (\$10 per phone) and installed on personal phones. It is a very useful tool. There is a five-year rotation for pagers. A new pager is \$450; repair is \$100. The purchase of new pagers was delayed last year because of the purchase of the new vehicle.

The tower lease has been renewed for another five years with an annual 3% increase. Other options to locate a tower were discussed. The back of Fire Station would require testing. The Water Tower will not work because there would not be service in all directions. 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 do not currently have an outbuilding. When New Haven builds new fire station there will be an outbuilding.

Vehicle maintenance was discussed and whether \$25,000 will be enough. Expenses are already at \$16,000.

Brett said there is a good inventory of dress uniforms that can be repurposed. He proposed to move \$1,000 from Uniforms line to the Building Maintenance line and to make a new Building Repair line separate from Planned Maintenance line. No repair items are baked in the \$12,500 line. There was agreement to start new Building Repair line with \$1,000 Brett noted that Desabrais Laundry and Dry Cleaning dry clean their uniforms for free.

Brett noted that the Town received advice from the auditors in FY2016 that some things, such as PPE materials be changed from the capital plan to operating budget A question was raised

whether there is an overlap of the PPE \$13,000 line item in operating plan and capital plan? Brett explained that the turn out gear is still listed in capital plan. The Dept. underspent on the capital equipment plan last year so was able to justify using those funds to make up because they missed out on six sets of turn out gear a year ago.

Last year the Town switched from 2% tax assessment to a flat \$70,000 allocation and this year is increased to \$100,000 by taking from \$30,000 bond amount that will be paid off and asking the tax payers to reallocate it to that line to catch up on apparatus. We are in need of a replacement engine and are keeping fingers crossed that it holds on for a couple of years. Other options for the Town can include leasing fire engines now.

There was discussion whether the Chief and Deputy Chief are sworn in. They are not and the suggestion was made that the Selectboard Chair swear in the top two positions and then the Chief could swear in remaining officers. A similar oath as Justice of the Peace or newly elected official could be used. Town Admin will talk to Town Clerk about it.

4. All-Hazards Mitigation Plan adoption and resolution. Andrew L'Roe from the Addison County Regional Planning Commission explained this is a five year plan that FEMA requires for funding through its programs. FEMA has already approved the proposed plan and needs the Town to adopt and sign the resolution. Valerie Capels noted that the FEMA summary was helpful and is a useful prompt for the Town on how prepared it is for disasters such as floods, wind storms, ice storms. What can we be planning now to mitigate or prevent or be prepared to respond to or minimize damage. capital investments, and projects to plan and budget for over time. This plan should overlap with the Town Plan; they need to communicate with each other. 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. Joel Bouvier made motion to accept All-Hazards Mitigation Plan and approve the resolution. Ted Lylis seconded. Motion carried.

5. Emergency preparedness general discussion and update. Peter Coffey reported that VT Emergency Management is doing state wide catastrophic practice in October 2019 that is going to last three days. They talked to Eric Forand, who is the State Training Officer at VT Emergency Management, and 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 their Emergency Operations Center in receiving all this information at once. Jen Myers and Therese Kirby took the Level 200 class. A kit is still in the Administrator's office that can be used but needs to be updated. In March or April we will be updating the Local Emergency Operation

Plan. We should also invite the Vermont Alert Administrator to give a 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.

Public Works Foreman Eric Cota explained that VTUMS no longer rents signs from them. Use of the portable Street light and saw is reimbursed per event. Increase in health insurance is due to a change in employees. Need to double check numbers for why the Disability Insurance line is lower. No administrative costs are included in this budget.

Eric explained that Parts is lower because they got rid of problem truck so we should be good with \$13,000. He believes Oil, Anti-freeze at \$2,500 (\$2,800 FY2017, almost \$2,600 last year, and at \$1,272 already this year) will be enough because they buy by bulk (barrel) and do not use hydraulic fuel unless they blow a hose. Contracted Repair is down \$2,000 because the old truck is gone. and some are still under warranty. Garage Supply line is OK with \$5,500; will have better idea after this budget year. He will make it work. It includes any supplies like light bulbs, toilet paper, etc. anything to do with garage. There is no more used oil in the gray barn, just propane, which increased from \$3,000 to \$4,000. The gray barn is newest building. The green building has been insulated but needs some additional work.

There was discussion about maintenance needs for the gray barn. Opening the big doors and backing in trucks loses a lot of heat. Propane is not big enough to heat the barn. The door does not shut all of the way due to shifting. The floor is settling toward the dump. The building is not big enough and needs way more than it is worth.

The newest barn is 40 years old, built in the early 80s. The green barn was built in 1971 and is in better shape, but the doors are too small. Do we need a whole new building? Add on to green building?

It was noted that the Town will be out of gravel maybe four to five years (gravel is crushed every other year), yet the Public Works barns are sitting on a large supply of gravel. If the buildings were not there, perhaps gravel taken from there could go toward paying for a new building. A new building could go by salt shed. Put a new barn where green barn is and dig out where gray barn is? Make going to salt shed more gradual. Valerie Capels asked if the Selectboard would be interested in authorizing an expenditure from the Capital Building Fund a sum yet to be determined to hire an engineer to evaluate the buildings and site and come up with recommendations? She could put together a scope of work and estimates this evaluation could cost between \$10,000 and \$20,000. Last year's balance in the Capital Building Fund is about \$77,000 and \$30,000 will be added this year. It was noted that Starksboro's new Town Garage was \$1 million. Maybe have engineer discuss phase in. It was noted that Howden Hall needs painting (last painted 13 years ago). There was consensus of the Board to put a scope of work out to bid and that no money is involved yet.

Eric explained that salt prices were going up to \$79.80 per ton this year. \$50,000 is about 3.5 loads, depending on the storm will determine how much is used. Maybe 4.5 buckets which is

pretty close to one load. If we have a bad winter, we spend more for salt and then we do not do storm drains, catch basins, and guardrails.

Eric said Upper Notch and Lincoln Road need new guardrails or have guardrails that need to be fixed. He is proposing a new line item – Stone for Ditching. New state regulations for ditching depending on the grades of ditches will require more stone. \$4,000 would cover the amount of ditching that they do per year. If they do not ditch, they do not need to stone. They are ditching on Notch Road and it will need to be ditched when they pave. They are hoping to get grant money for the stone work needed at the Notch project. Pavement markings line is zero because Peter Bouvier had already bought the paint in last year's budget.

Storm drainage on West Street by Merchants Bank was discussed. The culvert would be replaced as normal culvert work. Moving the catch basin out of the Community Bank's driveway was discussed, but it would involve moving and realigning the pipes. The Water Department scoped the pipe out from the Post Office to South Street but hit a blockage. It will need to be dug up and see if there is a collapsed pipe. Where the water sits, this would be done at the same time as the one in front of the bank. The cost would be mostly labor and may need ADA for lane shifting. They plan to do half and pave it and then do other half the next day. This would be in this year's budget.

There was discussion about adding money for paving and sidewalks in Special Appropriations. Bristol has roughly 20 miles of paved road. Paving lasts about 15 years if paved from the ground up and costs approximately \$200,000 for a mile of paved road. New Haven spends about \$400,000 a year on paving. North Street from Pine Street to Pine Tree Farms is planned to be repaved this spring. They are holding off on Pine Street because of water line work to be done. Munsill then Elm are breaking up and are next in line for paving.

The grader expense in the long-range capital plan may be a little low--closer to \$300,000 in 2020/2021. There was discussion whether to replace the pickup this year. Numerous issues were identified with the grader and there was agreement its replacement should be moved up. Peeker offered to check the price on a new grader and whether that might be comparable to the arrangement that was done with the loader. There was agreement that the Equipment Committee should review the numbers and make a recommendation.

The undesignated fund balance of more than \$200,000 for FY2017 was discussed. There has been general policy to keep five percent (5%) of the operating budget in a rainy day fund. It may need to be put on town meeting warning to use.

The plan for the replacement Pickup was a flat bed with dump and v box sander with v plow 350-450 bracket (can be 3-4 years old). If the small truck goes down that pickup could plow village. It has 4-wheel drive and can do Briggs Hill Road and Estey Road if the Freightliner goes down.

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

Michelle Perlee reported she could not find records of the Liz Lovely bankruptcy. She wanted to see what the decree said about the bankruptcy. Did she have a personal guaranty? Did we make claim? Did we receive bankruptcy? Were we listed as creditor? (\$75,000). Ian Albinson shared that he found a Burlington Free Press article on-line that said the bankruptcy was filed in Indiana. There was agreement to table it for now.

7. Approval of meeting minutes of December 3, 2018 and December 18, 2017. Michelle Perlee moved to accept minutes for December 3, 2018. Pecker seconded. Joel commented about the VGS gas line law suit attorney's fees on the second page (12.18.2017 minutes). The motion passed.

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

9. Selectboard Concerns.

Ted Lylis expressed concern that the downtown lights one in front of NBM and in front of Woki's are still out. Valerie Capels reported that East View Electric is having difficulty finding the appropriate light bulbs. Ted noted the condition of sidewalks after the last storm was treacherous. The 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 to do a better job of maintaining them. He also expressed concern about the phone books that are being thrown out car windows to homes. Some are still sitting in driveways and it is littering. It was not known what company is doing this. He added that the trees on the Village Green Park look really good.

Michelle Perlee reported that she found information on the Devino estate. She checked with the Probate Court and they will send inventory and decree of distribution.

Joel Bouvier reported that Middlebury residents thanked businesses in Bristol, it was nice to see them open later for the last three to four Fridays.

10. Town Administrator's report.

Valerie Capels suggested we think about a dedication for the Town Report and share ideas off-line. She acknowledged that the Mountain Street sidewalk was a block of ice and that the Public Works Dept. tried to get it taken care of. Mountain Street is next sidewalk to be replaced. She and Peter Coffey will be getting together to write their reports for the Town Report.

IV. Other Business.

1. Correspondence, reports, correspondence received.

A letter from the State of Vermont was acknowledged that the Bristol Family Housing CDBG grant has been closed out satisfactorily.

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

Michelle Perlee moved to enter executive session to discuss personnel matter per 1 V.S.A. §313(a)(3), potential contract negotiations per 1 V.S.A. §313(a)(1)(a), and real estate negotiations per 1 V.S.A. §313(a)(2). Police Chief Bruce Nason was invited to participate. Peeker Heffernan seconded, so voted. The Selectboard met in executive session from 8:26 pm to 9:20 pm. Upon returning to open session, Peeker Heffernan moved to authorize the Police Chief to negotiate with the Town of Lincoln for potential contracted Police services. Ted Lylis seconded. The motion passed 4-1 with Joel Bouvier opposed.

Peeker Heffernan moved to adjust Cale Pelland's compensation following his six-month review per the recommendation of Foreman Eric Cota. Joel Bouvier seconded. So voted.

Michelle Perlee authorized the Town Administrator to make a counter offer to the Shepards for 76 West Street based on the inspection report as discussed. Ted Lylis seconded. So voted.

VI. Adjourn.

Michelle Perlee moved to adjourn the meeting. Peeker Heffernan seconded. So voted. The meeting was adjourned at 9:25pm.

Respectfully submitted by,

Sharon Lucia
Admin. Assistant and Assistant Town Clerk

Valerie Capels
Town Administrator