

**MINUTES OF THE SPECIAL TOWN MEETING OF
THE TOWN OF WATERBURY
MAY 9, 2011**

The inhabitants of the Town of Waterbury who are legal voters in Town Meetings are hereby notified and warned to meet in a Special Town Meeting at the Thatcher Brook Primary School Cafeteria in the Village of Waterbury at 7:00 oæclock in the afternoon on May 9, 2011 to act on the following matters:

The Moderator, Jeffrey Kilgore, called the meeting to order at 7:00p.m., and read the rules and procedures for the meeting.

ARTICLE 1: To see if the Town will appropriate a sum of money to purchase and make improvements to a .15 acre parcel owned by Tammy Gibbs, located at the intersection of Waterbury-Stowe Road and Hollow Road in Waterbury Center and to authorize the select board to finance such expenditure by note for a period not to exceed five years on terms acceptable to the Select Board

J. Grenier made a motion that the Town authorize the Select Board to borrow up to \$50,000 by note for a term not to exceed five years to purchase the Gibbs property, so-called, in accordance with the terms of the Option Agreement, executed by Tammy L. Gibbs and the Town of Waterbury, dated March 9, 2011, and to improve the property for public use as deemed appropriate by the Select Board. The motion was seconded by R. Ellis.

J. Grenier spoke to the motion and expressed the desire of the Select Board to purchase the property so that the Town will have options, such as moving the telephone pole at the intersection, providing some parking for cemetery, and ensuring that a house will not be built or placed on the property.

S. Lotspeich spoke in support of the motion. He stated that he uses this intersection regularly and that the telephone pole is a hindrance. He indicated that from a planning perspective, the property is a poor location for a house.

M. Wood stated he felt the price was too high and that taxes are getting out of line. L. Nelson also spoke against the motion due to money concerns.

R. Ellis spoke about the zoning on the lot and indicated that it can be built upon, and that the most likely use would be a lot for a mobile home. She stated that the Select Board does not believe the lot should be developed. The purchase price of \$40,000 is a fair price, and the motion includes an additional \$10,000 as a buffer for extra costs related to the property.

P. Ferrell felt a parking lot for the cemetery would cause more traffic, and asked if the Town could take the property, given there are delinquent taxes and water. W. Shepeluk gave a brief history of the property and explained the procedure for a tax sale.

W. Chung-Maloney asked if the Planning Board could disallow a house from being built on the property. It was indicated that according to the Town's planning by-laws, the property is developable.

E. Steele spoke in support of the motion. E. Coffey asked if anyone had talked with Green Mountain Power about moving the telephone pole. A. Tuscany indicated that no conversations with GMP have been held to date.

J. Brown of the Conservation Commission and Garden Club spoke in favor of the motion, as it would improve the intersection and provide some parking for the cemetery.

D. Sweeney asked about zoning issues relating to the septic system and B. Butler responded given his past role as the Town Health Officer.

D. McDougall asked if the Board has identified properties that they would like purchase. J. Grenier stated that, as related to this particular property, the Board is trying to do what they believe is in the best interest of the Town.

B. Doane asked if there are comparable property sales in the area to determine a price per acre. It was stated that no appraisal was done due the expense, but that the Town Assessor has assessed the property at what he believes is the minimal price given that it is a buildable lot.

The additional amount of \$10,000 included in the bond was discussed. This cost includes estimates for pumping the septic tank, installing a water spigot and gate, a phase 1 site assessment, gravel, signage and a small contingency. It also includes payment for delinquent taxes and water for which the Town will reimburse itself, and a contingency for legal fees.

Continued discussion was held as to how buying the property would make the intersection safer. S. Lotspeich explained the history of that section of Route 100 and the speed limits. He explained that if the utility pole is moved, that would open up the intersection which could then be restriped and made into a safer T-intersection. He explained that the site distance is good at that intersection.

More discussion was held with regard to the clean-up of the site and cost to relocate utility pole. P. H. Flanders indicated that there may be funds available from the State Department of Environmental Conservation for oil clean up.

The timing of the purchase was discussed. There is a tentative closing date of July 15th. This date can be extended to January of 2012. The Board will most likely wait through the 30 day rescission period before any site assessment is done.

E. Coffey requested a paper ballot vote. The Moderator explained the voting process and a paper ballot vote was approved by more than 6 voters.

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There being no further discussion, Article 1 was voted on by paper ballot and passed by a vote of 30-11

ARTICLE 2: To do any other business that may legally come before the Board during the meeting.

The Moderator reminded the voters that no binding action can be taken during other business. R. Ellis thanked everyone for their interest and participation in the meeting.

There being no further business, the meeting was adjourned at 8:20p.m.

Respectfully submitted,

Carla Lawrence
Town Clerk

Approved at a meeting held on May 16, 2011

Rebecca Ellis, Chair

Bob Butler

John Grenier

Pam Clapp

Karen Miller