

**MINUTES OF THE ANNUAL MEETING OF
THE TOWN OF WATERBURY
MARCH 5, 2013**

The inhabitants of the Town of Waterbury who are legal voters in Town Meetings are hereby notified and warned to meet in the Thatcher Brook Primary School Gym in the Village of Waterbury at 10:00 o'clock in the forenoon on March 5, 2013 to act on the following matters:

ARTICLE 1: To elect a Moderator to preside at the meetings of the Town whose term of office shall be for the ensuing year.

Chris Nordle made a motion to elect Jeff Kilgore to preside at the meetings of the Town whose term of office shall be for the ensuing year. The motion was seconded and passed by voice vote.

After the Pledge of Allegiance, the Moderator gave a review of Robert's Rules.

ARTICLE 2: To elect by Australian ballot the following offices: Clerk for 1 year; Treasurer for 1 year; One Select Board member for 3 year term and Two Select Board members for 1 year terms each; Lister for 3 years; Grand Juror for 1 year; Town Agent for 1 year; One Library Commissioner for 5 year term; One Cemetery Commissioner for 5 year term; and One Cemetery Commissioner to fill an unexpired term for 4 years.

ARTICLE 3: To elect by Australian ballot for the Waterbury Town School District one School Director for a 3-year term.

ARTICLE 4: To elect by Australian ballot for Waterbury-Duxbury School District #45 one School Director for a 3 year term.

ARTICLE 5: To elect by Australian ballot for Waterbury-Duxbury School District #45 one School Director at Large to fill an unexpired term for 1 year.

ARTICLE 6: To elect by Australian ballot for the Harwood Union High School District #19 one School Director for a 3 year term.

ARTICLE 7: To elect by Australian ballot for the Harwood Union High School District #19 one School Director to fill an unexpired term for 1 year.

ARTICLE 8: To act upon the reports of the several Town Officers with the exception of claims for fees or compensation during 2012.

Chris Viens made a motion to accept the reports of the several Town Officers as printed in the annual report, with the exception of claims for fees or compensation by town officers, for services rendered during 2012. The motion was seconded. The Municipal Manager stated that \$3,411,000 is the debt at the present time, of which over \$2 million is the remaining principal debt on the fire stations. He explained the facets of the debt in detail. With the exception of a note in 2012, the Town has not borrowed since 2010. He stated that the amount of annual indebtedness in the annual budget is a low percentage and is being used wisely.

Angela Wells asked about the use of the recreation building, and the position of the recreation program coordinator. The Municipal Manager explained that \$10,000 was added to the line item as there may be a part-time recreation director hired. He further explained other line items in the Recreation Building-Building Expenses section of the budget. The people who use the program pay for the direct costs of the programs, and the taxpayers pay for the overhead of the facilities.

There being no further discussion, the motion passed by voice vote.

ARTICLE 9: To act with respect to claims of Town Officers for their services during 2012.

The Municipal Manager made a motion to pay the claims of the Town Officers for their services rendered during 2012, as appears on page 16 of the Annual Report: Select Board Chair, \$1,450; Vice Chair, \$1,450; other Select Board members, \$1,200 each; Listers, \$300 each. The motion was seconded.

The Municipal Manager explained that the sums represent \$100 per month for Select Board members and \$500 extra to be split between the chair and vice chair. This represents an increase over the last year. During the past year, there were 49 separately warned meetings on 38 dates, 75 meetings with regard to long term community recovery planning, and numerous FEMA meetings. He placed it in the budget and thinks it is well deserved. The motion passed by voice vote.

ARTICLE 10: To see what action the Town will take with reference to fixing the date of the tax warrant on real and personal property and to set a date or dates when taxes on such property shall become due and payable and to see whether the same shall be paid with or without discount and to provide with regard for interest on such taxes as are not paid when due.

John Grenier made a motion that the tax warrant on real property be dated July 1, 2013, and that taxes be due in two installments, the first installment due and payable on August 16, 2013, and the second installment be due and payable on November 15, 2013, without discount and that interest be charged at the maximum allowed by statute, not to exceed one and one-half percent per month or portion thereof on each installment, and a late penalty of eight percent be charged as allowed by statute on taxes not paid when due. The motion was seconded.

Jim Atchinson amended the motion as follows: that the Town shall impose any penalties and interest for late payments by a 'graduated' system, to recognize that those who pay their overdue taxes promptly should be penalized less. During the period immediately following the tax due date to the end of that month, the late payment penalties and interest will be a pro-rated amount of the total that can be legally charged for delinquency. Specifically, the taxpayer's late charges will be adjusted proportionally by dividing the number of days that a payment is actually late by the total number of days from tax due date to month end, and multiplying by the maximum amounts that the Town may charge for penalties and interest. All who have not paid at the end of the month of the tax due date will be subject to the maximum penalty and interest charges. The Town Select Board will specify the details of the graduated system in such a way that will minimize the staff time required to implement and maintain the system.

J. Atchinson spoke to the amendment and indicated that they were late in paying their property taxes in November of 2012. He would like to the penalties to be a proportional amount based on when you pay your taxes, and has based the formula on a graduated system.

J. Grenier stated that the position of the Board is to discourage the amendment. They are not unsympathetic to the taxpayers, but encourage a due date for prompt payment. The Municipal Manager indicated there is a technical issue with the amendment. He stated interest is due if the first installment is late and penalties are imposed after the second installment due date. He is the Delinquent Tax Collector and often talks with people who are late in paying. The policy is that it is the Town's money, and not his money or business. The revenue from penalty and interest is used to keep the budget a bit lower, so if this income is not recognized the tax rate would have to be raised slightly. There are mechanisms to avoid being late in the form of direct debit and mortgage escrow payments.

A question was asked as to how much was budgeted during 2012 for interest and penalties. The Municipal Manager responded that \$69,000 in interest and penalties was budgeted during 2012. The actual revenue was approximately \$75,000 during 2012. During 2013, there is a budget of \$69,000 for penalties and interest. This represents about 1 cent on the tax rate. John Wulff stated that the impact would only be on penalties from the middle of the second due date to the end of the month. It was asked how much in penalties was collected just during the last 15 days. The Municipal Manager stated that the information was not available at that moment. It was also suggested that some families are less fortunate, and is there any group that can forgive the penalties. There is not a mechanism other than the Board of Abatement, but the law does not allow abatement of a penalty if it is charged. It was asked if it has ever been considered to go the three or four installments. The installments have to be paid between August and December in Waterbury as the Town is on a calendar year basis. The Municipal Manager explained the process as to how properties are assessed and tax bills are created as they relate to payment due dates. A motion was made and seconded to limit debate. The motion to limit debate passed by voice vote.

The amendment was re-read by the Moderator. The amendment was defeated by voice vote. There being no further discussion on the main motion, the motion was re-read by the Moderator. The motion passed by voice vote.

The Moderator introduced Representatives Ellis and Stevens, and Senator Doyle. Representative Stevens gave an update on the issues they are facing in Legislature such as gaps in the budget and affordable health care. He encouraged voters to pick up the legislative update provided by both Representatives. Representative Ellis stated that for the seventh year in a row, revenues are less than expenditures. The Legislature's job is to cut expenditures and look for new sources of revenues, and it is a very difficult budget year. She stated that there is a special relationship between the State of Vermont and the Town of Waterbury, and they spend a lot of energy looking at issues that directly affect the Town of Waterbury including the State Complex, the Main Street reconstruction project, the round-a-bout project, and other municipal programs. There are a lot of good things happening in Vermont as well, such as low unemployment, a rise in medium income, and funding for bridge repairs. The Town Meeting process is special and unique. Senator Doyle spoke of the relationship between the Washington County Representatives and the Senators, commended Waterbury's spirit in dealing with the flood and congratulated Waterbury on its 250th anniversary. He then told the following story: King George III asked Benning Wentworth what he would prefer, going to debtor's prison for the rest of his life or taking his family on a treacherous voyage across the ocean to settle in the New World. After consulting with his wife, Benny chose the latter, and King George III appointed him Royal Governor of New Hampshire. Waterbury was founded in 1763 by a charter granted by Benning Wentworth. Rep. Stevens stated that the work the Town did during the flood is recognized throughout the State.

The Moderator then called P. Howard Flanders to the floor for a special presentation of the Keith Wallace Community Service Award. The first award this year went to ReBuild Waterbury for their work with Waterbury residents in their time of need in the aftermath of the flood. They raised \$996,000 to pay for the services they provided. They helped restore homes in Waterbury, Duxbury and Moretown. Theresa Wood introduced members of the Steering Committee, Chris Nordle and M. K. Monley; and staff of ReBuild Waterbury, Dave Kerr and Lee McKinstrey; and Volunteer Case Manager Mame McKee.

The second plaque was awarded to the Municipal Manager William Shepeluk. Mr. Shepeluk has served the community for 25 years. P. Howard Flanders stated there are very few Managers who have served one community that long. Bill, and Ingrid and family were thanked by the Town and Village for their commitment to the Town and Village of Waterbury.

ARTICLE 11: To vote sums of money for necessary general government, highway, and library expenses, with the same to be expressed either in specific dollar amounts or as a rate or tax on the grand list.

C. Nordle made a motion to approve for the Town of Waterbury sums of money for the interest of its inhabitants and for the prosecution and defense of the common rights, for laying out and repairing highways and other necessary expenses: for general expenses \$1,958,234; for highway expenses \$1,608,025; for library expenses \$275,360; for expenditures of designated reserve funds totaling \$369,740 for which no additional taxes are necessary; plus such sums voted on Articles 13 through 27 of the warning for this meeting, and that the Select Board be authorized to set a total municipal tax rate not to exceed \$.37/\$100 of property valuation for calendar year 2013. The motion was seconded.

C. Nordle pointed out that the Town Report contains a summary of the operating budget starting on page 29, broken down by funds. A. Wells asked about the line item for the Historical Society in the amount of \$10,000. The Municipal Manager stated that the Historical Society met with the Board and asked for \$10,000 to be placed in the budget. The Board decided to include it in the budget versus asking them to petition for a special article. Paul Willard spoke to the rich and wonderful history in the community. The history is not well documented and is being lost as people pass away. They hope to purchase and use collections software to document and catalog all of the items in the society.

Rebecca Ellis stated that the line item serves two purposes – to define our history, and documenting history can provide tangible monetary benefits. After Tropical Storm Irene, it became necessary in Waterbury to establish that there had been three flooding events in order to be eligible for grants, and documentation of the 1938 flood was found. Paul Willard stated that the historical society items belong to the Town.

Peter Turmelle asked if \$85,000 in additional funds for highway repairs is included in this budget. He stated that infrastructure in our community is very important. He asked if the product was coming from Doctor Callan's gravel pit. C. Viens indicated that he might be confused about another quarry, which will not be utilized at this point in time.

Theresa Wood asked about funding in the paving budget and whether High Street was included. The Municipal Manager explained how the capital improvement funds came into being and gave an explanation of the paving plans for 2013. High Street is currently not on the schedule to be repaved, as it really needs to be reconstructed. R. Ellis indicated that funding for gravel roads is in a different section of the budget and brought the voters attention to page 42 of the annual report that shows the increase in the gravel budget line item. The Municipal Manager spoke to the capital improvement funds and stated that statewide, Waterbury has a relatively low tax rate and it has been between 30 and 40 cents for about 10 years.

Mike Bard asked about the PILOT payments shown on page 33. The Municipal Manager gave an explanation of the PILOT payment formula. A question was asked about the increase in the professional appraiser fees in 2013. Waterbury and Stowe had an inter-local agreement for appraisal services. Tom Vickery was a Stowe employee and the Town of Waterbury paid for his services for one day per week. T. Vickery retired from Stowe at the end of 2012 and now works for Waterbury as there will likely be a reappraisal during 2013 – 2014. He currently works for Waterbury 2 days per week.

The Moderator re-read article 11. The motion passed by voice vote.

ARTICLE 12: To see if the voters will authorize a sum of money to be expended from the capital funds for capital projects.

R. Ellis made a motion to authorize the expenditure of \$1,878,650 for purchases of vehicles and capital improvements identified in the town's capital improvement budgets. The motion was seconded. R. Ellis brought the voters attention to the capital budget located on page 31 and 32 of the Annual Report. A large part of the capital projects are funded through grants, and if all are funded, this amount would be \$1,111,600. The motion passed by voice vote.

ARTICLE 13: To see if the Town will, during 2013, appropriate:

- \$750 for the support of the Central Vermont Community Land Trust
- \$250 for the support of Central Vermont Crime Stoppers
- \$500 for support of the Good Beginnings of Central Vermont
- \$500 for support of the People's Health and Wellness Clinic
- \$300 for support of the Sexual Assault Crisis Team
- \$250 for support of the Vermont Association for the Blind and Visually impaired
- \$600 for support of the Vermont Center for Independent Living
- \$300 for support of the Washington County Court Diversion Program
- \$800 for support of the Waterbury Community Band

K. Miller made a motion that that the Town, during 2013, appropriate:

- \$750 for the support of the Central Vermont Community Land Trust
- \$250 for the support of Central Vermont Crime Stoppers
- \$500 for support of the Good Beginnings of Central Vermont
- \$500 for support of the People's Health and Wellness Clinic
- \$300 for support of the Sexual Assault Crisis Team
- \$250 for support of the Vermont Association for the Blind and Visually impaired
- \$600 for support of the Vermont Center for Independent Living
- \$300 for support of the Washington County Court Diversion Program
- \$800 for support of the Waterbury Community Band

The motion was seconded. K. Miller stated that the total is \$4,250, and it was decided a couple of years ago to lump all amounts less than \$1,000 in one article. A list of all special articles can be found on page 30 of the annual report. The motion passed by voice vote.

ARTICLE 14: To see if the Town will appropriate \$1,200 in support of Central Vermont Adult Basic Education during 2013.

Margaret Luce made a motion that the Town appropriate \$1,200 in support of Central Vermont Adult Basic Education during 2013. The motion was seconded and passed by voice vote.

ARTICLE 15: To see if the Town will appropriate \$1,000 for support of the Central Vermont Community Action Council during 2013.

Sherry Knudsen made a motion that the Town appropriate \$1,000 for support of the Central Vermont Community Action Council during 2013. The motion was seconded and passed by voice vote.

ARTICLE 16: To see if the Town will appropriate \$1,000 for support of Central Vermont Council on the Aging during 2013.

Theresa Wood made a motion that the Town appropriate \$1,000 for support of Central Vermont Council on the Aging during 2013. The motion was seconded and passed by voice vote.

ARTICLE 17: To see if the Town will appropriate \$1,375 for support of Circle (formerly Battered Women's Services, and Shelter) during 2013

Linda Wulff made a motion that the Town appropriate \$1,375 for support of Circle during 2013. The motion was seconded and passed by voice vote.

ARTICLE 18: To see if the Town will appropriate \$4,000 for support of the Early Education Resource Center of Waterbury ("Children's Room") during 2013.

Christine Wulff made a motion that the Town appropriate \$4,000 for support of the Early Education Resource Center of Waterbury during 2013. The motion was seconded and passed by voice vote.

ARTICLE 19: To see if the Town will appropriate \$1,000 for support of the Family Center of Washington County during 2013.

Margaret Luce made a motion that the Town appropriate \$1,000 for support of the Family Center of Washington County during 2013. The motion was seconded and passed by voice vote.

John Malter stepped forward to update the voters on the work of the Mad River Resource Management Alliance.

ARTICLE 20: To see if the Town will appropriate \$7,323 in support of Green Mountain Transit Agency during 2013.

Steve Lotspeich made a motion that the Town appropriate \$7,323 in support of Green Mountain Transit Agency during 2013. The motion was seconded. A question was asked about the traffic on Lincoln Street and paving plans for that street. The Municipal Manager responded that there are currently no plans for repaving. The GMTA uses this street to get to the commuter parking lot. The motion passed by voice vote.

ARTICLE 21: To see if the Town will appropriate \$1,000 for support of Project Independence during 2013.

Joan Lamere made a motion that the Town appropriate \$1,000 for support of Project Independence during 2013. The motion was seconded and passed by voice vote.

ARTICLE 22: To see if the Town will appropriate \$1,000 for support of the Retired Senior Volunteer Program (R.S.V.P.) during 2013.

Randall Travis made a motion that the Town appropriate \$1,000 for support of the Retired Senior Volunteer Program (R.S.V.P.) during 2013. The motion was seconded and passed by voice vote.

ARTICLE 23: To see if the Town will appropriate \$1,500 for support of Washington County Youth Service Bureau, Inc. during 2013.

Georgiana Birmingham made a motion that the Town appropriate \$1,500 for support of Washington County Youth Service Bureau, Inc. during 2013. The motion was seconded and passed by voice vote.

ARTICLE 24: To see if the Town will appropriate \$20,000 for the Waterbury Area Senior Association in addition to the amount included in the General Fund Budget for such purpose during 2013.

Karol Smith made a motion that the Town appropriate \$20,000 for the Waterbury Area Senior Association in addition to the amount included in the General Fund Budget for such purpose during 2013. The motion was seconded and passed by voice vote.

ARTICLE 25: To see if the Town will appropriate \$2,000 for the support of the Waterbury Grange #237 during 2013.

Steve Lotspeich made a motion that the Town appropriate \$2,000 for the support of the Waterbury Grange #237 during 2013. The motion was seconded and passed by voice vote.

ARTICLE 26: To see if the Town will appropriate \$2,500 in support of Waterbury LEAP (Local Energy Action Partnership) during 2013.

Duncan McDougall made a motion that the Town appropriate \$2,500 in support of Waterbury LEAP (Local Energy Action Partnership) during 2013. The motion was seconded and passed by voice vote.

ARTICLE 27: Shall the voters authorize the expenditure of a sum of money to repair and resurface the tennis courts, and to add a sum of money up to that amount to the general fund budget?

J. Grenier made a motion to authorize the expenditure of up to \$50,000 from the Recreation CIP Fund to repair and resurface the tennis courts, and to add \$40,000 to the general fund budget for transfer to the Recreation CIP Fund to pay for the work. The motion was seconded. J. Grenier stated that the cracks in the surface of the courts are beyond repair. It is proposed to resurface the entire court. The total estimated cost is approximately \$47,000. Mike Woods commented that spending money on recreation seems to be no problem but we cannot seem to maintain our infrastructure. The motion passed by a standing vote.

ARTICLE 28: To do any other business that may legally come before the Board during the meeting.

Mr. Sherman suggested that when tax bills are sent out, to put in red letters the due dates, penalties and interest.

Mr. Woods asked about non-employees riding in Town owned vehicles, and whether this is a liability issue. The Manager stated he would research and determine whether there is an issue in this area.

Mr. Willard called attention that the Town is celebrating its 250th anniversary this year, and there is an anniversary celebration on June 7th at Rusty Parker Park.

Mr. Lewis announced that the Home Show is in 18 days. Mr. Malter gave an update on the Home Show on March 23rd and 24th at CBMS.

Mr. Atchinson asked the Select Board adopt a policy to accept tax payments in the drop box until midnight.

There being no further business, the meeting was adjourned at 1:05pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved at a meeting held on March 18, 2013 and recorded in the Town Records.