

Waterbury Select Board Meeting
May 28, 2013
Steele Block ~ 46 South Main Street

Present: J. Grenier, Chair; R. Ellis, C. Nordle, C. Viens, and K. Miller, Select Board; W. Shepeluk, Municipal Manager; A. Tuscany, Public Works Director; K. Fountain, Waterbury Record; A. Imhoff, ORCA Media; and C. Lawrence, Town Clerk.

Public: Sasha Bianchi and Rachel Rolfe, VT Dept. of Health; G. McCain, CVRPC Representative; L. Sayah, Trustee; E. Coffey; F. Balco; and H. Shepard.

The meeting of the Select Board was called to order at 7:00pm.

VERMONT DEPARTMENT OF HEALTH

S. Bianchi and R. Rolfe from the Vermont Department of Health local district office were present to speak about their programs and learn how they can serve Waterbury. They monitor the health status of communities by tracking more than 70 communicable diseases. Another goal is to mobilize community partnerships such as the summer food program. They also enforce laws and regulations to protect the health and safety of communities. They offer monthly immunization clinics and WICK clinics which include lead testing in local doctors' offices. New campaigns this year include grants to individuals to complete projects to maintain a healthy home; 'It's okay to ask' – web based communication system on immunizations; 'Get Smart' campaign – increased use of antibiotics; and '049' campaign – no alcohol for 9 months (for woman who are pregnant or are thinking about getting pregnant). They also have an emergency preparedness program and maintain a database of trained volunteers. They are starting to work with Towns on healthy community designs connecting public health and planning.

R. Ellis asked about a grant to create a bike trail from the Village to CBMS – VTrans enhancement grant. Is there money for the construction of a bike path? AOT is re-looking at their enhancement grant projects.

UPDATE ON CENTRAL VERMONT REGIONAL PLANNING COMMISSION

G. McCain was present to give the Board an update on the activities of the Central Vermont Regional Planning Commission. They are still looking at consolidation with the Central Vermont Economic Development Corporation. The recommendation is to support the consolidation, but it is still pending and they are in the phase of educating people.

The grant for the Phase 2 Fluvial Erosion Hazard Zone Mapping was discussed. G. McCain has not been intricately involved. The legislature has mandated that this be included in the Town plan in 2014. Better maps would be available by doing Phase 2 and Phase 3 modeling. There is a need to get grants and refine the FEH maps so that they are more accurate. It was asked if Duxbury and Moretown are active at the regional planning level. G. McCain stated that they have not been active participants.

G. McCain was asked what the arguments for consolidation are, and he responded that he is in favor of consolidation and was chair of the consolidation committee. The consolidation will provide better service to all clientele and will allow more pre-design discussion with planning and development communities in the same room. It will also save developers time money, and effort; and it makes more sense to have them all together. A con is that developers will take over and make regional planning succumb to the developers.

R. Ellis made a motion to re-appoint G. McCain as Waterbury's representative to the Central Vermont Regional Planning Commission for a one-year term to expire April 30th, 2013. The motion was seconded by C. Viens and passed unanimously.

MANAGER'S BUSINESS

W. Shepeluk previously forwarded a draft of the Facility Rental Agreement to the Board for the 'Not Quite Independence Day' event. H. Shepard gave a description of the layout that will be on Dac Rowe fields. The festival permit will have to be approved by the Board and forwarded to Department of Liquor Control. W. Shepeluk went through outstanding questions on the facility rental agreement.

R. Ellis made a motion to approve the State of Vermont DLC application for the festival permit and the local Waterbury outside consumption permit for the Rotary Club of Waterbury event occurring June 28th and 29th. The motion was seconded by K. Miller and passed unanimously. E. Coffey expressed concern about community gardens. Fencing will be placed around the gardens for this event, and the gardeners will assist the Rotary Club with putting up and taking down the fencing.

S. Lotspeich updated the Board on the \$100,000 CDBG-DR planning grant for the complex, which is being utilized to pay Black River Design. He presented the Program Management 1 form to be signed by the Select Board. K. Miller made a motion to approve the grant agreement resolution for the CBDG program grant for \$100,000. The motion was seconded R. Ellis and passed unanimously. K. Miller made a motion to authorize the Manager to sign the grant agreement. The motion was seconded by R. Ellis and passed unanimously. To date, \$17,385 has been spent with \$15,818 paid to BRD. The grant is for design of the municipal complex and the Stanley/Wasson site is named. If another site is considered, the Town would have to work with the State on the grant agreement.

T. Vickery joined the meeting at 7:45pm. C. Nordle and D. Luce joined the meeting at 8:00pm. M. K. Monley joined the meeting later.

The ecosystem restoration program grant for the Winooski River corridor was discussed. There will be an in kind match provided. It would be helpful to have D. Currier come to a meeting to discuss the grant and determine the role of the municipality. R. Ellis made a motion to authorize the chair to sign a letter of support for a fluvial erosion hazard grant that will be submitted by the CVRPC. The motion was seconded by K. Miller and passed unanimously.

The Hope Davey playground was discussed. There is \$21,000 in the parks department budget for grounds maintenance of which \$13,000 is designated for playgrounds. VLCT performed an inspection of our recreational facilities and determined that it is necessary to expand the safe fall zones under playground equipment. The Manager asked if the Board would allow the Town to hire a contractor to perform the work, as the highway department is already behind on their summer work. The Town will provide the materials. The estimate for labor, equipment, and disposal of waste material is \$7,800. C. Nordle made a motion to authorize a contractor to perform the work proposed by the Manager and Public Works Director. The motion was seconded by C. Viens and passed unanimously.

A. Tuscany updated the Board on a culvert issue on Hubbard Farm Road. He recommended replacing the culvert at a cost of \$6,229. Most of the prep work has been done on Hubbard Farm Road. The next big project is work on Gregg Hill Road. There will be road work on US Route 2 in late July, which will interfere with the attainment of gravel so staff would like to get Gregg Hill Road done first as it requires a lot more gravel.

C. Nordle asked why staff needs Select Board approval if it will not impact the budget. He feels it is not necessary to approve these types of expenditures and believes a status update is sufficient. This discussion will take place at a future meeting.

C. Nordle made a motion to approve the purchase for a replacement of a squash pipe on Hubbard Farm Road. The motion was seconded by C. Viens. More discussion followed about the process behind gravel road repairs. The motion passed unanimously.

S. Lotspeich updated the Board on the Pomegranate Lease. Paul Giuliani has reviewed a draft of the lease prepared by Jeff Kilgore. The project is designed and is ready to enter into the permitting process. S. Lotspeich drafted an exhibit related to park use. The draft lease has been forwarded to Pilgrim Partnership (site of the park) and Jeff Kilgore is in conversation with Steve Van Esen at Pilgrim. The only cost to the municipality is to maintain the park and the municipality will not be involved in the construction of the park. The hope is to have the lease ready by the next meeting. M. K. Monley stated that she is anxious to get the lease signed and get the project moving. C. Viens stated that this is another park we will have liability on, and that he objects to waiver of fees on parks as fees are needed to maintain the parks. Park fees will be discussed at a future meeting.

R. Ellis discussed the need for a schedule for getting the FY14 Highway budget done early in the budget season. Much of the budget can be done earlier, and projects can be identified earlier. W. Shepeluk suggested that the Board tell staff how much money they will commit in the budget prior to putting a highway plan together. It makes sense to have a constant amount going into the CIP each year. It was suggested that staff identify the cost to repave roads over a 10 year period and identify which roads and the order they need to be repaired. R. Ellis stated that it is worth doing this exercise every few years, even though the schedule changes. The frustration lies in putting out information about which roads are to be repaired, and then altering the schedule. There are some local shares coming up that will need to be budgeted, such as the Main Street and round-a-about projects. C. Viens stated that the Board needs to look at better ways to spend money and consider alternatives. It was suggested to have highway budget information available by end of August or early September.

T. Vickery updated the Board on a change in the law whereby solar panels over 10KW are taxable property, and described the process. PVR established a methodology to determine the fair market value of these plants. He presented a chart showing the effect of the state education tax burden and what the municipal tax burden would be based on this methodology.

At 9:00pm, P. H. Flanders, A. Durkin, H. Grenier, M. Griffith, B. Farr, M. Luce, and M. Kasamatsu joined the meeting.

The stormwater discharge letter, in relation to the Act 250 permit for State Office Complex, has been resolved.

The postmark policy on property tax bills was discussed. W. Shepeluk described the interest and penalties on late tax payments. There is currently a policy in place that if the payment is postmarked by the due date, the payment is accepted as on time. Issues with this policy include that there is no postmark from online bank or bill-pay services; and a person who comes in a day late sees that postmarked mail is accepted. Staff recommendation is to have no postmark. P. H. Flanders stated that this issue was discussed at Water & Sewer Commissioner's meeting and that they would apply a no postmark policy for water bills if it approved for tax bills. C. Nordle made a motion to require that tax installments be received in hand by the close of business on the published due date. The motion was seconded by K. Miller and passed. C. Viens recused himself.

After a brief break, the Board reconvened at 9:35pm.

MUNICIPAL COMPLEX BUILDING

C. Nordle updated the Board on the purchase and sale agreement. A conceptual agreement has been reached. There may be a couple of minor edits within the next day or two and there are not any dramatic changes expected. He indicated that the agreement can be signed at the next regular meeting or a special meeting could take place. R. Ellis asked if we had permission from the State to make the numbers public and C. Nordle responded that the price is not yet available to the public. F. Balco asked what the deadline is for the bond vote, and asked if the Board would approve a vote without the public knowing what the cost is. He also asked if the Town would go to a bond vote without knowing if the sources of revenue will be received.

A discussion was held about the content of the bond warning and whether or not to move forward with the June 27th proposed date. P. H. Flanders stated that there is another entity (Water & Sewer Commissioners) that is not in attendance and does not have an agreement with the State and that this may affect the purchase price. E. Coffey asked if this information is available to the public. There is no agreement in place at the present time. P. H. Flanders asked if Village does not participate in the project, does that invalidate the water and sewer agreement with the State. If Village turns down its willingness to participate, does that impact the purchase price?

Discussion continued with regard to the timing of the bond vote. R. Ellis stated it is a chicken and egg problem, but sees being able to go forward with the bond vote. The commitments from entities involved may change, but the Town needs to move forward. The project can be revisited later in the year if the pieces do not come together.

H. Grenier asked if there was any risk of having the bond vote in September. W. Shepeluk indicated that there is an interest rate risk, and explained the process with the bond bank.

E. Coffey asked about the timeline for the purchase and sales agreement and stated that there seems to be a lot of unanswered questions. He feels it is a grave mistake trying to move forward with the bond on June 27th.

K. Miller stated that the choice of site of fiscally irresponsible, and she is concerned about disposition of Wasson Hall. C. Viens is opposed to building in flood zone but wants to let the voters decide.

The bond wording was discussed as to whether or not to add what functions will be included at the site. Availability of information throughout the voting process was discussed. State statute prohibits having material at the polling location.

R. Ellis made a motion to warn a special meeting of the Town on June 27th for the purpose of voting by Australian ballot for a \$5,000,000 bond for the purpose of financing the development and construction of a Municipal Complex Building to be located at the Stanley and Wasson Hall site, in the Town of Waterbury. C. Nordle seconded the motion and the motion passed 4-1.

M. Luce made a motion to approve the May 20th Tri Board minutes. The motion was seconded by C. Nordle and passed unanimously.

H. Grenier stated that the Library Commissioners need to vote to ask Christine Graham to come to a meeting to sign a contract. H. Grenier made a motion that the Library Commissioners enter into a contract with Christine Graham to start fund raising. The motion was seconded by A. Durkin and passed by those present.

B. Farr asked for approval to take out a full page ad in the Waterbury Record on June 6th in the amount of \$557. K. Miller made a motion to approve a full page ad in the Waterbury Record for up to \$600. The motion was seconded by C. Viens and passed unanimously.

TOWN CLERK BUSINESS

C. Nordle made a motion to appoint Charlie O'Brien Jr. as the Town Forest Fire Warden; Dan Sweet as the Tree Warden; Waterbury Record as the newspaper of record with the Times Argus as an alternate; and Ed Brown as Animal Control Officer and Constable; all for a 1 year term ending April 30, 2013. The motion was seconded by C. Viens and passed unanimously. C. Viens indicated he would like to meet with E. Brown to discuss leash laws.

C. Nordle made a motion to approve the minutes of the May 6th meeting. The motion was seconded by K. Miller and passed unanimously.

Crossett Brook Middle School has requested use of the pool on June 18th for a pool party, and will pay for lifeguards. R. Ellis made a motion to approve the request with the expectation that the organizers will pay for lifeguards. The motion was seconded by C. Nordle and passed unanimously.

TBPS has requested use of Hope Davey pavilion on June 13th from 5:30pm to 6:30pm for a preschool potluck, with waiver of fee. K. Miller made a motion to approve the request. The motion was seconded by C. Nordle and passed unanimously.

Harwood Youth Hockey requested use of the Hope Davey pavilion on August 21st from 6:00pm to 8:00pm for a kickoff BBQ, with waiver of fee. K. Miller made a motion to approve the request. The motion was seconded by R. Ellis and passed 4-1.

Alchemy Canning submitted an application for a special event permit to hold a retirement open house on June 18th from 3:00pm to 7:00pm. C. Nordle made a motion to approve the request, with no parking on the Crossroad. The motion was seconded by R. Ellis and passed unanimously.

W. Shepeluk had previously distributed financial statements and budget information as of April 30th.

There being no further business, the meeting was adjourned at 10:50pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 17, 2013