

Waterbury Select Board Meeting
April 10, 2014
Steele Block

Present: C. Nordle, Chair; K. Miller, C. Viens, and D. Schneider, Select Board; W. Shepeluk, Municipal Manager; B. Farr, Long Term Economic Recovery Director; A. Tuscany Public Works Director; A. Imhoff, ORCA Media; and C. Lawrence, Town Clerk.

Public: Ashar Nelson, VIA; Everett Coffey, David and Margaret Luce.

The meeting was called to order at 3:00pm.

APPROVE AGENDA

B. Farr added an item for a discussion of the community garden space. W. Shepeluk added a discussion on some items related to the necessity hearing for the roundabout project.

APPROVE BALLOT LANGUAGE

C. Nordle and C. Lawrence have been working on the wording for the rescission ballot with Paul Giuliani and the Director of Elections. The intention is to be as clear as possible to the voters. Two difference options were discussed, one with 'fill in the oval', and one with vote 'yes' or 'no'.

K. Miller made a motion to approve the ballot language to state 'If in favor of rescission, filling in this oval means that you do not want to finance \$2,950,000 for the municipal complex at 28 North Main Street; and 'If opposed to the Rescission, filing in this oval means that you want to finance \$2,950,000 for the municipal complex at 28 North Main Street' The motion was seconded by C. Viens.

K. Miller made an amendment to underline 'do not want' and 'want'. The motion was seconded by D. Schneider. More discussion and confusion followed, and both the motion and amendment were retracted.

K. Miller made a motion that the ballot language read: 'If in favor of rescission, filling in this oval means that you do not want to finance \$2,950,000 for the municipal building complex at 28 North Main Street; and 'If opposed to rescission, filling in this oval means that you want to finance \$2,950,000 for the municipal building complex at 28 North Main Street'. The motion was seconded by C. Viens and passed by those present.

COMMUNITY GARDEN SPACE

A discussion was held with regard to what to do with community garden space during the 2014 season. People are anxious to start gardening. B. Farr reviewed the site plan showing the current site of the gardens and where some of the test pits might be dug. The RFP for Phase II environmental services has been sent. The test pit digging will most likely start early June.

C. Nordle questioned sanctioning any gardens until the Phase II work is done. There are also a number of activities planned for the site throughout the summer and fall. He prefers to have no gardening from the end of the expanded parking area to Main Street. C. Viens stated that based on what some members have led the community to believe, there should be no garden activity this year. Community gardeners can use space to the west of the expanded parking area and access to this area was discussed. There will be a community meeting April 23rd, and the Board is willing to work with participants and find alternate space.

ROUNABOUT PROJECT

A. Tuscany talked with Jeff Kilgore, and J. Kilgore recommended that the Town hire Paul Gillies to deal with the appeal of the necessity for the roundabout. P. Gillies is available to do the work. C. Nordle requested a brief executive session to discuss the pending roundabout litigation. K. Miller made a motion to move into executive session at 3:40pm to discuss pending litigation. The motion was seconded by D. Schneider and passed by those present. The Manager and Public Works Director were invited to stay.

The executive session ended at 3:58pm with no action taken.

K. Miller made a motion to authorize W. Shepeluk and C. Nordle to discuss with at least two attorneys the appeal for the roundabout. The motion was seconded by D. Schneider and passed by those present.

The appraisers have completed their appraisal reports and submitted them to VTrans. The Town needs to start talking with property owners about compensation. A. Tuscany recommended that the following motion be considered: that the Select Board shall rely on the Appraisal Reports prepared for the Town of Waterbury by O'Brien and Kaffenberger, Inc. and approved by the Agency of Transportation to determine reasonable compensation for damages to which affected property owners may be entitled in connection with the Waterbury Roundabout STP SGNL (18) Project. The values assigned in such Appraisal Reports shall constitute the Select Board's determination of reasonable damages pursuant to 19 V.S.A. 712. C. Nordle asked if the property owners or Board has seen these reports. D. Schneider made a motion to accept the appraisal reports and recommendations presented by A. Tuscany for the roundabout project. The motion was seconded by K. Miller and passed by those present.

C. Nordle left the meeting at 4:05pm.

BUILDING UPDATES

Members of VIA met with program users throughout the day today. No significant changes were proposed, and all program users were by and large satisfied.

VIA and some staff members met with Efficiency Vermont. The goal is to have the most energy efficient building that the Town can afford. One recommendation from VIA is that a modeling should be done of the energy usage in the building that will cost approximately \$10,000. Efficiency Vermont will pay 50% of the cost. They are promoting a net zero pilot program. W. Shepeluk recommended to the Board to do the modeling as soon as possible. A. Nelson stated the energy model brings value right up front, as the modeling is tied to the cost. A discussion was held as to when the modeling should be done, as the process takes about 4 weeks.

C. Viens asked questions about project timing. The process proposed is to start the site engineering now, as opposed to waiting for the rescission vote results. K. Miller stated she is not adverse to taking a slower path, and has concerns that there is a lot of pressure on the project. W. Shepeluk stated that the \$5,000 is a small percentage of project costs and should be done as soon as possible, as other aspects of the project are moving forward. W. Shepeluk stated that either the project should move forward, or all spending should be stopped until after the rescission vote. A. Nelson approximated that \$17,500 would be spent by May 13th. D. Schneider made a motion to move forward with the energy modeling

project as described with a match of \$5,000 coming out of the Town budget, as a change order to VIA's contract. The motion was seconded by C. Viens and passed by those present.

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D. Schneider asked that the conference room in the new complex contain good acoustics and a speaker system.

DISCUSS REVOTE TIMELINE

B. Farr is working on advertisements for the Waterbury Record. K. Miller asked to be involved, and Roy Lloyd and Theresa Wood are also interested. The Board will have final approval. The group will meet next week sometime.

PLANNING TIMELINE FOR BIDDING FOR CONSTRUCTION MANAGEMENT

It has been verified that construction management is the preferred method. A. Nelson has submitted examples of documents, and suggested meeting next week to draft the structure of the RFP. A. Nelson, B. Farr, C. Nordle, and possibly A. Tuscany are on the team. The timeframe is get the RFP out within a month and have someone on board by June. K. Miller asked for a timeline for the RFP. B. Farr asked how a construction manager gets paid. A. Nelson replied that the bulk of payment is a percentage of construction costs.

OTHER BUSINESS

E. Coffey asked about the process for asking for reappointments. He stated that it is unacceptable and disrespectful to accept applications after the deadline and that it decreases the integrity of the Board. K. Miller explained that the letters of recommendation he has submitted were also received after the deadline, so the additional applicant should be accepted as well.

E. Coffey asked if M. Kerrin or E. Coffey could speak at the next meeting. K. Miller explained that there would be no conversation between candidates, and that they would most likely not be re-interviewed as they have already been interviewed.

A. Nelson asked for hydrant flow test data. B. Farr will follow up with A. Tuscany.

There being no further business, the meeting was adjourned at 5:05pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: April 21, 2014