

**Joint Meeting of the Town Select Board & Village Trustees**  
**April 21, 2014 – 7:00pm**  
**Main Street Fire Station**

Present: C. Nordle, C. Viens, D. Schneider, and K. Miller, Select Board; S. Flanders, N. Howell, and L. Sayah, Trustees

Public: Everett Coffey, Bob Finucane, Steve Lotspeich, Miranda Orso, Alec Tuscany, Barb Farr, Melissa Gorham, Marc Metayer, Fauna Hurley, Whitney Aldrich, Laura Parette, Mark Friar, Cindy Lyons, Hiata Defeo, Victor Osinaga, Peter Turmell, Mark Drutman, Joan Beard, Heather O'Wril, Ryan Morrison

C. Nordle called the meeting of the Town Select Board to order at 7:05pm.  
S. Flanders called the meeting of the Village Trustees to order at 7:05pm

**AGENDA**

C. Nordle stated that the "interviews" item on the agenda included consideration of appointments immediately following the interviews. The 9:15pm item regarding the motorcycle rally was removed from the agenda.

**LITTLE RIVER RELICENSING**

Bob Finucane, a retired dam safety engineer and new Water-Sewer Commissioner, spoke about the need to relicense the Waterbury dam. The dam was covered under a 50-year license and expired in the early 2000s. Bob spoke to the need to continue with the winter drawdowns of water, which ensure that flood risk is minimized and keeps several structures out of the 100-year floodplain, while also maintaining the value of the power plant and retaining its current tax revenues.

B. Shepeluk drafted a letter to ANR for the new license, which states that the Town of Waterbury Select Board is concerned over a significant loss in flood storage capacity and ability to manage the threat of flooding associated with the loss of winter drawdowns. K. Miller suggested two edits to the letter: change "project risk" to "increased risk of flooding" and to change the wording of the last paragraph of the letter to "To operate as closely to existing permitted conditions".

K. Miller made a motion to approve the letter as edited to the State, having C. Nordle sign for the Select Board. The motion was seconded by C. Viens and passed by those present.

N. Howell made a motion to approve the letter as edited to the State, having S. Flanders sign for the Trustees. The motion was seconded by L. Sayah and unanimously passed.

**FLOODPLAIN MANAGEMENT WORKING GROUP**

Barb Farr gave a brief description of the Floodplain Management Working Group and provided a purpose statement for the group under the Planning Commission. The working group is also working with the Planning Commission to achieve higher status in the Community Rating System, which will, in turn, provide a reduction in flood insurance premiums for residents in Waterbury. Barb asked the Select Board and Trustees to endorse the concept of the working group as an advisory group to the Planning Commission. The group will report to the Select Board and Trustees on a quarterly basis.

D. Schneider made a motion approve the Floodplain Management Working Group purpose statement with a requirement that they report to the Select Board and the Trustees quarterly. The motion was seconded by C. Viens and passed by those present.

N. Howell approve made a motion approve the Floodplain Management Working Group purpose statement with a requirement that they report to the Select Board and the Trustees quarterly. The motion was seconded by L. Sayah and passed unanimously.

K. Miller made a motion to authorize Bill to sign a Community Letter of Interest to join the Community Rating System. The motion was seconded by D. Schneider and passed by those present.

Barb Farr then mentioned that Waterbury may be eligible for a planning grant under the Hazard Mitigation Grant Program to coordinate the various floodplain-related projects and asked that the Select Board authorize Bill to sign this grant application due April 30, 2014.

K. Miller made a motion for Bill to sign the Hazard Mitigation Grant Program Planning Grant application with the caveat that the Select Board will discuss the application at their May 5 or May 19 meeting. The motion was seconded by C. Viens and passed by those present.

## **INTERVIEWS**

### *Zoning Administrator*

Steve Lotspeich and Bill reviewed a number of applications for the Zoning Administrator position and the Planning Commission interviewed the top 4 candidates. Ryan Morrison was recommended to the Select Board by the Planning Commission. Ryan discussed his educational and professional background (professional, educational, etc.), making note of his years as a planner in Washington State. Steve noted that this would be a 30 hour position, with 20 hours dedicated to zoning and 10 hours to the flood recovery projects, with a targeted start day in early May. Ryan is looking forward to becoming a Certified Floodplain Manager. He has flood experience after working for the town of Ferndale in Washington State, a town with similar flood concerns as Waterbury.

K. Miller made a motion to approve Ryan Morrison as the new Zoning Administrator with the time for work as discussed and a start date in early May. The motion was seconded by C. Viens and passed by those present.

### *Conservation Commission*

Joan Beard has been a Waterbury resident for 27 years, has been attending Conservation Commission meetings since summer 2013, and is ready to update the Conservation Commission purpose.

Heather O'Wril is a stay-at-home-mom in Waterbury. She has a Master's degree in Conservation Biology and would like to take part in the many projects going on in town. She is primarily interested in ecological restoration and invasive plant control. Heather has been attending commission meetings since fall 2013.

K. Miller made a motion to approve Heather O'Wril to the 1-year term ending in 2015 and Joan Beard to the 3-year term ending in 2017 on the Conservation Commission. The motion was seconded by C. Viens and passed by those present.

### *VT State Police Advisory Board*

Marc Metayer is a Waterbury resident and a retired state police officer for 26 years, and Deputy Commissioner for the Department of Public Safety for 5 years where he worked for 31 years. He is interested in having the opportunity to work on the State Police Advisory Board. He noted that the board is essentially the link between the state police and the towns served. Marc mentioned that the Middlesex board is very involved and active, which he appreciates and looks forward to participating in.

K. Miller made a motion to appoint Marc Metayer to the Vermont State Police Advisory Board for a term of two years, to expire in 2016. The motion was seconded by D. Schneider and approved by those present.

After opening the ground for further nominations and hearing none, the Select Board chose to appoint one person to represent the Town on the State Police Advisory Board. Everett Coffey asked what the logic was in appointing only one person to the board. K. Miller thanked Everett for his years on the board but had to withdraw her support based on derogatory comments made to the Select Board chair at an earlier meeting. She stated that the Board and appointed members must have respect for each other and that everyone who represents the Town needs to do so in a respectful manner. K. Miller said that his behavior was not acceptable and Everett does not represent the Select Board. She said that this was not a revenge tactic against his role in the rescission vote, as she believes it is a right of all residents of Vermont to take part in the democratic process. E. Coffey said that a Village and a Town representative on the State Police Advisory Board would be wise.

### **PARKING IN THE VILLAGE**

Before discussion, C. Nordle noted that he is no longer on the RW board. S. Flanders gave a brief overview of the parking issues in the Village and said that the Trustees, along with several Village business owners, wanted to address these issues tonight with the Select Board, as the Village is part of the Town. Fauna Hurley delivered a letter to the Select Board and Trustees regarding enforcement of the 2hr parking limit spaces in the Village. She opened the floor to the businesses to discuss the parking issues and impacts to their respective businesses. Hiata Defeo, owner of Bridgeside Books, mentioned that she hears on a daily basis how difficult it is to find parking from customers. She expressed frustration with business owners and employees that park in the prime parking spots all day. Whitney Aldrich, owner of Axel's Frame Shop, spoke with Danielle Nichols, owner of Cork Wine Bar, prior to the meeting and both have noticed that there seems to be an opportunity in front of the businesses for short term parking, including a potential for signage for loading/unloading zones, 10 minute parking limits, and/or parking meters. S. Flanders stated that meters may be expensive and create difficulties during plowing and ticketing. The Trustees have spoken with Joby Feccia about taking more time to address the parking issues and making public parking lot information more available to employees, including parking lot on Elm St, Bidwell Lane, and 51 S. Main St. Joby said he was amenable to the parking meter idea, noting other towns like Barre, Montpelier and Rutland that have had success with the meters, but said that the best method to mitigate parking issues would be to have a designated parking person to walk around and enforce the parking limits. Otherwise, enforcing is very time consuming for the PD. Hiata Defeo asked if business owners could provide a list of "problem cars" to the PD, to put them on their radar. Joby said this list would be helpful on his end. Laura Parette thinks the Town needs to have a bigger conversation about the parking issue and suggested forming a subcommittee to research options. The Select Board and Trustees agreed to discuss formation of a parking subcommittee at the next joint meeting.

### **ANIMAL CONTROL OFFICER**

Peter Turmell, the new Animal Control Officer, gave a brief overview of his actions taken since he became the ACO two weeks ago, including budget expenditures of \$300 of his yearly \$1200 allotment. He expressed concern over the lack of animal licensing and proper enforcement of the Town's regulations and codes. He asked that the cash flow was issued on a monthly basis, instead of the current quarterly disbursement. Turmell asked that the Select Board amend the current code, particularly to increase the fine amounts. K. Miller expressed concern over the level of funding that would be required to solve the issue. C. Viens believes the people breaking the rules and regulations must be accountable. K. Miller suggested that Turmell take into account the content versus pattern of the phone calls he receives and to document the behavior, as some phone calls could be innocuous and would not require attention from Turmell. Carla will be contacting homeowners with dogs that have not been registered this year.

### **PUBLIC WORKS DIRECTOR REPLACEMENT & PLANNING**

Alec is scheduled to leave no earlier than November 15, 2014 and no later than July 15, 2015. Alec said that it would most likely be a 4-5 month period to advertise, interview, hire and train the new PWD. The Trustees assumed the position would be 30% sewer, 30% water and 40% roads and have been working on a job description, which the Water and Sewer commissioners have asked to include a request for a Professional Engineer with 5+ years of experience (salary not included in description). The Select Board and Trustees will be working together during the hiring process, with the plan to bring someone on to shadow Alec and learn from him for a period of two months.

### **MUNICIPAL ITEMS**

#### *Legal Services Contract*

C. Nordle discussed the pending roundabout litigation. Joe McLean, the attorney heavily involved with the project, suggested having a legal services contract in which the Select Board confirms that they will meet the requirements of the LTF program. D. Schneider made a motion to authorize C. Nordle to sign the Legal Services Contract. The motion was seconded by C. Viens and passed by those present.

#### *Municipal Building*

Barb Farr said that the first rescission vote ad needs to be submitted to the Stowe Reporter by noon Tuesday (4/22) for a Thursday (4/24) Waterbury Record publication. K. Miller and C. Nordle requested a revision to the ad, to decrease the size of the sample ballot and to enlarge and italicize the continual Select Board project support language. Sue Minter and Theresa Wood will be giving a project presentation at the Waterbury Area Senior Citizen Center on Wednesday (4/23). C. Viens requested a status update for 51 S. Main Street. The Trustees are working on a draft purchase and sales agreement with a private developer that will come to a Village vote. The board reviewed the municipal complex calendar for the months of April through June. B. Farr mentioned that she is working on a draft lease with Green Mountain Power to provide space for the community gardeners. The lease is a one year term, open for use as early as May 1<sup>st</sup>. She mentioned that there is a meeting with Community Gardeners on Wednesday (4/23) at the Congregational Church at 5:30pm, which K. Miller will facilitate.

## **TOWN CLERK ITEMS**

C. Nordle requested edits to the April 10 Select Board minutes, including language to include that C. Nordle and Carla worked with Paul Guiliani and the State's Director of Elections on the rescission ballot language; the executive session at this meeting was to discuss the pending roundabout litigation; and that the location of this meeting was at the Steele's Block, not the Main Street Fire Station.

K. Miller made a motion to approve the April 7 and April 10 minutes as amended. The motion was seconded by C. Viens and passed by those present.

K. Miller made a motion to approve the liquor licenses for the Vitality Market and The Country Club of Vermont. The motion was seconded by C. Viens and passed by those present.

N. Howell made a motion to adjourn the meeting of the Village Trustees at 10:03pm. The motion was seconded by L. Sayah and approved unanimously.

C. Nordle requested a brief executive session to discuss the pending roundabout litigation. K. Miller made a motion to go into executive session to discuss the pending litigation for the roundabout and pending contracts. The motion was seconded by C. Viens and passed by those present.

The executive session ended at 10:20pm with no action taken.

In W. Shepeluk's absence, the Select Board needs to authorize A. Tuscany to sign any roundabout-related documents. K. Miller made a motion to authorize A. Tuscany to sign any roundabout-related documents as needed. The motion was seconded by C. Viens and approved unanimously.

There being no further business, the meeting of the Select Board was adjourned at 10:22pm.

Respectfully submitted,  
Lauren Oates, AmeriCorps VISTA

**Approved on: May 12, 2014**