

**Joint Meeting of the Waterbury Select Board and Village Trustees**  
**May 19, 2014**  
**Main Street Fire Station**

Present: C. Nordle, Chair; J. Grenier, C. Viens, K. Miller, and D. Schneider, Select Board; P. H. Flanders, Village President; N. Howell-Sherman and L. Sayah, Village Trustees; W. Shepeluk, Municipal Manager; B. Farr, Long Term Economic Recovery Director; S. Lotspeich, Community Planner; A. Tuscany, Public Works Director; C. Ummel, Recreation Director; M. Orso, Waterbury Record; A. Imhoff, ORCA Media; and C. Lawrence, Town Clerk.

Public: Abigail Friedman and Sarah Jarvis, VLCT; Theresa Wood, Everett Coffey, and Herschell Murry.

The meeting of both Boards was called to order at 7:03pm.

**REVIEW AGENDA**

C. Nordle asked to add three change orders for the VIA contract. He also stated that the Town needs a representative to the Central Vermont Regional Planning Commission and asked for discussion about how to advertise and fill the position. W. Shepeluk asked to give an update on a health order situation.

**PUBLIC**

None

**VLCT – TOWN MANAGER FORM OF GOVERNMENT**

Abby Friedman and Sarah Jarvis attended the meeting to give a presentation on the Town Manager form of government. The presentation included an overview of the Vermont League of Cities and Towns and the Municipal Assistance Center, the statutory structure of local government, how the structure changes when a municipality adopts a manager form of government, and maintaining a productive and professional relationship. The power point presentation is attached to these minutes.

P. H. Flanders asked about the performance evaluation of the Manager. Different municipalities use different processes. VLCT has guidelines, and establishing a personnel policy is helpful. Expectations need to be laid out in advance. It is also good for the Boards to evaluate themselves. VLCT has samples from other municipalities, and they have their own forms that they use at VLCT.

C. Nordle stated that there is currently no review process in place. He asked what a reasonable allocation of responsibilities is, and whether the Board can expect the Manager to start the process. It is appropriate to work with the Manager, but the Board will ultimately lead the process. It was suggested to dedicate one meeting per year to set goals and expectations. W. Shepeluk stated that the most difficult challenge is the number of Boards that he works for, with their own set of priorities. The Board can have consultants or other outside resources look at it from a different perspective and facilitate a collaborative goal setting process.

K. Miller stated that she gets caught up with purchasing policy and asked if Board members have to care what each line of budget represents, or deal more with policy of budget and leave it up to Manager as to how the money will be spent. Budgets are authority to spend, and the Town should look to see what financial policies are in place. W. Shepeluk stated that there are hundreds of line items in chart of accounts, but the goal is to meet bottom line of budget and to be very transparent if there are major issues. C. Nordle asked if there is some document as to how to manage the budget. There is a purchasing policy in place, and the Manager tries to provide quarterly reporting.

K. Miller stated that there is a fine line between informal and formal conversations as the public should be informed as well.

C. Nordle struggles with what is sufficient time to review meeting materials and to ask questions before the meeting, and asked what the expectation is to have all of the meeting materials in hand prior to the meeting. The process was discussed as to how the agenda is drafted, and how the process seems disjointed. The concept of the consent agenda was discussed. There is a process to remove items from the consent agenda for discussion, and it allows some time savings as some items may be moved, seconded, and approved at the same time.

#### **FORMATION OF A PARKING COMMITTEE**

P. H. Flanders stated that the Trustees have talked about the formation of a parking committee and suggested the formation consist of one Select Board member, one Trustee, a representative from RW, and 3 members of the business community. Business owners have expressed concern about parking, compliance with the 2 hour parking limit, new parking, and increased attention to enforcement. The Trustees have appointed N. Howell-Sherman to the committee. C. Nordle expressed concern that property owners and users are not involved, and suggested incorporating two business owners and two members of the community. T. Wood suggested someone from law enforcement be part of the committee. It was decided that they can be brought in as necessary but not part of the committee. D. Schneider volunteered to be the Select Board representative. K. Miller made a motion that D. Schneider be the Select Board representative on the parking committee. The motion was seconded by J. Grenier and passed unanimously.

#### **MUNICIPAL BUILDING ITEMS**

K. Miller made a motion that the Board move forward with the Municipal Building Complex at the Jane's site to include the Municipal Complex, Library and Historical Society. The motion was seconded by J. Grenier and passed unanimously.

The application for the bond bank has been submitted. The Board has not yet taken a formal action as to whether the bond should be a 20 or 30 year bond. The Manager previously recommended a 30 year bond term. K. Miller is much more comfortable with a 20 year bond due to the amount of interest that will be paid on a 30 year bond. W. Shepeluk explained the memo that he had previously distributed. Historically, the Board has focused on the tax rate. C. Viens made a motion to set the term of the bond for the municipal complex at 20 years. The motion was seconded by D. Schneider and passed unanimously.

W. Shepeluk previously distributed a letter addressing issues that were raised with regard to the land conversion. C. Nordle suggested that the letter is written from the perspective of someone who is really familiar with the project, and had a series of suggested edits. It is important that whoever reads it understands that the land behind the Armory is considered suitable replacement land. W. Shepeluk stated there were issues raised around the process by which the land conversion was made, and gave a history of the transfer. The conversion was approved in February of 2013. Just after the rescission vote, more questions were raised from an attorney representing Gary Griffith. There were allegations that public was not aware of the conversion process, however the conversion was discussed at several Board meeting and public hearings.

C. Nordle suggested calling Ed O'Leary to tell him the Board discussed the letter, and do a final review of the letter on June 2<sup>nd</sup>. No one is challenging the ability to use the 1.5 acres to build the Municipal Building Complex, or whether the converted land is suitable quality. T. Wood expressed frustration from a taxpayer perspective that this continues to drag on.

C. Nordle reviewed the three change orders for the VIA contract. Change order #3 is for developing energy models for the proposed building in the amount of \$11,000. The energy modeling was approved at a prior meeting. A second change order is related to the storm water discharge permit for some additional engineering in the amount of \$5,720. The last change order ties back to the request for additional work as part of Phase I, in the amount of \$10,000.

W. Shepeluk asked if the Board feel comfortable allowing him to sign change orders and asked them to consider this process. There will be many change orders as the Town moves through the process. K. Miller made a motion to approve the three change orders as presented by C. Nordle. The motion was seconded by J. Grenier and passed unanimously.

#### **MANAGER'S ITEMS**

The Armada contract was an 18 month contract signed with the Village. The contract ends as B. Farr only has 5 hours left. The original contract was for 25 hours per week at \$86 per hour to Armada. The proposed new contract was put in as an expense item in the building project budget but with no specified funding. The Manager asked that the Select Board authorize him to sign a new contract with Armada. The scope is much narrower, as the major project is the Municipal Building Complex. B. Farr stated that there is a lot of work ahead, and she would love to continue working on this project. Keeping track of funding will be significant. She will be pursuing additional grant funding. W. Shepeluk feels confident that he can manage the budget and that the Town will need additional capacity next year as well. The proposed contract will go until December 31<sup>st</sup>, 2014. J. Grenier made a motion to instruct the Manager to sign a contract with Armada for the rest of 2014 in the amount of \$65,000. The motion was seconded by C. Viens and passed unanimously.

W. Shepeluk distributed a memo (attached) and reviewed that funding that was initially committed to the Ladd Hall Project. CVCLT has approached the Town and Village for additional funding. The Trustees do not feel they have any more money to spare. The Town is willing to loan an additional amount from the CDBG fund up to \$50,000. They have asked that the money be lent in June of this year. The Manager proposed lending it over the course of the next year as follows: \$101,010 disbursed from the CDBG fund with 3 equal disbursements on June 30<sup>th</sup>, November 30<sup>th</sup> and March 30<sup>th</sup>; and \$44,990 disbursed on June 30, 2015. He also proposed that \$200,000 be disbursed from the UDAG fund with 4 equal payments on June 30<sup>th</sup>, November 30<sup>th</sup>, March 30<sup>th</sup> and June 30<sup>th</sup>, 2015; with amortization to begin January 10<sup>th</sup>, 2016 and monthly payments of \$1,011.77 for 240 months. In addition, he proposed \$74,000 from the CDBG fund with 4 equal payments on June 30<sup>th</sup>, November 30<sup>th</sup>, March 30<sup>th</sup> and June 30<sup>th</sup>. Fund balances and tax anticipation borrowing was discussed.

D. Schneider made a motion to authorize the Manager to continue working toward the closing under the terms outlined in the memo. The motion was seconded by K. Miller and passed unanimously. On behalf of the Trustees, L. Sayah made a motion to lend funds from the Village UDAG and CDBG funds in the manner outlined in the memo. The motion was seconded by N. Howell-Sherman and passed unanimously.

A. Tuscany updated the Board on the Roundabout project. The project is out to bid, with the bid opening on May 31<sup>st</sup>. There is an appeal of the necessity looming over the project. All offers (10) have been sent out, and 2 have been received back signed. All payments must be paid before the project is awarded.

Bids have been opened for the Stowe Street sidewalk project, and they came in much higher than anticipated. A. Tuscany distributed a summary of the bids. The total project budget is \$472,394, but the total available funding of \$329,450 is nowhere near this amount. A. Tuscany suggested delaying awarding the bid. There are two grant programs that can be applied for, including a bike and pedestrian grant. There is another sidewalk enhancement application that can be applied for in January. He then discussed various project options. He also explored scaling back the scope of the project which is not the preferred solution. He recommended delaying the bid, and submitting the bike and pedestrian grant application by June 27<sup>th</sup>.

K. Miller made a motion to authorize Staff to submit a grant application by June 27<sup>th</sup> to the VTRANS bike and pedestrian program. The motion was seconded by J. Grenier and passed unanimously.

Chad Ummel was present to discuss the Summer Food Services Program. The program is an initiative under Hunger Free Vermont to offer free meals for children under 18. The proposal is to have the program implemented by the summer recreation program with volunteers from the Waterbury Congregational Church. Meal distribution would be Monday through Friday during the recreation program season and there is no cost to the Town. The day camp participants will no longer buy lunches from area restaurants. W. Shepeluk stated that there are concerns about the mission of the recreation program, and intermingling of summer recreation participants with older children. D. Schneider made a motion to have the recreation department run the program for this year. The motion was seconded by K. Miller and passed unanimously.

T. Wood was present to request approval of the Waterbury Not Quite Independence Day festival permit. P. H. Flanders asked where the parade line up will occur. T. Wood stated that it will be pieced together as there is not one large space. J. Grenier made a motion to approve the WNQID festival permit. The motion was seconded C. Viens and passed unanimously.

W. Shepeluk asked the Trustees if there would be any issue with having the Village Police involved in traffic control at Farr Field. T. Wood stated that the Sheriff's Department will take the lead for security and traffic control. The Village Police department's job will be to help coordinate with Sheriff's department.

The rest of the agenda was reviewed. The personnel policy contains a social media policy, so that can be one item to be discussed at the next meeting.

P. H. Flanders suggested that an employee breakfast be done this spring. If interested, P. H. Flanders will pursue. The Boards concurred.

J. Grenier made a motion to approve the minutes of the May 12<sup>th</sup> meeting. The motion was seconded by C. Viens and passed unanimously.

The meeting of the Trustees adjourned 9:58pm.

Page 5  
May 19, 2014

The appointment to the Central Vermont Regional Planning Commission was discussed. The commission needs a Waterbury delegate. The Town Clerk will advertise the position.

The Green Mountain Relay has requested the use of Hope Davey for a relay exchange on June 20<sup>th</sup>, 2015. J. Grenier made a motion to approve the request. The motion was seconded by K. Miller and passed unanimously.

W. Shepeluk updated the Board on a health situation concerning rats at a house on Stowe Street. He has been working with Town Health Officer Steve Simoes and several different social services agency to try to provide pest control services. It is likely that an emergency health order will be issued tomorrow. The issue is complicated because the property is owner occupied. The Town may need to hire a sheriff to provide service and may need court order to get in the house. W. Shepeluk stated that Steve Simoes has done a great job.

J. Grenier made a motion to nominate W. Shepeluk to be the assistant health officer and recommend the appointment to the State of Vermont Department of Health. The motion was seconded by C. Viens and passed unanimously.

There being no further business, the meeting was adjourned at 10:08pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 2, 2014