

**Joint Meeting of the Waterbury Select Board and Village Trustees
June 2, 2014
Main Street Fire Station**

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

Public: Everett Coffey, Peter Turmell and Theresa Wood.

The meeting of both Boards was called to order at 7:07pm.

REVIEW AGENDA

C. Lawrence asked to add requests from TBPS for the use of Dac Rowe fields with waiver of fees. P. H. Flanders asked to share information with the Board relative to the municipal complex project.

PUBLIC

E. Coffey asked to talk about clarification for the meeting minutes of April 7th and April 21st. C. Nordle and K. Miller had previously met with E. Coffey separately and C. Nordle indicated that the only change requested was for the minutes of April 21st. The minutes of April 21st are included in this evening's agenda, and C. Nordle suggested that the April 7th minutes could be discussed outside of the meeting as it was not an agenda item.

P. H. Flanders announced that the Trustees voted to donate the weathervane and cupola to the municipal complex project, with the architects to decide how and where to place it.

MANAGER'S ITEMS

Personnel/Social Media Policy: W. Shepeluk previously distributed a draft of the policy. He explained that a policy has been in the works and that in his 360 review a couple of years ago, the Boards expressed a desire for an updated policy. W. Shepeluk has been working with a consultant and they have produced an employee handbook, in which the personnel policy is included.

The Board discussed the best way to review the document. J. Grenier suggested that each Board member review specific parts of the document and provide comments, to make the review more manageable. C. Nordle feels that parts of the document lack continuity. The Board had previously asked about changing to a combined time off (CTO) policy, and this document reflects the change. W. Shepeluk stated that the policy and concept of CTO has not yet been shared with the employees. One issue that will arise will be how to handle the disposition of the sick bank some employees have in place. C. Nordle asked Board members if they had any opposition with a CTO policy. W. Shepeluk explained how vacation and sick time accrual currently works, as well as the long term disability plan. Discussion continued as to how the transition to CTO might happen. C. Viens asked if money was set aside for those employees who accrue time and then terminate or retire. W. Shepeluk stated that moving to CTO would limit the Town's total liability. C. Nordle stated that there are two questions: Do the boards support the move to CTO, and what needs to be put in place to be fair to the employees during the transition.

P. H. Flanders suggested that each Board member be assigned a topic to report out at a future meeting. C. Nordle has reviewed the entire documents and can forward his comments to the Manager. The topics were assigned to Board members as follows:

Diversity, Don Schneider; Employment, P. H. Flanders; Workplace Safety, Chris Viens; Workplace Expectations, N. Howell-Sherman and K. Miller; Compensation, John Grenier; Time Off/Leave of Absence, Chris Nordle; and Benefits, L. Sayah.

The members will report back in one month. If Board members have any comments on other sections, they will forward them to the Manager.

Consent Agenda: W. Shepeluk distributed a sample of an agenda from the Town of Stowe, which includes consent items. Each consent item includes a summary attached to the agenda. When the consent items are moved and discussed, anyone can ask for an item to be removed and discussed in detail later in the meeting, otherwise these items are moved and approved en masse. Consent items are typically items that staff has asked to be included on the agenda. C. Nordle stated he would like to try the process. J. Grenier concurred. C. Viens expressed concern that pulling items off of the consent agenda would cause the meeting to run over, but is willing to try. By consensus, the Board will try the consent agenda method.

Authorization to Sign Change Orders: W. Shepeluk asked if all change orders for the municipal complex would have to come before the Board, or if staff can handle them. C. Nordle asked how it was handled for the Fire Stations. W. Shepeluk responded that there were not a lot of them, some had minimal cost changes, and those with big changes were discussed at a Board meeting. D. Schneider stated that during the TBPS construction, he was authorized to sign change orders up to \$10,000 per item. C. Viens expressed concern about staying within the budget. J. Grenier made a motion to authorize the Manager to sign any change order on the municipal building complex up to \$10,000 without Board approval. The motion was seconded by C. Viens and passed by those present.

Land Conversion Letter: The letter that was discussed at the previous meeting was edited by C. Nordle and distributed. W. Shepeluk made and explained some additional edits. D. Schneider made a motion to authorize the Manager to sign the response to the LWCF conversion at Dascomb Rowe field, to be submitted to Ed O'Leary at the Department of Forests, Parks and Recreation. The motion was seconded by J. Grenier and passed by those present.

Late Homestead Filing Penalty: A policy decision needs to be made on the late filing penalty. W. Shepeluk explained the process for the penalty. Last year the penalty was waived as the State changed their statute for the filing of the homestead declaration. The purpose of the penalty is to provide compensation to the Town for the administrative expenses. A discussion was held whether or not to impose a penalty. J. Grenier made a motion to waive the penalty laid out in 32 V. S. A. §5410. The motion was seconded by D. Schneider and passed by those present. The Board will revisit this issue each year. W. Shepeluk will follow up with C. Nelson to see how many are processed and how long it takes.

Roundabout Appeal Update: A. Tuscany was present to give an update on the roundabout project. He distributed the results of the bids. J. A. McDonald was the apparent low bidder at \$3,884,867.40. All bids were very close. There is a status conference at Superior Court on June 9th on the appeal. There are still water and wastewater permits pending approval. Compensation checks will be sent out this week. Malcolm Willard has joined the Quinn appeal. There is concern about the businesses that will be affected by the construction and WDEV will make announcements about supporting the businesses. The Town is waiting for

the court outcome before signing the contract. P. H. Flanders stated that the Trustees deferred their check of \$9,700 to be put towards the water and sewer upgrades.

C. Viens asked if the appeal could kill the project. The Court will decide whether or not to issue a stay until the appeal is resolved. C. Nordle stated there is a very high standard to overturn a necessity determination. W. Shepeluk stated that there is potential that this project may be pushed off for another year or two. T. Wood stated that one of the reasons for the project is for Interstate highway safety, to keep traffic moving off of the interstate.

A. Tuscany gave the Board an update on Stowe Street. VTrans will contribute an additional \$150,000 to the project and would like to see the project completed. A. Tuscany distributed an email outlining the project costs. The total funds available are \$479,450 and the total project cost is estimated to be \$472,389. The earliest DCS (low bidder) can start is August. A. Tuscany recommended moving forward with the project this year. J. Grenier moved to approve staff to proceed with the project with the budget outlined in the email dated June 1, 2014. The motion was seconded by D. Schneider. C. Viens asked several questions about the project. The motion passed by those present.

Animal Control Budget: W. Shepeluk distributed the health and social service budget and gave an overview of the animal control budget. The spending is significantly higher than it has been in the past. ACO Peter Turmell has been quite active, reacting only to calls and has a different style than previous ACO's. If the current level of spending continues, the total at year-end will be approximately \$4,100. W. Shepeluk also reviewed the pound service line item and services that the pound provides. W. Shepeluk has been encouraging P. Turmell to stick closely with the ordinance, which deals with wolf-hybrids and dogs. P. Turmell stated that Lamoille Kennels in Morrisville is much more flexible than the current arrangement.

P. Turmell stated that he and the Town Clerk attended a workshop in Montpelier and gave brief update. He would like to have the ability to pick up cats. C. Nordle stated that there will need to be a broader discussion the ordinance and policies. Some members of the board are aware of the judicial bureau process, and this is part of the bigger policy discussions. He stated the Board also needs to look at terms of contract with Bark & Be Wild Boarding Kennel. P. Turmell asked if he could respond to calls regarding cats. C. Nordle stated that this would be discussed at a later date, and in the meantime, the ordinance states dogs and wolf-hybrids only.

The Trustees adjourned at 9:07pm.

MUNICIPAL BUILDING ITEMS

Historical Society MOU: C. Nordle reviewed some of the items as outlined in a prior version of the MOU. C. Palermo stated that the issues are determining square footage, cost and length of lease. W. Shepeluk distributed a draft of the MOU. The contribution of \$100,000 will include maintenance and other costs for the foreseeable future. The term is 99 years to be renegotiated after 25 years. C. Nordle asked if there is some publication process before the MOU is signed due to the length of the lease. W. Shepeluk with check into this with Paul Giuliani. C. Viens asked about any special climate control needs. The building as a whole will be suitable for their displays.

Construction Management Proposals: B. Farr distributed proposals and a scoring sheet. Ten different firms came to the mandatory site walk, and as of noon today four firms submitted proposals, including ReArch, H. P. Cummings, DEW, and E. F. Wall.

B. Farr asked that asked the Board review the proposals and score them based on the criteria outlined. There is a meeting on Thursday at 3:00pm to discuss the proposals. Staff will also be reviewing the proposals. It is anticipated that 2 or 3 firms will be picked to bring back for interviews.

Approve CDBG Anti-Displacement Plan: B. Farr explained that this is a requirement for grants going forward. It applies to all federal grants and relates to housing projects dealing with residential displacement. One is in place for the Village, so this is a matter of housekeeping. The plan does not apply to any project currently being worked on, as none of them are housing projects.

D. Schneider made a motion to adopt the CDBG Residential Anti-Displacement and Relocation Plan. The motion was seconded by C. Viens and passed by those present.

There is a meeting on Thursday at 5:15pm at Waterbury Congregational Church to meet with the adjoining landowners to talk about a draft landscaping plan.

TOWN CLERK'S ITEMS

C. Lawrence updated the Board on the status of dog licensing. A reminder notice was sent in February, a late notice was sent in May, and there are still approximately 68 dogs that are unlicensed. She stated that some Town Clerks send a letter threatening impoundment which is allowed by statute. The Board indicated that they are not prepared to take that position.

The April 21st minutes were discussed with regard to the appointment to the State Police Advisory Board, specifically the section where a statement was made about Everett Coffey. The minutes reflected the following: 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.

E. Coffey made a request that the wording be changed to reflect that the comments were made outside of an ongoing meeting during a private discussion.

D. Schneider made a motion to amend the minutes of April 21st meeting as follows: 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 outside of an earlier meeting as the Chair was exiting. The motion was seconded by J. Grenier and passed by those present.

J. Grenier made a motion to approve the minutes of the May 19th meeting. The motion was seconded by C. Viens and passed by those present.

C. Lawrence reviewed three requests for the use of Dac Rowe fields on June 17th and 18th by TPBS with waiver of fees. D. Schneider made a motion to approve the requests with waiver of fees. The motion was seconded by C. Viens and passed by those present.

There being no further business, the meeting was adjourned at 9:40pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 16, 2014