

**Joint Meeting of the Waterbury Select Board and Village Trustees  
October 20, 2014  
Main Street Fire Station**

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

Public: Peter Turmelle, Dan Sweet, Peter Kulis, Everett Coffey, Sally Kulis, Jeff Larkin, Darren Winham, and Cindy Lyons.

The meeting of both Boards was called to order at 7:00pm.

**APPROVE AGENDA**

B. Farr asked to remove the geothermal heat pump system grant application from the agenda. She asked to add a pre-application for the Housing and Urban Development and the Land and Water Conservation Funds. There are deadlines for the pre-applications before the Board meets next. P. H. Flanders has an announcement about the employee breakfast. The revised agenda was approved by the majority of the Select Board and Trustees.

**CONSENT AGENDA ITEMS**

K. Miller made a motion to approve the consent agenda items including the minutes of the September 15<sup>th</sup> and September 29<sup>th</sup> meetings; and a People's United Bank note in the amount of \$42,000 at a rate of 1.90% per annum to refund a borrowing originally issued for \$210,000 on October 29, 2010 which was issued to purchase a fire truck. The motion was seconded by C. Viens and passed unanimously.

**PUBLIC**

P. Kulis stated they are trying to bring closure to the Sweet Solar farm contract issues. He stated that there is an open issue with regard to the solar credit contract with the Town. W. Shepeluk stated that the Board has not directed him to seek legal advice. The contract for the project is with the Village and the project is moving forward. There is currently no breach of contract for the contract that was signed on May 5, 2014.

P. Kulis stated that he assumed Green Lantern would approach the Select Board and School Board. He believes that customers will overpay Green Lantern for credits the customers will not receive as power credits are not guaranteed. The school, Town, and Village may receive no solar credits. The fixed monthly fees paid to Green Lantern are guaranteed, and are based on contracted amounts, which are greater than the power that Green Lantern can produce. There is no hierarchy as to how the power will be divided and there is not enough power to go around. Green Lantern needs to approach the three parties and cure this issue. He asked the Boards to bring Green Lantern to the table. C. Nordle stated that this will have to be dealt with at some point.

E. Coffey asked for this to be reviewed and asked permission to comment on agenda items.

**FINAL PUBLIC HEARING FOR CDBG-DR PLANNING GRANT FOR THE MUNICIPAL COMPLEX**

S. Lotspeich stated that the Town previously obtained a \$100,000 planning grant to do planning and design work for the municipal complex. The grant monies have been spent as well as matching funds and in-kind time, and the funds have been received. The Town is at the point of making a final report to the State. The final public hearing is an opportunity for

the public to comment on the grant and the use of the funds which is a requirement to close out the grant. C. Nordle commented that the grant came at an opportune time and was critical to get the project moving quickly.

E. Coffey asked what the requirements were for the warning of the hearing. S. Lotspeich responded that the notice was posted in the paper and three places around town, and all requirements were met.

### **LOCAL DEVELOPMENT CORPORATION CONTRACT**

D. Winham was present to give an update. He has completed the Economic Development Strategic Plan. He stated there is good news about the flea market property with a company that would like to develop that site. There is a piece of property off of Demeritt place that a company wishes to build on. There is a tenant for the first floor of the Steele Block early next year. There is a party interested in going into some empty store space on Stowe Street. The hotel groups are still interested in the Anderson field location and a letter was sent to the federal government asking if this project is possible, and Ed O'Leary has asked for some information on the Anderson Field site. There is a purchase and sale agreement for 51 South Main Street, and Chad Rich is wrapping up his project at the Prohibition Pig.

C. Nordle asked how much D. Winham is currently doing for Waterbury and how much remains to be done. D. Winham responded that there is a lot to be done. He would like to form a committee to hire someone to carry out the projects. There a lot of good things happening and dropping the ball would be a big mistake. P. H. Flanders stated they have been supportive of D. Winham's work and it is important to have someone in that position moving forward. F. Hurley of RW also wrote a letter of support of filling this position.

J. Larkin stated that a lot of projects have gotten started and he would like to see them move forward. There will be challenges in the next three years with construction projects that will be happening.

W. Shepeluk stated that the goal is get developers in the door, keep them in Town and also help existing businesses. The exact structure of organization may not be determined this evening, but the Boards need to think about it during the budgeting process.

D. Winham is currently being paid \$4,300 per month for 20 hours per week, or about \$52,000 per year. He feels that someone can be found that can work more hours for this rate of pay, as he has already set the ground work.

K. Miller stated that the position has to be accountable to the Town as it is paid by taxpayer dollars. W. Shepeluk stated that accountability and need for confidentiality is an issue and there needs to be a balance.

C. Nordle stated a need to take a look at what the position should look like for the rest of the year and into 2015. W. Shepeluk suggested keeping D. Winham on board for the rest of this year. He will meet with D. Winham and J. Larkin on a contract proposal for 2015 and a structure and report at the next meeting.

### **EMPLOYEE BENEFITS**

Last year, the Municipality offered the Platinum Standard plan and the Bronze CDHP high deductible plan through Blue Cross Blue Shield. The Municipality will not be able to use Health Connect again this year. The suggestion is to offer Blue Cross plans and there are several plans available. The Manager recommended increasing the monthly benefit by 2%. He recommended doing away with Flexible Spending Account and adding \$30 per month to compensate for the discontinuance of the FSA.

He also recommended providing a monthly benefit to those employees who do not want coverage in the amount of \$230 per month, as well as offering a voluntary critical illness and accident plan through Lincoln Financial at no cost to the Town or Village.

D. Schneider made a motion to offer employees a choice of available Blue Cross plans for 2015, to eliminate the FSA option, to offer a voluntary critical illness and accident plan through Lincoln financial, and to include in the budget money to fund a 2 % increase of the 2014 offering and add a \$30 per month increase in addition to the 2%. C. Viens asked about the administration of a large offering of plans. Once everything is set up, it will not be difficult to administer.

N. Howell-Sherman made a like motion on behalf of the Village Trustees. The motion was seconded by L. Sayah. P. H. Flanders stated that the insurance plans are one of the better benefits that the employees are offered. The motion was then passed by both Boards.

The one item left on table is whether to offer a monthly benefit to those employees who do not want coverage. P. H. Flanders and K. Miller stated that they were reluctant to support this concept. C. Nordle stated that he does not feel it sways employees as they will go with whatever plan is best for them. Another suggestion was made; to give employees who do not take the insurance \$350 since they will lose that FSA benefit.

K. Miller made a motion to pay an annual amount of \$350 to those employees who chose to not take the insurance. The motion was seconded by J. Grenier and passed unanimously.

N. Howell-Sherman made a like motion on behalf of the Trustees. The motion was seconded by L. Sayah and passed unanimously.

#### **ADOPTION/APPROVAL OF LOCAL EMERGENCY OPERATION PLAN AND NIMS SIGNING**

B. Farr stated that Vermont Emergency Management has been sending regular notices for the Town and Village to adopt a Local Emergency Operations Plan. It is a short plan that identifies the main contacts for the Village and the Town. It is recommended that Alec Tuscany be the Emergency Management Director. The Emergency Management Coordinator is recommended to be Barb Farr. The plan needs to be adopted by October 23<sup>rd</sup>, or the Town will not be eligible for additional assistance from State Emergency Relief Assistance Fund.

K. Miller made a motion to establish the National Incident Management System (NIMS) as the Town of Waterbury's standard for incident management and to adopt the Local Emergency Operations Plan; and authorize the Municipal Manager to certify that the plan has been adopted. The motion was seconded by C. Viens and passed unanimously.

L. Sayah made a like motion on behalf of the Trustees. The motion was seconded by N. Howell Sherman and passed unanimously.

#### **APPOINT MEMBERS TO COMMUNITY RESILIENCY ORGANIZATION**

B. Farr stated that the proposed members to the Community Resiliency Organization are: Rebecca Ellis, Steve Lotspeich with Ryan Morrison as a backup, and Ann Smith with James Gorham as a backup. She would like to fill out the organization with a Select Board and Trustee delegate. J. Grenier volunteered on behalf of the Select Board; and N. Howell-Sherman volunteered on behalf of the Trustees, with P. H. Flanders as the backup.

K. Miller made a motion to appoint all proposed members to the Community Resiliency Organization for a one year term. The motion was seconded by C. Viens and passed unanimously.

L. Sayah made a like motion on behalf of the Trustees. The motion was seconded by N. Howell-Sherman and passed unanimously.

### **AUTHORIZE GRANT APPLICATIONS**

B. Farr explained that the Economic Development Administration has encouraged Waterbury to submit a grant application draft by the end of October. This is a technical assistance grant seeking funds to support the engineering and economic return feasibility portion of an extended sewer line up Route 100 North. The match would be expensive as EDA is looking a match of up to 50%. The Town match would be \$16,000. C. Nordle stated that he will not participate in any agenda items added at the beginning of a meeting until guidelines are specified in the Select Board Rules of Procedure.

Notice was received today from Housing and Urban Development of a grant opportunity for flood impacted communities. The focus is on sewer and wastewater treatment plants that were impacted by the flood. The potential for the pump station is to construct a structure at grade and above to withstand a 500 year flood. The funding source typically requests a 10% match. The suggestion is to apply for a \$100,000 with a 10% match.

B. Farr suggested that the two grants may be able to be combined to have a local match of 10%. The second grant opportunity is for a Village project. If the first grant is approved, and the Village approves the second grant, there may be an opportunity to tie them together at a later date.

K. Miller made a motion to approve the submission of a preliminary application for the EDA grant for the technical part of the sewer line extension to include engineering and a cost estimate. The motion was seconded by D. Schneider and passed unanimously.

N. Howell-Sherman made a like motion on behalf of the Trustees. The motion was seconded by L. Sayah and passed unanimously.

N. Howell-Sherman made a motion to approve the submission of notice of intent to the DEC for the HUD grant opportunity for sewer projects. The motion was seconded by L. Sayah and passed unanimously.

B. Farr brought to the Board's attention to a Land and Water Conservation Fund pre-application due on October 31<sup>st</sup>. The proposal is to acquire 3.3 acres of GMP property at the end of Winooski Street currently leased as community gardens to develop a picnic area and fishing access by the river while rerouting the Cross Vermont Trail closer to the river. The purchase of the property would require Town approval, and would be a condition of the grant.

K. Miller made a motion to submit a pre-application to LWCF by October 31 for the proposal of acquiring 3.3 acres of GMP property at the end of Winooski Street to develop for recreational purposes. The motion was seconded by J. Grenier. D. Schneider stated that he was is uncomfortable authorizing applications that may add more money to the budget. The application process was explained, and it will come back before the Board three more times before final approval. The motion passed with four in favor and 1 abstention.

### **EMPLOYEE BREAKFAST**

P. H. Flanders suggested that an employee breakfast be held at St. Leo's Hall on October 29<sup>th</sup> at 8:00am. Both Boards were agreeable.

There being no further business, the Trustees adjourned at 9:37pm.

### **MUNICIPAL ORDINANCE VIOLATIONS**

Animal Control Officer P. Turmelle was present to explain some ongoing issues with dog owners. Another issue is that dogs are running off leash in the field behind Randall Street. A discussion was held about placing signage on Randall Street and along Winooski Street. P. Turmelle asked for support from Board to issue tickets for violations of the Animal Control Ordinance. The local ordinance authorizes the ACO to issue tickets from the Vermont Judicial Bureau. C. Nordle stated that it is also necessary to spend time and effort to get people to comply. The Board was supportive of issuing tickets.

### **MUNICIPAL BUILDING ITEMS**

B. Farr stated that the Town has been given the green light to hire a construction management firm. A decision can be made on a CM firm tonight. The \$1 million CDBG-DR grant will be coming in, as well as a \$50,000 grant for accessibility modifications. K. Miller made a motion to authorize the Municipal Manager to sign the \$1 million CDBG-DR implementation grant for the municipal complex and the \$50,000 accessibility modification grant. The motion was seconded by C. Viens and passed unanimously.

Three months ago, three CM firms were interviewed and all three are still interested. B. Farr reviewed changes to the general conditions for an April 2015 start date. K. Miller would like to revisit meeting minutes or notes when the firms were interviewed. B. Farr stated that she can find those minutes and/or interviews can be rescheduled on October 30<sup>th</sup>. C. Nordle suggested that the tapes from the interviews can be watched. A. Tuscany stated that GMCR has used H. P. Cummings for projects and they come very highly rated. It was decided to make selection on November 3<sup>rd</sup>.

There was a reminder that the Act 250 hearing is this Wednesday, October 22<sup>nd</sup> at 7:00pm at the Best Western, preceded by a site walk at 5:00pm at library.

### **REPRESENTATIVE TO MAD RIVER RESOURCE MANAGEMENT ALLIANCE**

Ed Steele has resigned as representative to the Mad River Resource Management Alliance. A. Tuscany is willing to step into the position, as he was previously the alternate. A discussion was held as to whether the position should be advertised. The Town Clerk will research what the DRB did when they appointed an alternate.

There being no further business, the meeting was adjourned at 10:23pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: November 3, 2014