

Joint Meeting of the Waterbury Select Board & Village Trustees
April 20th, 2015
Main Street Fire Station

Present: C. Nordle, Chair; C. Viens, J. Brown, and M. Frier, Select Board; P. H. Flanders, N. Howell-Sherman, and L. Sayah, Village Trustees; S. Lotspeich, Community Planner; W. Shepeluk, Municipal Manager; B. Farr, Long Term Recovery Director; A. Imhoff, ORCA Media; M. Mientka, Waterbury Record; and C. Lawrence, Town Clerk.

Public: Jeff Larkin, Everett Coffey, Mary Koen and Jeff Kampion of the Planning Commission.

The meeting of both Boards was called to order at 7:05pm.

APPROVE AGENDA

The item scheduled for 9:45pm (road name for Blush Hill subdivision) was removed. M. Frier made a motion to approve the agenda. The motion was seconded by C. Viens and passed by those present.

CONSENT AGENDA ITEMS

C. Viens made a motion to approve the consent agenda items, including the minutes of the April 6th and April 9th meetings, and liquor licenses for Depot Beverage, Cork Ventures, Vitality Mart, Arvad's, Country Club of Vermont, Old Stagecoach Inn, Maxi's, and the Cider House. The motion was seconded by M. Frier and passed by those present.

PUBLIC

E. Coffey asked why residents have to pay for space at the community gardens, but no one has to pay to play tennis. He would like the Board to give consideration to this issue.

PLANNING COMMISSION PRESENTATION OF FLOOD PLAIN REGULATIONS

S. Lotspeich distributed draft #2 of the zoning amendments for the flood hazard regulations dated April 13, 2015 which incorporated comments made at the public hearing on April 13th, and gave an overview, reviewing the matrix of components for consideration (attached). The Planning Commission is not recommending any regulations outside of the 100-year flood plain. There will be a variance process for historic structures that are substantially improved, with conditions. There is a new section that deals with compensatory storage or alternate flood attenuation methods. C. Nordle asked if State of Vermont Buildings and General Services had been given a copy, as they are the largest property owner in the Village. S. Lotspeich will have the State review and indicated that the Agency of Natural Resources uses the same language. The Boards will need to hold a public hearing on this latest draft. If any substantive changes are made, another hearing must be held.

C. Nordle asked about the former Whalley trailer park which is in the 100-year flood plain. He asked how the draft regulations affect the new houses currently being constructed. The current structures are not compliant with the new regulations. He also asked about Huntington Place condominiums, and what would happen if part of the structure was damaged. The goal of the by-laws is to bring buildings into compliance. S. Lotspeich brought the Boards attention to the variance section of the by-laws. If the property owner can demonstrate a hardship, they can apply for a variance with the Development Review Board. S. Lotspeich will review with Rebecca Pfeiffer. C. Nordle asked about grants to elevate historic structures and asked if they had to be elevated to the 500-year flood plain. S. Lotspeich explained the process. C. Nordle is leery about situations that will push a permit into a variance request.

C. Nordle asked about road maintenance section of the matrix. Portions of Little River road are in a portion where the base flood elevation is undefined. He asked what the Town's burden is with respect to the road. This issue needs to be explored more closely.

C. Nordle suggested that any further questions be directed to S. Lotspeich. The interim by-laws expire on May 21st. Once the public hearing is warned, new applications would be reviewed under the proposed amendments.

ECONOMIC DEVELOPMENT DIRECTOR

The Town & Village have appropriated money in the 2015 budget for an Economic Development Director and authorized moving forward with a request for proposal. The amount budgeted is \$4,200 per month for April through December. The Waterbury Area Development Committee (WADC) and RW have been discussing how they would like this position to move forward. B. Farr explained that are economies of scale if these two organizations work together and the WADC is wrapped into the RW fold. There is currently an economic development committee under RW and this position could report to this committee.

W. Shepeluk asked who the appointing authority is for WADC. He suggested that money from Town and Village would be paid to RW, who would hire and contract with the Economic Development Director. B. Farr stated that RW has asked if it is possible to consider an additional administrative fee in order to manage the position. The impetus is to have a person employed outside of the municipality to advocate for the business community. This position will be a voice for the parking issues, and expansion of water and sewer lines.

M. Frier stated that the position will help make Waterbury more business friendly, and also serve as a liaison with residents. He suggested a five year plan for funding to retain the person in the position. Discussion followed about the funding of the position and whether or not the municipality will continue to fund.

W. Shepeluk stated that there needs to be clear understanding of the expectations of the position, and he envisions a subcommittee of RW managing the position. It was suggested that the Agency of Commerce and Community Development be contacted them to see how this is handled elsewhere. Both Boards agreed to continue to pursue this concept. J. Larkin was asked to bring a proposal to the next meeting on May 4th (flowchart, RW authority, funding).

LOCAL EMERGENCY OPERATIONS PLAN (LEOP)

B. Farr stated that the Town and Village have a current plan, but the State requires that it be updated on an annual basis. If there is a federally declared disaster, the plan helps to leverage additional non-federal money. W. Shepeluk has taken the 100 level ICS training and is authorized to sign the plan.

C. Viens made a motion to approve the LEOP and authorize the Municipal Manager to sign on behalf of the Town. The motion was seconded by J. Brown and passed by those present. N. Howell-Sherman made a like motion on behalf of the Village. The motion was seconded by L. Sayah and passed unanimously.

MEMORANDUM OF UNDERSTANDING WITH HISTORICAL SOCIETY

The MOU was distributed with edits that were previously discussed. C. Nordle reviewed the terms of the memorandum (attached). The prior Select Board has already approved the document.

MANAGER'S ITEMS

A variance was requested for a 4 hour vault versus a 6 hour vault in the municipal complex under the fire safety permit. The variance was initially declined. W. Shepeluk explained that the entity responsible for the records can decide the level of protection, and the Manager has statutory authority to make decisions on construction. The difference in cost is \$11,063. The vault has a dry chemical automatic suppression system and there is a sprinkler system in the rest of the building. The division of fire safety has asked the Select Board to approve the change in vault rating, even though the Manager has the authority. M. Frier made a motion that the Board support the Manager's request for a four hour vault. The motion was seconded by J. Brown and passed by those present.

A list of alternates to the municipal complex was distributed and B. Farr gave an overview. The library has committed \$191,000 of their funds to go towards the cost overruns. They recently sent a letter to C. Nordle and have asked that the maple hardwood floors, the concrete sidewalks, and the kitchen cabinets all be added back into the project (items 3 – 5). Other deducts can be considered later in the project. C. Viens made a motion to include concrete sidewalks, cabinets in room 120, and hardwood floors in rooms 101-104, either as part of the contract or change orders. The motion was seconded by M. Frier and passed by those present.

W. Shepeluk informed the Boards of Ben & Jerry's plan for installation of a 500 kW solar array. The 45 day notice is being sent today or tomorrow and the abutting land owners will be notified. The Town has no authority to regulate the arrays. C. Nordle suggested that they be asked to provide some level of screening.

W. Shepeluk reminded the Select Board that Alec Tuscany, Public Works Director, will be retiring sometime this year. Conversations will be held with the Water & Sewer Commissioners as they house the position. There is some interest to fill the position internally and to retain A. Tuscany part-time for engineering capabilities. The position will be advertised once a decision has been made. C. Nordle suggested that the Select Board be in the loop as the Town pays for part of the position.

There being no further business, the Trustees adjourned at 9:47pm.

W. Shepeluk distributed the infrastructure CIP (fund 71). As reported at a previous meeting, the Main Street bridge, which is part of the roundabout project, requires additional work at an estimated cost of \$63,000. Funding sources are being explored. W. Shepeluk reviewed potential changes to the CIP based on possible state funding (attached). J. Brown made a motion to approve the Manager's recommended changes to the infrastructure CIP. The motion was seconded by M. Frier. A brief discussion followed about the proposed changes. The motion passed by those present.

The Board reviewed the Annual Financial Plan for Town highways and certified that the funds raised by municipal taxes are equivalent to or greater than a sum of at least \$300 per mile for each mile of Class 1, 2, and 3 Town Highway in the municipality.

J. Brown made a motion to appoint Dan Sweet as Tree Warden for a one year term; Alec Tuscany as representative to the Mad River Resource Management Alliance for a one year term; Steve Lotspeich as representative to the Central Vermont Regional Planning Commission for a two year term; Steve Hagabuch and Heather O'Wril to the Conservation Commission for a four year term; Rebecca Washburn and Ken Belliveau to the Planning Commission for a three year term; Nat Fish and Tom Kinley to the Development Review Board for a three year term; and Bill Minter to the Recreation Committee for a three year term; all terms to expire on April 30th. The motion was seconded by M. Frier and passed by those present.

There being no further business, the meeting was adjourned at 10:05pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: May 4, 2015