

**Meeting of the Waterbury Select Board
July 20, 2015
Main Street Fire Station**

Present: D. Schneider, Vice Chair, C. Viens, M. Frier, and J. Brown, Select Board; W. Shepeluk, Municipal Manager; S. Lotspeich, Community Planner; A. Tuscany, Public Works Director; B. Farr, Long Term Recovery Director; A. Imhoff, ORCA Media; M. Mientka, Waterbury Record; and C. Lawrence, Town Clerk.

Public: Skip Flanders, Ken Robie (VTrans), Marc Foisy (Stantec), Kristin Kassis, Skip Flanders, Mike Wood, Chad Ummel, Bill Apao, Peter Turmelle, Jean Snelling.

The meeting was called to order at 7:04pm.

APPROVE AGENDA

C. Viens made a motion to approve the agenda with a change under Consent Agenda Items in the date of the last meeting minutes to 7/6. The motion was seconded by J. Brown and passed by those present.

CONSENT AGENDA ITEMS

C. Viens made a motion to approve the consent agenda item minutes of July 6th, and outside consumption permit for Blackback Pub, an outside consumption permit for Cold Hollow Cider Mill, and a request for alcohol at Hope Davey Pavilion on September 11th. The motion was seconded by J. Brown and passed by those present.

PUBLIC

P. H. Flanders was present to discuss the flooding on Foundry Street that occurred on Sunday July 19th. He stated that the storm drain system is unable handle heavy rain, and that the Methodist Church flooded several inches, along with flooding in other businesses on that block. He believes it is a disservice to wait until the Main Street project to replace those lines.

W. Shepeluk stated that the Main Street project will occur in 2018 – 2019. He understood that the Board voted previously not to update the storm drain a few weeks ago, but was clear that if the work had been done, it would not have helped the situation given this storm. He then explained the storm drain system and stated that the line in question was cleaned out.

A. Tuscany briefed the Board on the proposed new storm drainage system and the intricacies of replacing the old system under the Main Street project. He explained how the catch basin by the funeral home garage backs up, flooding area buildings. The lines are undersized and some of the piping compounds the problem. He spoke with Stantec about rebuilding that storm drain system prior to the Main Street project at an estimated cost of \$30,000. The estimate to repair from Foundry Street to the cornfield is \$400,000, some of which may be eligible for funding.

W. Shepeluk stated that if this work is done, there will be disruption in the center of the Village. He recommended that the Board ask staff to continue to discuss this issue with VTrans, and perhaps do a hydrological analysis of fixing Foundry Street. Discussion followed as to how to proceed. A. Tuscany will continue discussions with Stantec and VTrans.

P. H. Flanders stated that a priority for the Trustees is keeping businesses in the Village, and that this drain system should be upgraded.

PROJECT DESIGN REVIEW PROCESS – KRISTIN KASSIS

W. Shepeluk stated that K. Kassis serves on the parking committee and was present to discuss the fencing at the roundabout project. K. Kassis has heard feedback from the community that the roundabout is great, but that the aesthetics of the fence are of concern. The entrance to Waterbury should be inviting. She developed a survey, sent it out and received 90 responses. She distributed a handout summarizing the details of the results (attached to these minutes). She suggested having a fundraising effort for a different fencing solution. Next steps might include approval of a committee to explore options of improving the fence and to create a design committee going forward to preserve the historic look and feel of the Town.

S. Lotspeich stated that the roundabout was a federally funded project, and that the fencing choice was a default option. VTrans would have to be consulted for any design issues related to federally funded projects. A. Tuscany expressed maintenance concerns with planting in front of the fence and painting the fence.

S. Lotspeich stated that there is a design committee under RW and a parking committee and perhaps these committees could meet jointly. J. Brown stated that RW's design committee could use new members.

VTRANS – ROUTE 100 PAVING PROJECT

W. Shepeluk stated that amongst all the projects occurring in Waterbury, VTrans is also involved in the Route 100 paving project. K. Robie stated that the desire tonight is to explain the project and what has been laid out to date, and see what the Select Board would like incorporated into the project. The project is a paving project as opposed to a full reconstruction project. The project is on schedule to begin in 2016 with a two year construction period.

M. Foisy gave a description of the project. It starts at the roundabout and goes about 9.5 miles to Stowe. He then explained the scope of work. He stated that they were asked to look at Guptil Road and a lane and signal warrant analysis was done, and turn lanes and a traffic signal were warranted. W. Shepeluk asked for an explanation of the warrants. A decision has not been made on the Guptil Road light. M. Wood asked that the culvert be looked at during this process. There is not enough right-of-way for turn lanes at the Crossroad. A. Tuscany asked about safety concerns at Howard Avenue. Stantec will look into this intersection. B. Farr stated that Waterbury Center (Cold Hollow Cider Mill) is an identified growth center. She asked if there would be space on either side of the road in this area to include future potential water and sewer lines. Stantec will explore if there is room for turn lanes at Cold Hollow. The Town Hollow Road project was discussed. The Town is waiting for a utility pole to be moved. M. Frier asked about turn lanes at the Cabot Annex.

W. Shepeluk asked about pedestrian access from Stowe Street to Colbyville. S. Lotspeich stated that the Town applied for funding for a scoping study, and the area from Stowe Street to Billings Mobile should be looked at for a walking path.

MUNICIPAL COMPLEX

B. Farr explained that an engineering firm will perform testing on all of the systems and controls at the Municipal complex and presented a Municipal Complex Commissioning Agent Contract. Bids were solicited and the recommended bid was \$22,000. Efficiency Vermont will pay 25% of the cost. The cost will go \$6,657 over budget. Municipal staff will be trained as to how all the systems work and W. Shepeluk highly recommended approving the contract.

B. Farr reviewed the status of the project budget and change orders that have been processed or are in the works.

J. Brown made a motion to authorize the Manager to sign the Commissioning Agent contract as presented. The motion was seconded by M. Frier and passed by those present.

J. Brown made a motion to authorize the Manager to sign a change order in the amount of \$24,248.95 for a change in the window plan for the project. The motion was seconded by M. Frier and passed by those present.

ANIMAL CONTROL ORDINANCE

W. Shepeluk reminded the Board that they adopted some amendments to the current ordinance at a previous meeting. The public has 44 days from the amendments were adopted to petition for a special Town meeting.

Bill Apao was present to discuss some concerns he and other members of the public have with the some parts of the ordinance. B. Apao drafted a new proposed ordinance that was previously distributed to the Board. He feels the ordinance that was most recently adopted is seriously flawed and 'anti-dog'. He contrasted the ordinance adopted with the Vermont League of Cities and Towns model ordinance. His concerns included that the ordinance is too long and difficult for the public to understand, there are too many definitions, and that the ordinance is too restrictive in terms of where dogs can be and under what circumstances (leashed, unleashed, voice command, etc.). W. Shepeluk stated that the definitions help to clarify the sections of the ordinance, and that the Board made a conscious decision leash dogs in public parks. B. Apao asked if the Board wanted all restrictions that were incorporated in the amended ordinance with regard to public parks, including additional areas where dogs were banned (bleachers, dugouts, playground and the public swimming pool). The model ordinance states that no dogs shall run at large in the Town.

C. Viens stated that the ordinance is about protecting residents against people that are not responsible with their dogs.

C. Ummel stated that dogs will not be allowed to play fetch in public parks. W. Shepeluk responded that there are several areas that this activity can occur including the Ice Center, Sweet fields, and private property.

M. Frier stated that he believes the restrictions are warranted and are being interpreted incorrectly.

MANAGER'S ITEMS

S. Lotspeich was present to discuss a grant application to the New England Grassroots Environmental fund for a Tropical Storm Irene anniversary leaflet funding. The leaflet will include information about flood studies and mitigation. The Town is not qualified to apply, but he is looking for the Town's support to apply through a different organization. M. Frier made a motion to authorize W. Shepeluk to sign a letter of support to the New England Grassroots Environmental fund. The motion was seconded by J. Brown and passed by those present.

One of the HMGP Elevation projects was discussed at a previous meeting and the memorandum of understanding. There are three parties involved and the Town attorney feels there needs to be three different agreements. The Town may need to spend some money on legal fees to get the contracts in order.

S. Lotspeich stated they are working with the State historic preservation office on buildings that are historic. Some of the conceptual design work needs to be done up front. B. Farr stated that they are looking at a community development planning grant, which will require a 10% match (in kind). The amount of the grant is not yet known. The funds would pay for archeological studies, historic preservation, architecture, and legal fees.

B. Farr announced that out of fourteen applicants and four interviews, Zoe Gordon was awarded the job of Economic Development Director.

There being no further business, the meeting adjourned at 10:15pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: August 3, 2015