

**Meeting of the Waterbury Select Board  
September 6, 2016  
Steele Community Room ~ 28 North Main Street**

Present: D. Schneider, Chair; C. Viens, J. Brown and M. Frier, Select Board; W. Shepeluk, Municipal Manager; S. Lotspeich, Community Planner; B. Farr, Long Term Community Recovery Director and VTrans Liaison; D. Fowler, Recreation Director; S. Blow, Waterbury Record; Anne Imhoff, ORCA Media, and C. Lawrence, Town Clerk.

Public: Allan Thompson, Lydia Menendez, Ben Susman, Sarah Squirrel, Frank Spaulding, Marni Martens, Laura Flint, Dan Rosciola, Whitney Aldrich and Wade Hodge.

The meeting was called to order at 7:02pm.

**APPROVE AGENDA**

M. Frier made a motion to approve the agenda as presented. 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 August 1<sup>st</sup> and August 30<sup>th</sup> meeting; the Errors and Omissions letter dated September 6, 2016; the designation of the Municipal Manager as the voting delegate at the VLCT Annual Business meeting on October 5<sup>th</sup>; a request for alcohol at a company picnic on September 18<sup>th</sup> at Dac Rowe fields; and a request to place a granite marker for Keefe Lane. The motion was seconded by M. Frier and passed unanimously.

**PUBLIC**

No public comment.

**VERMONT RIVER CONSERVANCY AND LOCAL FLOODPLAIN CONSERVATION OPPORTUNITIES**

A. Thompson was present to discuss floodplain conservation opportunities, and is engaging in a public outreach initiative related to these opportunities. The Vermont River Conservancy (VRC) has been awarded a grant for scoping of conservation opportunities along floodplains in Waterbury. L. Menendez, Assistant Director of VRC, explained the benefits of preserving floodplains. There is some funding to perform some outreach and education to landowners. There is also a big concern about the water quality of Lake Champlain. Additionally, conserved land within the watershed may also help with reduced flood insurance rates and benefit the greater Waterbury community. L. Menendez gave an explanation as to how homeowners would be approached and educated and how the grant opportunities would work. The VRC will be generating a list of potential landowners interested in conserving their land along the floodplain and then submitting proposals for funding to conserve the land for those that are willing to participate.

**INTERVIEW FOR TOWN HEALTH OFFICER AND ANIMAL CONTROL OFFICER**

B. Susman was present to express interest in the positions of Town Health Officer and Animal Control Officer. W. Shepeluk gave a brief history of the status of each position. Zeb Towne is the current ACO and would continue on as a co-ACO. There is currently no Town Health Officer. D. Schneider expressed concerns about customer friendliness. B. Susman is amenable to a good customer approach with communication. W. Shepeluk explained how the compensation works for each position.

J. Brown made a motion to appoint Ben Susman as Animal Control Officer and nominate Ben Susman as Town Health Officer to the Vermont Department of Health. The motion was seconded by M. Frier and passed unanimously.

## **DISCUSSION OF FIELD USE FEES FOR WATERBURY YOUTH SOCCER**

W. Shepeluk stated that there is a confusing situation with fees for Waterbury Youth Soccer. New field use fees were adopted in 2014 and are in place through present time. W. Shepeluk explained the process of reserving fields. Since 2014, field reservations have been done under the purview of the Recreation Director. The field use fees charged to WYS were not handled in a proper fashion in 2014 and 2015 and they were in the amount of \$550 as suggested by the former recreation director; whereas the fees should have been \$900. In 2016, an application was submitted and the proper fees of \$900 were invoiced to the organization. In 2015, the payment of \$550 was never received by the Town and Waterbury Youth Soccer discovered the check was never cashed.

S. Squirrel and M. Martens have run the Waterbury Youth Soccer league for three years, as volunteers. There are \$300 children signed up for youth soccer. The budget for the organization is very tight. S. Squirrel distributed information on the league and again reviewed fees that had been paid to the Town previously. There was no good explanation as to why the field use application was not given to the bookkeeper in 2014 and 2015 to produce an invoice.

J. Brown feels it is significant that the organization provides scholarships in the amount of \$685. W. Shepeluk advised against considering this in determining the fee structure. He iterated that in league with 300 children, the fee would be \$3 per child and is not exorbitant.

F. Spaulding stated that amount of scholarships awarded should figure into fees, and suggested that the 2016 fee be \$550.

M. Frier made a motion to bill actual fees of \$900 for 2016 and waive the \$550 fee for 2015. The motion was seconded by C. Viens and passed unanimously.

## **REVIEW ISSUES WITH HEALY COURT HOME ELEVATION PROJECT**

B. Farr introduced W. Hodge and W. Aldrich. They are participants in the first home elevation project. They pay 25% of the eligible items and FEMA pays the other 75% through a sub-grant agreement with the State. The project was put out under a competitive bidding process. The applicants paid for a site plan which went through local zoning. The applicants were told to stop construction during the middle of the project due to a two foot perimeter technicality and other items on the site plan that FEMA is appealing. The project is currently at a standstill. Our local legislator has been in communication with our Senators and Congressman. The issue is whether FEMA will respond that some items in the scope of work are ineligible for funding.

W. Aldrich explained that the house has been raised three feet, but has been on hold for three weeks due to costs that FEMA may consider ineligible. She gave a quick background of the project. W. Hodge explained that there have been cost overruns of which they will need to pay 25% share. The overrun is currently estimated by W. Hodge to be \$36,475 due to the potential that several project costs may be deemed ineligible. W. Aldrich asked the Town to find a way to close the funding gap. B. Farr stated that they are waiting on a letter from FEMA on eligible expenses.

D. Schneider asked if the job could be completed and the finances figured out later, and asked if there was other funding available through the State. W. Shepeluk explained that there are certain criteria that have to be met by FEMA and it may risk funding to complete the project prematurely. B. Farr suggested another conference call with FEMA, with the congressional delegation to sit in, and find a determination on the dollar amount that will be covered. W. Hodge asked the Select Board to consider how to manage the funding gap.

## **TRANSPORTATION PROJECTS**

VTrans and the Town meet monthly on the Main Street project; however, these meetings have been cancelled through most of 2016. VTrans is still working on right-of-way issues and a majority of the easements are still outstanding. The Town needs to think about the timing of a Necessity Hearing, to determine that the project is for the public good and necessary. The Necessity Hearing allows the project to move forward while negotiations occur with the homeowners. The Town Attorney is working on setting up the hearing.

B. Farr has been looking at the plans for the Route 100 reconstruction project. There have been traffic lights discussed at the intersection of Guptil Road and these are not shown on the current plan. VTrans has stated that lights are warranted at the intersection but they need direction from the Select Board. VTrans will discuss the project at the next meeting and the Board will need to make a decision as to whether there should be lights at Guptil Road. D. Rosciola asked if a roundabout might be an option at Guptil Road. It is too late in the process to change the plans and a roundabout would require the acquisition of some privately owned land.

## **MANAGER'S ITEMS**

VTrans currently gives money to the Town to pay B. Farr to be the transportation liaison related to construction projects. The Town bills them monthly. VTrans has decided they would like a contract for the next four years while several projects will be occurring. J. Brown made a motion to authorize the Municipal Manager to sign the contract with VTrans for the transportation liaison. The motion was seconded by C. Viens and passed unanimously.

W. Shepeluk explained that heaving and cracking of sidewalks at the Municipal Center occurred over the winter. A set of test cores have been done and did not meet specifications. He then gave detail on how the walkways were constructed. The Town has had several conversations with ReArch and they wish to make it right. ReArch, with S. D. Ireland, has proposed replacement of the sidewalks using proper specifications with the addition of foam at no cost to the Town. M. Frier made a motion that the Town agree to ReArch's proposal to correct the sidewalks as explained by the Municipal Manager. The motion was seconded by C. Viens and passed unanimously.

W. Shepeluk explained that the Town was awarded a grant to replace a culvert at the end of Hubbard Farm Road. The estimated project cost is \$50,000 and the Town's share would be \$10,000 which has been budgeted. J. Brown made a motion to authorize the Manager to sign the grant agreement for the Hubbard Farm Road culvert. The motion was seconded by C. Viens and passed unanimously.

W. Shepeluk asked the Board to consider a lease renewal for the Waterbury Ambulance Service. The ambulance garage is on Town owned land and a 10 year lease was signed in 2006. J. Brown made a motion to authorize the Manager to sign the lease agreement for the land used by the Waterbury Ambulance Service. The motion was seconded by C. Viens and passed unanimously.

## **DISCUSS NUMBER OF RECREATION COMMITTEE MEMBERS**

D. Schneider stated that there are currently 5 members on the recreation committee. There are five additional people who wish to be appointed to the committee. D. Schneider recommended appointing all five for now to allow for some attrition on the future.

**UPDATE ON STOWE STREET SPEED CONTROLS**

Speed detectors have been ordered and delivered. The mounting brackets were not included but arrived late last week. They are in the process of being installed. The staff has talked with the Planning Commission about Stowe Street in general and the idea of speed bumps. The volume of traffic may be too heavy for this type of application.

**FINALIZE PROCESS FOR BOARD REVIEW AND EVALUATION OF MUNICIPAL MANAGER**

D. Schneider did not receive any comments on the draft evaluation form presented at an earlier meeting. He would like the various Boards to complete it by November 1<sup>st</sup>. C. Viens requested an executive session at some point to discuss the evaluation.

There being no further Select Board business, the meeting adjourned at 9:55pm.

Respectfully submitted,

C. Lawrence, Town Clerk

Approved on: September 19, 2016