

**Meeting of the Waterbury Select Board
June 5th, 2017
Steele Community Room ~ 28 North Main Street**

Present: C. Viens, M. Metayer, D. Schneider, J. Brown and M. Frier, Select Board; W. Shepeluk, Municipal Manager; B. Farr, VTrans Liaison; P. H. Flanders, L. Sayah and N. Sherman, Trustees (for a portion of the meeting); C. Nordle, Town Attorney (for the Main Street Reconstruction Project); A. Imhoff, ORCA Media, and C. Lawrence, Town Clerk.

Public: Katrina Van Tyne, Meg Taylor, Erin Hurley, Mark Ray, Alyssa Johnson, Jeff Larkin, Sharon Sisler, Lisa Scagliotti, Allan Thompson, Gary and Sally Dillon, Jane Willard, Melissa Moore, Everett Coffey.

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

APPROVE AGENDA

C. Lawrence asked to add to the agenda a discussion regarding the extension of the Blackback Pub liquor license to the alley next to One Stowe Street, in conjunction with the summer Music in the Alley Series. M. Frier asked that the Necessity Hearing discussion be moved to the end of the meeting. W. Shepeluk responded that the discussion was warned at 8:10pm, and because it was expected that several members of the public might attend, it would not be prudent to move the item. D. Schneider made a motion to approve the agenda as amended. The motion was seconded by M. Metayer and passed unanimously.

CONSENT AGENDA ITEMS

M. Frier made a motion to approve the consent agenda items which included the minutes of the May 22nd and May 31st meetings. The motion was seconded by D. Schneider and passed unanimously.

PUBLIC

There was no public comment.

APPOINTMENTS

Meg Taylor, Katrina Van Tyne and Erin Hurley all expressed interest in joining the Conservation Commission. They briefly introduced themselves to the Board. The Board asked a few questions. M. Frier made a motion to appoint Katrina Van Tyne for a term ending April 30, 2020, Meg Taylor for a term ending April 30, 2019 and Erin Hurley for a term ending April 30, 2018. The motion was seconded by M. Metayer and passed unanimously.

Mark Ray was present to express interest in joining the Planning Commission. He introduced himself as a Waterbury resident and co-owner of Stowe Cider. He is interested in serving the community and having a voice in how the community is shaped. D. Schneider made a motion to appoint M. Ray to the Planning Commission for a term ending April 30, 2019. The motion was seconded by M. Metayer and passed unanimously.

M. Metayer made a motion to appoint David Rogers as alternate to the Development Review Board with a term ending April 30, 2018. The motion was seconded by D. Schneider and passed unanimously.

M. Frier made a motion to nominate William Shepeluk to the position of Deputy Town Health Officer. The motion was seconded by J. Brown and passed unanimously. The appointment will be made by the Department of Health.

ECONOMIC DEVELOPMENT STRATEGIC PLAN (EDSP)

Jeff Larkin, Chair of the Waterbury Area Development Corporation (WADC), introduced Alyssa Johnson as the new Economic Development Director. W. Shepeluk explained that the EDSP was started by Darren Winham and gave a brief history of the WADC. The plan was picked up by past Director Zoe Gordon and has been reviewed previously by the Trustees and Select Board. The Planning Commission has also reviewed the plan and there are still some areas of conflict between the EDSP and the Town Plan.

C. Viens has expressed concern in the past about overdevelopment of Waterbury and attended an economic development workshop in Montpelier. He feels some people (e.g. developers) are benefitting more than the Town. He had previously suggested to Z. Gordon to make sure in the Plan, that the public be aware of the long-term impacts of economic development. J. Brown expressed concern that the plan does not match the goals of the Town Plan. J. Larkin stated that the Town Plan is the ruling document and that the EDSP is a guiding document in the consideration of future development. A. Johnson stated that community input and comments are an integral part of the plan and is noted several times throughout the document.

M. Metayer made a motion to endorse the Waterbury Economic Development Strategic Plan with the latest revisions dated April 2017 with the following acknowledgments: this plan is not a regulatory document to be used in any state or local permitting process; there are some acknowledged conflicts with the adopted Municipal Plan for areas outside the Village limits as noted by the Planning Commission minutes of March 13, 2017; and this plan should be used as a guide for future discussions regarding economic development options. The motion was seconded by D. Schneider and passed unanimously.

DISCUSS POLITICAL SIGNS IN TOWN HIGHWAY RIGHT OF WAY

This issue was brought before the Select Board several months ago. The Board asked staff to research and if appropriate, write an ordinance. The Manager stated he will update the Board on the research but recommended that no ordinance be written as it would be unwieldy and difficult to enforce.

Staff consulted with VLCT on the issue and an attorney responded back in late March. The attorney indicated that placing signs in the State highway right of way is already not legal, and the State will remove signs. The Select Board may either prohibit or allow placement of temporary political signs in the Town highway right of way but cannot regulate signs on the basis of content. There is no ability to regulate any signs on private property.

Sharon Sisler initially brought this issue to the Board's attention. She was present and asked if property owners could remove signs. W. Shepeluk responded that, typically, rights-of-way are for the purpose of having a highway although some rights of way have been turned over to the Town for the Main Street project and reiterated that State law says that signs cannot be in the state highway right of way. By consensus, the Board did not wish to move forward with any additional action.

PARKING AND SPEED LIMIT REGULATIONS – DISCUSSION WITH TRUSTEES

The Trustees were present to discuss the proposed charter changes with the Select Board and some questions that came up at the first public hearing. P. H. Flanders stated that discussions started at the March 2016 Annual Meeting to amend the charter. The proposal to look into changes to the charter was on the 2017 Annual Meeting warning and passed. The vote on the proposed charter changes will occur on June 20th.

At the first public meeting, questions were raised as to what would happen after December 31, 2017 when there is no police department. If passed, the Village will go out of existence on July 1, 2018. Questions were raised as to the enforcement of Village ordinances starting

January 1, 2018. The attorney proposed two options. The Town Select Board can adopt the Village ordinances in concurrence as of January 1, 2018, and then engage the sheriff to enforce the ordinances within the Village. The other alternative is an inter-municipal agreement between the Town and the Village, whereby the Town agrees to furnish police services within the Village for the period January 1, 2018 to June 30, 2018. P. H. Flanders asked if the Select Board is open to engaging in a discussion of a Town wide police department. This is one of the reasons the vote was moved up to June 20th, so that the Board has time to consider town wide police issues. W. Shepeluk stated that if nothing is done during this period, there will be no local speed limits within the Village.

C. Viens expressed concerns about a funding mechanism for enforcement should the Town decide to adopt parking and speed ordinances. W. Shepeluk stated that certain ordinances will most likely not be handled by the State Police. There currently is no speeding enforcement on weekends as no Village officers are on duty. He stated that there is some play in the budget and hopefully the Village police department will be in existence through the end of the year. The Board can call a special Town Meeting if funding is in question.

C. Viens asked if the Village had any interest in helping the Town with funding mechanisms during this interim period. P. H. Flanders responded that if the officers terminate employment early, the Village did budget for the year and some of those funds could be used in the interim. The Village could also give the Town some equipment if there is interest in a Town wide department. There are some Village expenses that will be incurred after January 1st.

M. Metayer attended the public hearing and stated that with respect to existing ordinances, it would be a straight forward process for the Town to adopt the ordinances and it would be a wise choice. He asked if the vote would be subject to a possible rescission vote should it pass and W. Shepeluk answered in the affirmative.

M. Frier stated that it is important for the Select Board to start researching options and costs for the Town, and also get public input. P. H. Flanders asked that some Select Board members be present at the next public meeting. He stated that members of the public will be encouraged to hear that the Select Board is open to discussions about the future of police activity in Waterbury. M. Metayer suggested that the Board see how the vote turns out on June 20th and then consider a working group to explore options.

DECISION ON NECESSITY OF MAIN STREET PROJECT

M. Frier and J. Brown recused themselves from this portion of the meeting. M. Metayer made a motion to move into a closed deliberative session for the purpose of discussing the decision on the Main Street necessity hearing. The motion was seconded by D. Schneider and passed unanimously. Staff was invited to stay.

The Board closed the deliberative session and informed the public that they have found reasonable necessity for the project with a written decision available tomorrow.

LEAF PEEPER RACE – SUNDAY OCTOBER 1ST

The race is scheduled for Sunday October 1st. The course is the same as last year, and the intent is to use the same procedures in terms of traffic control. The race organizer was told of the Village vote on June 20th and it was suggested that he attend the June 28th Trustees meeting to discuss availability of Village police services in October. J. Brown made a motion to approve the date and venue for the race on Sunday October 1, 2017. The motion was seconded by M. Frier and passed unanimously

MANAGER'S ITEMS

The Manager previously distributed a draft policy for the Steele Community Meeting room. He asked the Board to discuss about the policy in principal. It is proposed that fees be charged. It is not a money making venture but it is intended to cover our costs. The fees for the SAL room in the library were reviewed and were not radically different than what is proposed for the Steele Community Room. By consensus, the Board agreed on fees of \$25 for the first 2 hours and \$10 per hour thereafter. The policy will be approved at the June 19th meeting. D. Schneider suggested that all fees be revisited in a year, including fees for recreational fields and facilities.

W. Shepeluk discussed with the Board allowing credit cards for the payment of some services. Staff has received more pressure from the public to accept credit card payments, and have been in discussions with the vendor PayGov.US. The consumer would pay a 3% transaction fee and there are no fees for the Town. W. Shepeluk stated that the Town will start slowly with taxes and utilities. M. Frier made a motion to allow credit card use for the payment of taxes. The motion was seconded by M. Metayer and passed unanimously. Credit card use for utilities will have to be discussed by the Water and Sewer Commissioners.

ADDITION TO AGENDA – BLACKBACK PUB

L. Mason, owner of the pub, has asked that her liquor license be extended to the alley next to One Stowe Street to serve alcohol in conjunction with the Music in the Alley series. The requested dates are June 16th, July 21st and August 18th from 6:00pm – 10:00pm, with rain dates one day later. D. Schneider made a motion to approve the request. The motion was seconded by M. Frier and passed unanimously.

There being no further business, the meeting adjourned at 9:53pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 19, 2017