

**Minutes of the Special Meeting
of the Town of Waterbury
January 23rd, 2018**

The inhabitants of the Town of Waterbury who are legal voters in Town Meetings are hereby notified and warned to meet at the Thatcher Brook Primary School at 47 Stowe Street in the Village of Waterbury on Tuesday January 23rd, 2018 at seven o'clock in the evening to act on the following matter:

Article 1: Shall the town appropriate a sum of money for police services in 2018 and authorize the Select Board to enter into an agreement with the Vermont Department of Public Safety, on terms and conditions agreeable to the Select Board, to provide those police services to the Town of Waterbury beginning July 1, 2018.

Jeffrey Kilgore, Town Moderator, opened the meeting at 7:00pm and reviewed the rules of procedure for the meeting.

C. Viens made a motion that the Town appropriate \$185,000 for police services in 2018 and authorize the Select Board to enter into an agreement with the Vermont Department of Public Safety, on terms and conditions agreeable to the Select Board, to provide those police services to the Town of Waterbury beginning July 1, 2018. The motion seconded by D. Schneider.

C. Viens explained that the process began years ago with several attempts at failed merger. The Village recently approved charter changes that dissolved the Village Police Department. The lack of police in the Town and Village became a concern to some residents. The cost to the Village taxpayers for police services was a tax rate of 14 cents last year.

The Select Board formed a Police Services Study Committee to study options for police protection. The Committee proposed a two-phase process. The first phase was to contract with the Vermont State Police for up to a three year period, with two officers working 80 hours per week. The Troopers would be supervised through the Middlesex Barracks, with some oversight by the Municipal Manager. The second phase was to implement the establishment of a town wide police department starting in year two. C. Viens stated that this evening's meeting was necessary so that the State will know the outcome to plan their fiscal year budget starting July 1, 2018.

F. Balco asked for clarification of what has been published in local papers as compared to what the plan is over the next three years. The paper has reflected that this vote is a forerunner for a Town wide police department. C. Viens stated that the committee was asked to bring options to the Select Board. The option the Select Board moved forward with was to contract with State Police with the potential phase in of a Town wide police department.

W. Shepeluk stated that F. Balco was correct, in that the issue being discussed this evening is the appropriation of \$185,000 for a State Police contract for half of 2018. The voters will then have a chance at Town Meeting in 2019 to appropriate funds for the year and that there is no preconceived notion as to what will happen in the future.

P. O'Kane stated that he served on the Police Services Study Committee. He explained the work of the committee, which included a survey. The survey strongly reflected that the participants desired a Town wide police force; 60% preferred a town wide department with 4 to 6 officers. The recommendation of the committee to the Select Board was to develop a Town wide department. There were concerns that if a resident trooper program was pursued, the Town would lose the ability to develop a Town wide force. He expressed concerns as to how it all evolved.

P. O'Kane asked if the vote could be on a ballot at Annual Town Meeting. P. O'Kane made a motion to amend that in addition to providing the funding expressed in the original motion, the Select Board be instructed to hold a Town wide vote by Australian Ballot on the question as to whether the Town should develop a Town wide police force. The Moderator ruled the amendment out of order as there is a proper procedure as to how handle public questions.

P. O'Kane made a motion to amend to appropriate \$350,000 to establish a Town wide community police service starting with the hiring of a police chief in 2018 and authorize the Select Board to enter into an agreement with the Vermont Department of Public Safety, on terms and conditions agreeable to the Select Board, to provide those police services to the Town of Waterbury beginning July 1, 2018. The motion was seconded by H. Shepard.

M. Frier stated that the committee did a great job gathering information, but some of the costs for services were too high. The direction the Select Board chose gets police services back into the community more quickly, as opposed to attempting to hire a chief. The Select Board was presented with an overlap of resident troopers and hiring a Town wide force. M. Frier explained that the Select Board met last evening on the budget and can absorb the \$185,000 without an increase in the tax rate. M. Frier stated that the Select Board believes the community members can absorb this cost, and that the Select Board tries to be fiscally responsible.

M. Metayer stated he chaired the study committee. The committee researched various options and reasonable size for police coverage, and received public feedback. The community expressed interest in moving forward with a police department. It will take a number of years to build this resource, hence the concept of a resident trooper program. The program will be reviewed each year, and any changes will be based on voter input.

B. Prall stated it should be a ballot vote. W. Shepeluk explained that in Waterbury, public questions are decided by open Town meeting. The Town does not have state authority to decide public questions by ballot. The Australian ballot is used only for elected officials, charter changes or bond votes. This can only be changed by asking the Select Board to put on a Town Meeting Warning to go to a ballot vote for all public questions.

L. Parks clarified that tonight's meeting was to discuss and vote on funding \$185,000 for State Police services, and that the Town can decide in the future how to continue to move forward.

M. Lamson asked if the survey participants were Waterbury residents and stated that a very small percentage of Waterbury residents participated in the survey. She reiterated that there are other ways to appropriate the extra money in the amendment. C. Viens reviewed the road and construction projects on the horizon that will require taxpayer dollars.

M. Lamson asked that the question be called. The motion was seconded and passed by voice vote. The motion to amend to appropriate \$350,000 to establish a Town wide community police service starting with the hiring of a police chief in 2018 and authorize the Select Board to enter into an agreement with the Vermont Department of Public Safety, on terms and conditions agreeable to the Select Board, to provide those police services to the Town of Waterbury beginning July 1, 2018 failed by voice vote.

Discussion continued on the original motion. B. Prall made a motion to pass over the original motion. The motion was seconded. J. Kilgore explained that if the motion passed, the original motion would be postponed indefinitely and that debate is limited as to whether the motion should be passed over.

M. Frier suggested that police services will most likely be discussed at Annual Town Meeting and that it is important to continue to discuss the topic this evening and in the weeks that follow.

R. Fox expressed no interest in passing over the motion and asked for clarification of an earlier reference to act sooner rather than later to meet legislative criteria. M. Metayer stated it is a matter of procedure that has to take place to formalize the contract with the Department of Public Safety (DPS). The process would be for the Town to approve the funding and enter into contract with DPS, and for DPS to obtain approval to accept the funding; which would likely take several weeks. In addition, the Vermont State Police needs to plan hiring and staffing.

F. Balco stated that if the original motion fails there will still be State Police protection throughout the Town.

S. Dillon stated that it would be foolish to pass over the article as there is an excellent turnout this evening and made a motion to call the question. The motion was seconded and passed by voice vote. The vote on the motion to pass over the original motion failed by voice vote.

Discussion on original motion continued. D. DeSanto clarified that there are limitations on responses with current State Police coverage. M. Metayer discussed scarcity of staffing and explained that the Vermont State Police may not cover calls that a local Police Department might respond to. M. Metayer stated that the proposed coverage guarantees 80 hours per week and response time will decrease dramatically. The trooper program will provide an extra measure of service and ensure the service is adequate and professional.

C. Kletecka expressed confusion about the budget timing. It was explained that coverage will begin on July 1, 2018 for 6 months. The Town can enter into a multi-year contract and can budget 2019 services to be presented and voted on at the March Town Meeting.

M. Frank stated that the study committee survey showed overwhelming interest in establishing a local options tax. He asked for the Select Board's opinion. C. Viens stated that the Select Board had discussed this topic and that a local options tax can be considered in the future. M. Frank asked about the process. W. Shepeluk explained the process by which to institute a local options tax. Waterbury is not in a position where adopting the tax is easy and gave the reasons why, including that Waterbury does not have a charter.

M. Frank made a motion to call the question. The motion was seconded and passed by voice vote. The motion that the Town appropriate \$185,000 for police services in 2018 and authorize the Select Board to enter into an agreement with the Vermont Department of Public Safety, on terms and conditions agreeable to the Select Board, to provide those police services to the Town of Waterbury beginning July 1, 2018 passed by voice vote.

There being no further business, the meeting adjourned at 8:30pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: January 26, 2018



Jeffrey Kilgore, Moderator



Chris Viens, Select Board Chair