

**MINUTES FOR THE ANNUAL MEETING OF
THE TOWN OF WATERBURY
MARCH 6th, 2018**

The inhabitants of the Town of Waterbury who are legal voters in Town Meetings are hereby notified and warned to meet in the Thatcher Brook Primary School Gym in the Village of Waterbury at 9:00 o'clock in the forenoon on March 6th, 2018 to act on the following matters:

ARTICLE 1: To elect a Moderator to preside at the meetings of the Town whose term of office shall be for the ensuing year.

C. Viens made a motion to elect Jeff Kilgore to preside at the meetings of the Town whose term of office shall be for the ensuing year. There being no other nominations, Jeff Kilgore was elected Moderator for the ensuing year.

ARTICLE 2: To elect by Australian ballot the following offices: Clerk for 1 year; Treasurer for 1 year; one Select Board member for 3 year term and two Select Board members for 1 year terms each; Lister for a 3 year term; Grand Juror for 1 year; Town Agent for 1 year; Library Commissioner for a 5 year term; Library Commissioner for a 2 year unexpired term; and Cemetery Commissioner for a 5 year term.

ARTICLE 3: To elect by Australian ballot for the Harwood Unified Union School District two School Directors for a 3 year term and one School Director for a 1 year unexpired term.

ARTICLE 4: To act upon the reports of the several Town Officers with the exception of claims for fees or compensation during 2017.

D. Schneider made a motion to accept the reports of the several Town Officers as printed in the annual report, with the exception of claims for fees or compensation by Town Officers for services rendered during 2017. The motion was seconded and passed by voice vote.

ARTICLE 5: To act with respect to claims of Town Officers for their services during 2017.

W. Shepeluk made a motion to pay the claims of the Town Officers for their services rendered during 2017, as appears on page 8 of the Annual Report: Select Board Chair, \$1,450; Vice Chair, \$1,450; other Select Board members, \$1,200 each; Listers, \$500 each. The motion was seconded.

M. Roche stated that the compensation is low and that in order for good people to serve, they need to be well compensated. Board members work hard and should be compensated accordingly.

C. Viens stated that he appreciates Mr. Roche's concerns, however he considers the position volunteer and his main concern is affordability for the taxpayers. W. Shepeluk stated that there are various reasons why people are unable to serve, including having to pay for childcare. He explained that the volunteer firefighters are paid for each meeting and perhaps this can be considered in the future. The motion passed by voice vote.

ARTICLE 6: To see what action the Town will take with reference to fixing the date of the tax warrant and to set a date or dates when taxes on such property shall become due and payable and to specify the time of acceptance, the method of delivery, and to see whether the same shall be paid with or without discount and to provide for interest and penalty on such taxes as are not paid when due.

M. Frier made a motion that the tax warrant on real property be dated July 2, 2018, and that taxes be due in two installments, with the first installment due and payable on August 10, 2018, and the second installment be due and payable on November 9, 2018; that each installment be paid in hand at the Municipal Office by 4:30pm on the due date, without discount and that interest be

charged at the maximum allowed by statute, not to exceed one and one-half percent per month or portion thereof on each installment, and a late penalty of eight percent be charged as allowed by statute on taxes not paid when due. The motion was seconded and passed by voice vote.

ARTICLE 7: To see if the voters will authorize the transfer of its “Calkins Fund” so-called, which consists of cash and investments valued at \$11,699.39 on December 31, 2017, plus or minus any gain or losses accrued since that date and through the date of the transfer, to the Community Action Service Team and that said Community Action Service Team shall continue to use said assets to assist those in need in this community, as intended by the original benefactors to the Town.

M. Metayer made a motion to authorize the transfer of the “Calkins fund”, so called, which consists of cash and investments valued at \$11,699.39 on December 31, 2017, plus or minus any gains or losses accrued since that date and through the date of the transfer, to the Community Action Service Team and that said Community Action Service Team shall continue to use said assets to assist those in need in this community, as intended by the original benefactors to the Town. The motion was seconded.

M. Metayer explained that the Calkins fund is a reserve fund dating back to the early 1900’s in the era of the overseer of the poor, and was created to help community members in need. The balance is \$11,957.47 as of March 5, 2018. The Board feels that transferring the fund to the Community Action Service Team (CAST) is the true intent as to how the funds should be used.

D. Luce asked for more information on the organization. W. Shepeluk stated that this money has historically been used to help the poor. Previously, some of the funds had been distributed to the Good Neighbor Fund. P. Plagege stated that he has been managing the Good Neighbor Fund since 2001. In 2008, the non-profit CAST was formed that oversees the Waterbury Good Neighbor Fund and Food Shelf, with assets of approximately \$183,000. Last year, \$1,327 was distributed from the Calkins fund to the Good Neighbor Fund. The money is then distributed to those in need. CAST has a mechanism in place to distribute funds to the needy. M. Luce expressed concern that the fund is not well known in the community. W. Shepeluk stated that the Town is trying to encourage good use of the money by transferring the assets.

L. Stevens stated that CAST is a very grass roots local non-profit. Anonymity of its clients is a very important part of distributing the funds. She applauded the Town for wanting to transfer the fund to CAST and thanked P. Plagege and members of CAST for all that they do. The motion passed by voice vote.

ARTICLE 8: To vote sums of money for necessary general government, highway, and library expenses, with the same to be expressed either in specific dollar amounts or as a rate or tax on the grand list.

C. Viens made a motion to approve for the Town of Waterbury sums of money for the interest of its inhabitants and for the prosecution and defense of the common rights, for laying out and repairing highways and other necessary expenses: for general expenses \$2,418,590, plus such sums approved in Article 7 and in Articles 10 through 20 of the warning for this meeting; plus for highway expenses \$1,624,475; plus for library expenses \$476,390; plus for expenditures and transfers of designated reserve and special purpose funds, estimated at \$554,330, for which no additional taxes are necessary; and that the Select Board be authorized to issue bills for property taxes in the sum of \$3,144,680, plus such sums voted on Articles 10 through 20 of the warning for this meeting for calendar year 2018. The motion was seconded.

C. Viens commended W. Shepeluk for the Manager’s Report, stating that it was detailed and exceptional. He stated that the municipal tax rate is the same rate as it has been over the past two years. The Town was in receipt of more PILOT revenue than anticipated. Payroll seems to be a factor in rising costs, which is to be expected. C. Viens brought the voters attention to the Capital

& Building fund on page 25 of the Annual Report and stated that some of the projects may be shuffled.

W. Shepeluk brought the voters attention to his discussion of capital improvements in his annual report, on page 9. He reiterated that the project list on page 25 is a plan and is fluid, but the Board will not overspend the budget.

J. Callan expressed appreciation that Loomis Hill is on the plan for paving. He asked that a cost assessment be done as to how to most cost effectively repair Sweet Road. The Town owns a quarry on Sweet Road and perhaps could use some crushed stone from it for road repairs. W. Shepeluk stated that the permit process to open the quarry would be very onerous. It has been looked into in the past, and the added cost to get the permits made it cost prohibitive. W. Shepeluk clarified the paving plan for Loomis Hill.

J. Callan asked a question about the Library budget on page 35. W. Shepeluk responded that it is very similar to prior budget. He explained that on page 36, the 'TO MBOF' (to Municipal Building Operating Fund) line item of \$77,105 is transferred to fund 76 which pays all of the expenses for the building. This amount is higher than last year as the Select Board has asked that the building be outfitted with a generator. The line item 'Debt Principal and Interest' is the Library's share of debt for the building. A brief discussion was held about bridge repairs on the bridge by the roundabout. The Select Board did not include funding for this bridge in the 2018 budget, and the bridge repair will be considered in the future. There is some money budgeted for some repairs to the Stowe Street bridge.

R. Tornatore stated that Ripley Road is not on the paving list and asked when it will be done. W. Shepeluk explained that the Town maintains 45 miles of road and less than half are paved. The amount budgeted is primarily to maintain the paved roads, and that the Town does not have the money to pave all of the gravel roads. The Town cannot afford to pave all the roads and have taxes remain level.

The meeting was interrupted to allow Representatives Tom Stevens and Theresa Wood to give an update on their legislative work. T. Wood stated that Waterbury's oldest resident, Florilla Ames, will turn 107 on March 17th and encouraged residents to call or send cards. She directed the voter's attention to the Legislative Report on page 106, and stated that work continues on modifications to education financing in an effort to lower property taxes. There may be a separation of how residents may be billed for education taxes and property taxes. There is a proposal on the table to reduce the amount of taxation on Social Security.

T. Stevens gave an update on the work of his committee. Legislature is trying to find a way to provide tuition benefits to college students who want to join the National Guard. A bill has been passed out of committee to protect victims of crime when it comes to employment status. Bill H707 passed which addresses sexual harassment in the workplace. In addition, salary disparity for women in the state is being addressed by not allowing employers to ask for a salary history.

M. Luce asked about legislation on gun control. T. Wood responded they are very actively working on gun legislation while at the same time protecting the 2nd amendment right to bear arms. Bills include raising the purchase age to 21, universal background checks, and banning bump stocks. T. Stevens stated he believes in gun violence prevention, versus gun control.

M. Bartolomei asked the legislators to speak to education funding. T. Stevens expressed the difficulty in cost containment and that they are trying to simplify school taxes. Cost containment happens on a district wide basis and at the local level.

P. Howard Flanders and C. Viens presented the Keith Wallace Award to LeeAnne Viens, for working her entire career for the Town of Waterbury. Duties over the years included dispatcher, utility billing, bookkeeper, tax billing, secretary of the Water & Sewer Commissioners, and office

manager. She also played a major role in recreation programs and trained many office staff over the years. P. H. Flanders stated that the community is fortunate for the dedicated career of LeeAnne.

The second recipient of the Keith Wallace award was Jan Gendreau for her commitment to the community. Her children, Nicole and Chris were present to accept the award. P. H. Flanders stated that Jan is a longtime Waterbury resident, worked with the UVM extension group, is a proponent of environmental stewardship, enjoys crafts and sewing, spent 11 years as Library Commissioner, was officer of Historical Society and is on the Board of Directors, and started the Memorial Day observance ghost walk.

The third recipient of the Keith Wallace award was Lawrence "Lefty" Sayah. P. H. Flanders stated that Lefty was elected Village Trustee in March of 1996 and served continuously for 22 years, attended approximately 1,200 meetings, has great institutional memory, and is generous with his time with friends, neighbors and the community.

Discussion on Article 8 continued. M. Bard thanked the Board and Town Manager for their work. He questioned the professional services and legal line items on page 27. W. Shepeluk explained that legal expenses were higher than budgeted due to the North Hill Cell tower case with the Verizon and the Public Service Board. The professional services line item included expenses to pay expert witnesses and consultants for the same case. The amount budgeted in 2018 for legal services is \$12,000, and there is nothing anticipated at this point in time.

K. Miller thanked the Board for all of their work. She questioned the transfer to Revitalizing Waterbury (RW) for the Economic Development Director and asked several questions including who has oversight of that position. W. Shepeluk explained that the Town makes two appropriations to RW, including \$52,485 that is paid directly to RW for employment of the Economic Development Director. There is a Memorandum of Understanding with RW as to how the money will be used, and the entire amount is not spent on the Economic Development Director. The Select Board meets with Executive Director of RW about 3 times per year. The Economic Development Director attends most Board meetings and the Waterbury Area Development Committee provides direct oversight. The Select Board decides during the fall if the position will be funded for the following year.

C. Viens made a motion to amend Article 8 to increase the budget by \$37,500 to help with the disposition of 51 South Main Street. The motion was seconded. C. Viens explained that a proposal was made to the Trustees to build a commercial project at 51 South Main Street. The proposal includes the protection of parking during the Main Street Reconstruction project. There will be tax revenue to the Town if the project is completed.

K. Miller asked if the \$37,500 is to pay for parking. C. Viens stated that negotiations will occur but that parking will be in the forefront.

W. Shepeluk stated that the Trustees are hoping to sell the property for \$200,000. The private proposal fell short of that. Parking will remain open for a long time, hopefully in perpetuity and that the \$37,500 would split the difference between the private proposal and the Village's asking price so that the property can potentially be developed. He stated this is an attempt by the Select Board to keep parking available well into the future.

M. Frank asked if the entire Select Board was in favor of the motion. They responded in the affirmative. M. Bard spoke in favor of the amendment as parking is a serious concern.

K. Miller made to motion to amend the amendment to require that expending the funds included in the amendment would guarantee public parking is available for a minimum of 99 years from the date the first public access to the property. The motion to amend the amendment was seconded. K. Miller stated the she wants to ensure that the space will be used for parking.

K. Grace expressed concern about selling 51 South Main Street. The Village has an opportunity to have that parking forever. She questioned why the Village is considering selling it to a third party. The Town offered the Trustees \$200,000 for the parcel but the Trustees declined as they did not want Village voters to pay for something they already owned. C. Viens stated the he made this amendment to move ahead for the betterment of the Town.

C. Miller reminded everyone that the discussion is supposed to be on the amendment to the amendment for the period of time for parking to be 99 years.

M. Staskus stated that the amendment to the amendment does not specify the quantity of parking. It has been suggested 35 to 40 spaces but it will be open to negotiation. The amendment to the amendment to require that expending the funds included in the amendment would guarantee public parking is available for a minimum of 99 years from the date the first public access to the property passed by a vote of 50 to 42.

Discussion turned back to the original amendment to the motion to increase the budget by \$37,500 to help with the disposition of 51 South Main Street with public parking available for 99 years. W. Shepeluk stated that this vote is not binding on the Village Trustees, but that it authorizes the Select Board to enter into discussions with the Trustees. If the property is sold, it will come before the Village voters. The amendment does not preclude the possibility to purchase the property outright.

M. Frier stated that the Board approached the Trustees with an interest in purchasing the property, but the Trustees declined due to a double spend by Village residents. If the lot is used only for parking, there is no income on the tax role. A partnership with a private developer makes sense. He asked if the funding could be found in the budget, versus increasing the budget. W. Shepeluk stated it is possible.

The motion to amend Article 8 to increase the budget by \$37,500 to help with the disposition of 51 South Main Street, and to require that expending the funds included in the amendment would guarantee public parking is available for a minimum of 99 years from the date the first public access to the property passed by voice vote.

The motion, as amended, to approve for the Town of Waterbury sums of money for the interest of its inhabitants and for the prosecution and defense of the common rights, for laying out and repairing highways and other necessary expenses: for general expenses \$2,418,590, plus such sums approved in Article 7 and in Articles 10 through 20 of the warning for this meeting; plus for highway expenses \$1,624,475; plus for library expenses \$476,390; plus for expenditures and transfers of designated reserve and special purpose funds, estimated at \$554,330, for which no additional taxes are necessary; and that the Select Board be authorized to issue bills for property taxes in the sum of \$3,144,680, plus such sums voted on Articles 10 through 20 of the warning for this meeting for calendar year 2018, plus \$37,500 and the requirement for parking passed by voice vote

ARTICLE 9: To see if the voters will authorize a sum of money to be expended from the capital funds for capital projects.

J. Brown made a motion to authorize the expenditure of \$1,367,550 for purchases of vehicles, capital improvements, building operations and the payments of debt identified in the Town's capital improvement and building fund budgets. The motion was seconded.

K. Miller asked about the grant revenue shown on page 25. W. Shepeluk explained that if the grant is not received, the project most likely will not get completed. The motion passed by voice vote.

J. Malter was invited to give an update on the work of the Mad River Resource Management Alliance.

ARTICLE 10: To see if the Town will, during 2018, appropriate:

- \$1,000 for support of the Capstone Community Action
- \$1,250 for support of Central Vermont Council on Aging
- \$100 for the support of the Central Vermont State Police Advisory Board
- \$1,375 for support of Circle
- \$1,000 for support of the Family Center of Washington County
- \$500 for support of the Good Beginnings of Central Vermont
- \$700 for support of Home Share Now, Inc.
- \$250 for support of OUR House of Central Vermont
- \$1,000 for support of the People's Health and Wellness Clinic
- \$1,000 for support of Project Independence
- \$1,000 for support of the Retired Senior Volunteer Program (R.S.V.P.)
- \$200 for support of the Sexual Assault Crisis Team
- \$500 for support of the Vermont Association for the Blind and Visually impaired
- \$600 for support of the Vermont Center for Independent Living
- \$1,500 for support of Washington County Youth Service Bureau, Inc.
- \$800 for support of the Waterbury Community Band

D. Luce made a motion that the Town appropriate said amounts as read by the Moderator in Article 10. The motion was seconded and passed by voice vote.

ARTICLE 11: To see if the Town will appropriate \$2,000 for support of the American Red Cross during 2018.

J. Bauer made a motion that the Town appropriate \$2,000 for support of the American Red Cross during 2018. The motion was seconded and passed by voice vote.

ARTICLE 12: To see if the Town will appropriate \$4,000 for support of the Early Education Resource Center of Waterbury ("Children's Room") during 2018.

J. Bauer made a motion that the Town appropriate \$4,000 for support of the Early Education Resource Center of Waterbury ("Children's Room") during 2018. The motion was seconded and passed by voice vote.

ARTICLE 13: To see if the Town will appropriate \$7,325 for support of Green Mountain Transit Agency during 2018.

S. Lotspeich made a motion that the Town appropriate \$7,325 for support of Green Mountain Transit Agency during 2018. The motion was seconded and passed by voice vote.

ARTICLE 14: To see if the Town will appropriate \$20,000 for the Waterbury Area Senior Association in addition to the amount included in the General Fund Budget for such purpose during 2018.

B. Moore made a motion that the Town appropriate \$20,000 for the Waterbury Area Senior Association in addition to the amount included in the General Fund Budget for such purpose during 2018. The motion was seconded and passed by voice vote.

ARTICLE 15: To see if the Town will appropriate \$2,500 for support of Waterbury LEAP (Local Energy Action Partnership) during 2018.

D. McDougal made a motion that the Town appropriate \$2,500 for support of Waterbury LEAP (Local Energy Action Partnership) during 2018. The motion was seconded and passed by voice vote.

ARTICLE 16: To see if the Town will appropriate \$500 for support of Everybody Wins! Vermont during 2018.

F. Chaffee made a motion that the Town appropriate \$500 for support of Everybody Wins! Vermont during 2018. The motion was seconded and passed by voice vote.

ARTICLE 17: To see if the Town will appropriate \$2,500 for support of Good Samaritan Haven during 2018.

M. Metayer made a motion that the Town appropriate \$2,500 for support of Good Samaritan Haven during 2018. The motion was seconded and passed by voice vote.

ARTICLE 18: To see if the Town will appropriate \$3,000 for support of Washington County Mental Health during 2018.

L. Gravel made a motion that the Town appropriate \$3,000 for support of Washington County Mental Health during 2018. The motion was seconded and passed by voice vote.

ARTICLE 19: To see if the Town will appropriate \$2,000 for support of Central Vermont Adult Basic Education during 2018.

R. Siegel made a motion that the Town appropriate \$2,000 for support of Central Vermont Adult Basic Education during 2018. The motion was seconded and passed by voice vote.

ARTICLE 20: To see if the Town will appropriate \$500 for support of Community Harvest of Central Vermont during 2018.

K. Daye made a motion that the Town appropriate \$500 for support of Community Harvest of Central Vermont during 2018. The motion was seconded and passed by voice vote.

ARTICLE 21: To do any other business that may legally come before the Board during the meeting.

D. Luce spoke to the issue of gun control and expressed appreciation of student activists. He then read the following Resolution:

WHEREAS it is the duty of government to protect its citizens and

WHEREAS it has become clear that schools, public facilities and victims of random domestic abuse are at risk of attack by known or unknown persons possessing legal (or illegal) firearms and ammunition and

WHEREAS it is essential to protect the school community at large from such threats and

WHEREAS Phil Scott, Governor of Vermont and the Vermont Legislature are currently in negotiations to change the gun control laws of Vermont,

NOW THEREFORE we, the citizens of Waterbury, Vermont at our Town Meeting on March 6, 2018,

HEREBY RESOLVE to request the Governor and Legislature to seek common ground with the intended result of strengthening the current gun control laws of Vermont so as to best protect all Vermont citizens from gun violence.

D. Luce made a motion that the Resolution be provided to the Town's representatives to Legislature for presentation to the State Government. The Moderator ruled the motion out of order as it is not appropriate under Other Business. He explained that the voters can appeal the decision of the Moderator.

R. Clark made a motion to appeal the decision of the Moderator. M. Bard expressed support for the Moderator's decision, stating that not everyone in the room may agree with the Resolution. He stated the Resolution may not represent the opinion of the Town.

A lengthy discussion followed and several voters gave their thoughts on the gun control issue. The discussion was called, but was ruled out of order as this is an appeal of the Moderator's decision and the Moderator has not had a chance to speak.

J. Kilgore explained that the opinion of the Moderator is allowed in the appeal of a decision. His opinion of the resolution will not be discussed as it is not relevant. J. Kilgore further explained that from his perspective, the conversation has been irrelevant as Vermont law says a Town cannot take action under this type of Article and the issue was not warned. The purpose of the warning for a meeting is to let the public know what is going to be discussed.

J. Kilgore explained that a 'Yes' vote supports the decision of the Moderator, which is that the resolution is out of order. A 'No' vote means the resolution can come to a vote before the body. The vote was 32 in favor and 29 not in favor, thereby sustaining the decision of the Moderator.

A. Lewis gave an update on some of the activities of the Rotary Club. He stated that the Not Quite Independence Day festivities are on June 30th with the parade at 4:00pm. The Club is negotiating with the State to bring the activities back into the Village of Waterbury.

A. Imhoff reminded Village residents of the Village Annual meeting tomorrow evening in the gym at 7:30pm.

M. Phillips asked about the process to get a motion warned for Town Meeting. She asked if there is a process to move Town meeting to Saturday. W. Shepeluk explained that there are two ways to place an article on the warning. The Select Board can decide to place an article on the warning, or an article can be place on the warning via a petition. To move the meeting, an article would have to be placed on a warning to vote to move the meeting to a different date or time.

K. Grace thanked D. Schneider for his service on the Select Board. C. Viens also thanked him for his service.

There being no further business, the meeting adjourned at 1:37pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Chris Viens, Chair

Jeffrey Kilgore, Moderator

Received and recorded this ____ day of March 2018