

**Meeting of the Waterbury Select Board  
September 8, 2020  
28 North Main Street**

Present: C. Viens, M. Bard, K. Martin, and N. Fish, Select Board; W. Shepeluk, Municipal Manager; S. Lotspeich, Community Planner, K. Petrovic, Utility Billing Clerk; and C. Lawrence, Town Clerk. The meeting was held via videoconference.

Public: R. Sylvia, K. Aylward, K. Wilkins, J. Ringer, G. Wells, D. McKibben, L. Scagliotti, L. Boudreau, j. Boudreau, ORCA Media, Valley Reporter, K. Nevin.

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

**APPROVE AGENDA**

C. Viens asked to add a discussion about the VLCT Cannabis update. N. Fish made a motion to approve the agenda as amended. The motion was seconded by K. Martin and passed unanimously.

**CONSENT AGENDA ITEMS**

N. Fish made a motion to approve the consent agenda items including the minutes of the August 10<sup>th</sup> meeting, an Error and Omissions letter dated August 27<sup>th</sup>, and the approval of a private road named Bryant Brook Lane. The motion was seconded by K. Martin and passed unanimously.

**PUBLIC**

K. Aylward and K. Wilkins were present to discuss an ongoing issue with a homeless encampment on State land off of Seabury Place and North Street. There have been issues with people shooting guns. The State Police have been notified and have seen the encampment. W. Shepeluk explained that the municipality does not own the land in question. The encampment is in an Agency of Transportation right-of-way. He reached out to our State Legislator's to ask them to involve AOT. The District AOT has investigated and will move towards evacuation of the encampment with the help of the State Police. AOT will also clean up the site after the evacuation is complete and put up no trespassing signs. C. Viens asked if an ordinance could be developed. W. Shepeluk responded that an ordinance cannot be enacted on land that the municipality does not own. The municipality can look into an ordinance prohibiting gunfire.

**SELECT BOARD ITEMS**

**Interview John Ringer for Tree Committee**

J. Ringer was present to express interest in serving on the Tree Committee. He has an undergraduate degree in Forestry. J. Ringer stated that he has been a resident of Waterbury for 8 years and would like to be involved in the community. The function and activities of the committee were discussed. K. Martin made a motion to appoint J. Ringer to the Tree Committee for a term to expire April 30, 2023. The motion was seconded by N. Fish and passed unanimously.

**Rotary Club Entertainment Permit**

D. McKibben presented an Entertainment Permit on behalf of the Rotary Club and Revitalizing Waterbury. The event is at Pilgrim Park on Saturday September 12<sup>th</sup> with a potential rain date the next day, and is for an outdoor market and drive in concert. There will also be three food vendors present. The organizers will pay strict attention to COVID guidelines and will provide a safe community event. N. Fish made a motion to approve the Entertainment Permit for Saturday September 12<sup>th</sup> with a rain date on September 13<sup>th</sup>. The motion was seconded by K. Martin and passed unanimously.

### **ATV Discussion – Woodard Hill**

W. Shepeluk explained that the Legislature made a change to the transportation bill with regard to the operation of ATV's. The new law states that ATV operations on public highways must be approved by the legislative body and the road must be posted. W. Shepeluk recommended that the Board open Woodard Hill to ATV travel. R. Sylvia stated that he co-owns a camp at the top of Woodard Hill. There are 9 camps and 6 landowners on Woodward Hill. He then reviewed how the law went into effect. R. Sylvia asked for the Board's approval for ATV travel year round on Woodard Hill and Woodard Hill Extension. Other neighbors were present to express the same desire. M. Bard made a motion to approve ATV travel year round on Woodard Hill and Woodard Hill Extension. The motion was seconded by K. Martin and passed unanimously.

### **Despault Junkyard Permit**

S. Lotspeich was present to discuss the renewal of the Despault Junkyard Permit. The permit is reviewed every three years and S. Lotspeich inspected the property with the property owner. S. Lotspeich provided narrative for the Certificate of Location. He then reviewed the conditions of approval and conclusions. Another inspection will be done in 60 days to ensure that the conditions of approval have been met. N. Fish made a motion to approve the certificate of approval for the location of the Despault salvage yard contingent on removing vehicles out of the 100-year floodplain and authorize the Municipal Manager to sign on behalf of the Board. The motion was seconded by K. Martin and passed unanimously.

### **Discussion on Salt and Sand Use**

C. Viens stated that he had asked the voters at Town meeting if they wished to have a policy with regard to salt and sand use. W. Shepeluk reviewed that portion of the meeting minutes. C. Viens asked for the Board's input on whether or not to develop a policy. N. Fish asked how the policy would be implemented and what the Board's role would be. C. Viens asked the Board if they feel the use of salt and sand is an issue in terms of degradation of roads and harm to the environment. M. Bard responded in the affirmative. K. Martin expressed interest in learning more about the issue and suggested having a discussion with the Highway Supervisor. W. Shepeluk stated that if there is a policy, it needs to be a specific written policy. W. Shepeluk suggested that perhaps someone from AOT could come to a meeting and provide some information. C. Viens suggested cutting the salt and sand budgets. W. Shepeluk stated there still needs to be conversations about the use of salt and sand. W. Shepeluk will draft a policy to be reviewed at a future meeting.

### **MANAGER'S ITEMS**

#### **Animal Control Officer**

W. Shepeluk stated that the Town advertised this position with no takers. It is a position that is thankless with very little pay. The Town has received several complaints over the past few months. W. Shepeluk feels the pay should be increased to \$500 per month, plus an hourly rate for call response. N. Fish suggested that the Town broaden the reach for advertising the position. W. Shepeluk will re-advertise the position and get the advertisement out on various sources of media

#### **Revitalizing Waterbury – Economic Development Director MOU**

W. Shepeluk explained that the current MOU has not been updated for a couple of years, and it still refers to the former Village of Waterbury. The Town typically lets RW know by October 1 if they do not wish to fund the position. W. Shepeluk prepared a new draft but it was not distributed prior to the meeting. K. Nevin explained that the RW Board needs to review the draft. She asked that the item be tabled until October after their next Board meeting. W. Shepeluk will distribute the draft to the Select Board.

#### **Revitalizing Waterbury – Bird Sculptures**

K. Nevin explained that RW, out of the Main Street project, has some funding for some local public art. The runner up proposal to the railroad bridge project was bird art. There are specific places that the bird art will be erected. RW would like to place the art on Bidwell Lane and on the corner of Main and Stowe Street, which is Town owned property. RW has requested permission from EFUD to place

some of the art on EFUD property. The project will not cost the Town any money. M. Bard made a motion to authorize installation of the bird art on Bidwell Lane and the corner of Main and Stowe Street. The motion was seconded by K. Martin and passed unanimously.

### **VLCT – Cannabis Update**

W. Shepeluk explained that Vermont is moving towards a regulated cannabis marketplace. The bill is currently in the legislative conference committee. The issue is whether or not municipalities will have taxing authority. The request from VLCT is for communities to contact the legislature to make provisions that municipalities can share in some of the taxes. W. Shepeluk asked the Board if they would like him to contact the legislature or be silent on it. M. Bard stated he is in favor in the Town participating in income from cannabis sales. W. Shepeluk stated that under the House version of the bill, the Town would have to pass a local options tax applicable to all businesses in order to receive income. N. Fish offered that if other businesses are not being taxed, cannabis should not be singled out. K. Martin agreed. By consensus, the Board asked the Municipal Manager to be silent on the issue.

There being no further Select Board business, the meeting adjourned at 9:30pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: September 21, 2020