

**Meeting of the Waterbury Select Board  
January 4<sup>th</sup>, 2021  
28 North Main Street**

Present: C. Viens, M. Bard, K. Martin, M. Frier and N. Fish, Select Board; W. Shepeluk, Municipal Manager; N. Nadeau, Director of Parks & Recreation; D. Sweet, Town Assessor (for part); and C. Lawrence, Town Clerk. The meeting was held via videoconference.

Public: Lisa Scagliotti, Waterbury Roundabout; ORCA Media; Karen Nevin, Revitalizing Waterbury; Glenn Andersen; Meg Baldor; Tom Scribner; Carolyn Fox; Jack Carter; Eric Gross; Representative Theresa Wood; Jess Leal; Dan McKibben; Julia Frailey; Alyssa Johnson; Dana Allen; Dan McKibben; Dani Kehlmann; Hadley Laskowski, Valley Reporter; Jane Brown; Don Schneider; Al Lewis; Whitney Aldrich; Stephen Fishman, Noah Fishman; Liz Schlegel, BCA Chair; and Aaron Lavallee.

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

**APPROVE AGENDA**

M. Bard asked to add a discussion about the COVID Working Group meeting held earlier in the day. W. Shepeluk asked to remove the Errors & Omissions letter from the consent agenda and add it under Select Board Business. M. Frier asked to add a discussion about interim planning and zoning under Select Board business. M. Bard made a motion to approve the agenda as amended. The motion was seconded by K. Martin and passed unanimously.

**CONSENT AGENDA ITEMS**

C. Viens made a motion to approve the consent agenda items including the minutes of the December 21<sup>st</sup> meeting, and liquor licenses for R. G. Blake Enterprises, Pigasus LLC and Hen of the Wood. The motion was seconded by K. Martin and passed unanimously.

**PUBLIC**

There was no public comment.

**REVITALIZING WATERBURY – STOWE STREET ALLEY GRANT**

K. Nevin was present to discuss the Stowe Street Alley grant and distributed a summary of the project earlier in the day. The grant will fund a project to beautify the Stowe Street alley. K. Nevin asked the Select Board for a letter of support for the grant. M. Bard asked how much the project would cost the Town. K. Nevin stated that there is no expectation of any cost to the Town. C. Viens asked if there is any long-term maintenance issues. K. Nevin stated that RW is partnering with the Rotary Club to develop a strategy to take care of maintenance. K. Martin made a motion to authorize a letter in support for the Stowe Street alley project on behalf of the Select Board to be signed by the Municipal Manager. The motion was seconded by M. Bard and passed unanimously.

**SELECT BOARD ITEMS**

**Marijuana Retail**

M. Frier explained that the State requires that the Town may have an article on the Town meeting warning to opt-in for marijuana retail sales. The question would be voted on by voters at Town meeting. A discussion followed with most in favor of a Town wide vote and one opposed. W. Shepeluk will get the language for the article and it will be placed on the warning for Select Board approval. Discussion continued.

### **Online Lister Data**

The Board received a complaint that Waterbury lister files are not available online. D. Sweet did some research and discovered it would cost \$800 to add property information to the Town website. C. Lawrence explained that if a property owner requests a lister file, it is emailed to them promptly for no charge. If a professional requests a lister file, it is emailed promptly and a spreadsheet is maintained with fees owed to the Town. The Board decided to continue the discussion at a later date.

### **Consider Conducting Annual Meeting by Australian Ballot**

C. Viens made a motion to authorize that Town Meeting business be conducted by Australian ballot for 2021. The motion was seconded by K. Martin and passed unanimously.

### **Errors and Omissions Letter date December 31, 2020**

W. Shepeluk explained that Superior Development purchased all of Keurig Green Mountain properties. There is a solar array that the Listers did not transfer to Superior Development and the tax bill was not sent to them. An \$8.85 late penalty has been added to the tax bill. N. Fish made a motion to remove the late charge in acknowledgment of the Lister error and send the tax bill without the penalty. The motion was seconded by M. Bard and passed unanimously.

### **Interim Zoning Bylaws**

Interim Zoning Bylaws were discussed at a previous meeting. Some people feel that the Zoning Regulation rewrite process is taking too long. At that meeting K. Belliveau stated that some bylaws for the downtown commercial district can be made available for review sooner rather than later in the form of interim zoning bylaws. Parking concerns in the downtown were also discussed. C. Viens made motion to direct staff to prepare interim zoning bylaws as expeditiously as possible for review by the Select Board. The motion was seconded by N. Fish and passed unanimously.

### **MANAGER'S ITEMS**

#### **Set Interest Rate for Fund Borrowing – Recommend 2.75%**

W. Shepeluk stated that the Town borrows money from itself and pays itself interest. W. Shepeluk recommends that the interfund borrowing rate be set at 2.75% for 2021. M. Bard made a motion to approve an interfund borrowing rate of 2.75% for 201. The motion was seconded by K. Martin and passed unanimously.

#### **Budgets**

W. Shepeluk previously distributed the proposed recreation budgets and related memos from N. Nadeau. N. Nadeau updated the Board on his activities during 2020. N. Nadeau then reviewed the recreation budgets. M. Bard acknowledged the difficulty in putting together programs not knowing what COVID will bring, and commended N. Nadeau for his hard work. W. Shepeluk then reviewed the recreation CIP. By consensus, the Board supported the proposed CIP.

W. Shepeluk reviewed the proposed general fund budget expenses and stated he would have a better picture of the proposed revenues at the next meeting.

#### **DISCUSS HMCC APPEAL – Executive Session**

K. Martin made a motion to find that premature general public knowledge of the Town's litigation strategy in the HMCC tax appeal, currently pending in the Vermont Superior Court, Civil Division, would clearly place the Select Board, which has control over such litigation for the Town, at a substantial disadvantage. The motion was seconded by N. Fish and passed unanimously.

In light of this finding, K. Martin made a motion to enter executive session, to include the Town Appraiser, the Chair of the Board of Civil Authority and the Town Manager, to consider pending litigation to which the Town is a party. The motion was seconded by M. Bard and passed unanimously.

At 9:30pm, the Board entered Executive Session. At 10:10pm the Board re-entered open session and no action was taken.

There being no further Select Board business, the meeting adjourned at 10:10pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: *January 11, 2021*