

**Meeting of the Waterbury Select Board
January 25th, 2021
28 North Main Street**

Present: M. Bard, K. Martin, M. Frier, C. Viens and N. Fish, Select Board; W. Shepeluk, Municipal Manager; and C. Lawrence, Town Clerk. The meeting was held via videoconference.

Public: Lisa Scagliotti, Waterbury Roundabout; ORCA Media; Francine Chittenden and Chuck Kletecka, Friends of the Waterbury Reservoir; Noah Fishman; Dana Allen; ? Brynga; and Almy Landauer, Library Director.

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

APPROVE AGENDA

C. Viens made a motion to approve the agenda. The motion was seconded by K. Martin. W. Shepeluk asked to add a brief discussion about Perry Hill Partners, LLC zoning appeal. M. Bard made a motion to approve the agenda as amended. The motion was seconded by C. Viens and passed unanimously.

CONSENT AGENDA ITEMS

M. Bard made a motion to approve the consent agenda items including the minutes of the January 18th meeting, the Certificate of Highway Mileage for the year ending February 10, 2021, and liquor licenses for Black Back Pub and Sunflower Natural Foods. The motion was seconded by N. Fish and passed unanimously.

PUBLIC

There was no public comment

MANAGER'S ITEMS

Consider Authorizing Submittal of the Greeter Grant Application on Behalf of the Friends of the Waterbury Reservoir

The Board was sent a budget for this project over the weekend. F. Chittenden stated that the Friends are in their fifth year in working with the Town in applying for the grant for the Greeter Program. The Greeters educate boaters on invasive species. The money is a pass-through and the grant does not affect the Town budget. C. Viens asked if there is mitigation in place if invasive species are found. C. Kletecka stated that there really is nothing in place. C. Viens made a motion to authorize the grant on behalf of the Friends of the Waterbury Reservoir and authorize the Municipal Manager to sign. The motion was seconded by K. Martin and passed with M. Bard abstaining.

Overall Budget Review

W. Shepeluk sent a detailed memo and budget report over the weekend. W. Shepeluk first reviewed the revised proposed library budget. The fund ends with a negative \$3.00 fund balance. W. Shepeluk reviewed the highway department revenues. The hope is that the legislature will not cut tax revenues. He then reviewed the proposed expenses which show minor changes over the budget reviewed last week. The proposed ending fund balance is \$1.00. W. Shepeluk moved onto a review of the CIP budgets. W. Shepeluk reviewed the general government budget which has a proposed ending fund balance of negative \$11.00. W. Shepeluk stated that he believes he did what the Board asked last week in raising the tax rate from 51 cents to 53 cents and using that to fund the CIP's. C. Viens emphasized that the voters authorized a 55-cent tax rate in 2020 and it was kept at 51 cents and that voters should understand that this is actually a 2-cent tax decrease from what was approved by the voters. C. Viens made a motion to approve the three operating budgets as proposed and discussed this evening. The motion was seconded by N. Fish and passed unanimously.

Approve Annual Meeting Warning

W. Shepeluk screen shared the Annual Meeting warning. He updated Articles 6, 7 and 8 from the warning reviewed last week. There was discussion on Article 8 which relates to the production and sales of cannabis. The date of the informational meeting will be February 23rd, 2021 at 7:00pm. M. Bard made a motion to approve the March 2, 2021 Annual Meeting Warning as presented by the Manager and amended at the meeting. The motion was seconded by N. Fish and passed by a vote of 4-1.

Perry Hill Partners Zoning Appeal

W. Shepeluk explained that Perry Hill Partners, LLC has applied for a permit that was denied. They appealed to the DRB and the DRB upheld the zoning administrator's decision. They now want the appeal to Superior Court.

K. Martin made a motion to approve representation of the Town, and the filing of an Entry of Appearance, by Stitzel, Page & Fletcher, PC in the Perry Hill Partners, LLC Zoning Permit appeal before the Environmental Division of Vermont Superior Court. The motion was seconded by M. Bard and passed unanimously.

Hunger Mountain Children's Center – 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 M. Bard and passed unanimously.

In light of this finding, K. Martin made a motion to enter executive session, to include the Town Manager, to consider pending litigation to which the Town is a party. The motion was seconded by N. Fish and passed unanimously. The Board entered executive session at 8:55pm.

The Board came out of executive session at 9:35pm with no action taken.

There being no further Select Board business, the meeting adjourned at 9:37pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: February 1, 2021