

Meeting of the Waterbury Select Board
May 17th, 2021
28 North Main Street

Present: M. Frier, M. Bard, K. Martin, C. Viens and D. Kehlmann, Select Board; W. Shepeluk, Municipal Manager; D. Bookmyer-Baker, Zoning Administrator; and C. Lawrence, Town Clerk. The meeting was held via videoconference.

Public: Lisa Scagliotti, Waterbury Roundabout; ORCA Media; Alexia Venafra; Anne Imhoff; Dana Allen; Chad Ummel; and Cheryl Casey.

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

APPROVE AGENDA

M. Bard made a motion to approve the agenda. The motion was seconded by K. Martin and passed unanimously.

CONSENT AGENDA ITEMS

C. Viens made a motion to approve the minutes of the May 3rd meeting and an Outside Consumption Permit for Smuggler's Notch Distillery. The motion was seconded by D. Kehlmann and passed unanimously.

PUBLIC

There was no public comment.

SELECT BOARD BUSINESS

Consider Request for Entertainment Permit

W. Shepeluk stated that he noted a blurb on FPF that Tom Murphy would be holding an entertainment show at his barn on Maple Street. The event will be held outside on his property and will require a permit. W. Shepeluk has not yet gotten in touch with T. Murphy. W. Shepeluk screen shared the information on the show which is scheduled to be held from 5:00pm to 8:00pm on June 5th. C. Viens made a motion to approve the permit for the Evicted Vaudeville event as described on T. Murphy's event page on June 5th from 5:00pm to 8:00pm. The motion was seconded by K. Martin and passed unanimously.

Blush Hill Boat Access

W. Shepeluk previously distributed the ordinance as it pertains to the boat access at the end of Blush Hill Road and a tax map of the area. M. Bard explained that there is only supposed to be parking on one side of the access but there is an area for cars to park in the cul-de-sac. At one point, M. Bard called the State Police and they responded that they have no jurisdiction. W. Shepeluk explained that the Town is regulating parking on the left side of the access. W. Shepeluk stated that the actual access and turnaround is owned by the State and the Town cannot regulate what occurs in the cul-de-sac. W. Shepeluk explained that having an ordinance that restricts where people park is a good thing, and the placement of the no parking signs helped.

Consider Zoning Enforcement Settlement Agreement – Potential Executive Session

Dani Kehlmann made a motion to find that premature general public knowledge of the Town's litigation strategy in the Town of Waterbury v. Darren Tebeau case, currently pending in the Vermont Superior Court, Environmental 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 K. Martin and passed unanimously.

In light of this finding, D. Kehlmann made a motion to enter executive session, to include the Municipal Manager, Town Clerk and Zoning Administrator, to consider pending litigation to which the Town is a party. The motion was seconded by K. Martin and passed unanimously.

The Select Board entered executive session at 7:30pm. The Board exited executive session at 7:53pm. C. Viens made a motion to approve the settlement agreement as proposed between the Town of Waterbury and Darren Tebeau and authorize the Municipal Manager to sign. The motion was seconded by K. Martin and passed unanimously. M. Frier thanked D. Bookmyer-Baker for her hard work and congratulated her on her upcoming retirement.

MANAGER'S ITEMS

Consider Contract with Potter's Tree Health Care for Removal of Roadside Ash Trees

W. Shepeluk explained that the Town has a grant from the State for the project. The grant is for \$6,500 and there is a Town match of \$6,500 that was approved in the budget. Ash trees will be identified in the municipal road right of way in certain areas to determine the health of the trees and what action should be taken. The proposal was sent to four arborists and two proposals were received. Potter's Tree Health Care came in with the lowest bid at \$4,570. Because the proposal is lower than the allotted \$6,500, additional trees will be added. D. Kehlmann made a motion to approve the contract with Potter's Tree Health Care for up to \$6,500. The motion was seconded by K. Martin and passed unanimously.

VSP Resident Trooper Reports

C. Lawrence previously distributed reports for the month of March and the period July 2020 through March 2021. W. Shepeluk stated they are self-explanatory. The Troopers are still working under COVID conditions and proactive motor vehicle enforcement has been noticeably reduced since March of 2020.

Discuss Equity Training

W. Shepeluk stated that he recently met with Alexia Venafra and Maureen McCracken about some of the issues discussed in the past. He has reached out to Mary Gannon with regard to racial equity training and spoke with her last week. M. Gannon is an independent consultant and educator. W. Shepeluk had hoped to be able to share a proposal this evening but time was short so M. Gannon will get a written proposal to the Town by the end of this week, to be shared with the Board at the June 7th meeting. A potential meeting date is June 21st during a regular Board meeting. It is expected that the Select Board will go into a private session for the purpose of the training. Additional employees in management positions may be invited.

Board Orientation Issues

W. Shepeluk stated that it is his hope to do some Select Board orientation when the Board meets in person. He will bring something to the Board over the next several meetings in terms of orientation.

Staffing Update

W. Shepeluk updated that Board that D. Bookmyer-Baker, Zoning Administrator, will retire on July 9th, 2021. K. Martin asked for an update on the library staffing. W. Shepeluk provided an update and stated that A. Landauer has resigned as Library Director effective early June. The Library Commissioners are scheduling interviews for her replacement.

Budget Report

W. Shepeluk previously distributed the budget report. The Town is approximately 33% of the way through the year. Revenues are low, only because taxes have not been collected yet. The Town was conservative with all revenue sources from the State. Most of the budgets that have personnel in them are right on track for expenses through the period. W. Shepeluk stated that there is nothing unusual to report with regard to the budget for this time of year.

W. Shepeluk stated that the Board will, at some point, discuss refunding a note that was taken out last year for approximately \$1.3 million. He has been working with Community National Bank and will bring a refunding resolution before the Board at their next meeting.

There being no further Select Board business, the meeting adjourned at 9:00pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 7, 2021