

Meeting of the Waterbury Select Board  
September 14, 2021  
28 North Main Street  
Minutes

Present: C. Viens, M. Bard, K. Martin, and D. Kehlmann, Select Board; W. Shepeluk, Municipal Manager; K. Petrovic, Secretary. The meeting was held in person and by videoconference to allow for remote attendance and participation.

Public: Esther Lotz, Janina Kotulich, Jeff Larkin, Cameron McCormick, Steve Hagenbuch, ORCA Media, Alyssa Johnson

The meeting was called to order at 7:00 p.m.

#### **APPROVE AGENDA**

K. Martin asked for time on the agenda to update the Board on the Ice Center. W. Shepeluk requested the Board also consider the following Select Board Business: Consider vacancies on Town elected Commissions. Propose court resolution of court case. **M. Bard made a motion to approve the amended agenda. K. Martin seconded the motion; a vote was held and passed unanimously.**

#### **CONSENT AGENDA ITEMS**

W. Shepeluk requested to move the Consent Agenda item of a VLCT voting delegate under Select Board Business. By consent the Board made this change to the agenda. **D. Kehlmann made a motion to approve the consent agenda; the meeting minutes of August 23, 2021, K. Martin seconded the motion; a vote was held and passed unanimously.**

#### **PUBLIC**

No public comment

#### **WATERBURY LAND INITIATIVE**

S. Hagenbuch joined the meeting to introduce himself and the Waterbury Land Initiative to the Board. The mission of the organization is to lead and/or assist in the conservation of land in Waterbury and the surrounding area in order to protect and improve outdoor recreation, agriculture, wildlife habitat, and cultural and water resources. This is a small grass roots organization with 11 local board members. W. Shepeluk recognized the important work of the organization. He cautioned that the Town receives pennies on the dollar in revenue when development rights are sold or come under state ownership. While he believes conservation is important, he reminded the Board that 40% of the property in the Town of Waterbury is already protected State Forest.

#### **SELECT BOARD ITEMS**

##### **Interview to consider PC nomination of Assistant Planning & Zoning Director**

Cameron McCormick was interviewed by the Select Board for consideration in the role of Assistant Planning & Zoning Director.

##### **Consider Appointment of Assistant Planning & Zoning Director**

M. Bard requested time at the end of the meeting to deliberate in private.

##### **Consider Allocating the Use of On-Street Parking Spaces for new use at 19 South Main Street**

After a presentation by the J. Larkin, property owner and Janina Kotulich of Red Poppy Cakery, **D. Kehlmann moved to allocate the use of four additional on-street parking spaces to meet the parking**

**requirement for the building located at 19 S. Main Street, including the change of use for 1,000 sq. ft. on the 1<sup>st</sup> floor (lower floor) from a hair salon to a retail bakery and specialty school for Red Poppy Cakery. K. Martin seconded the motion – discussion regarding the lack of parking in the former Village followed. A vote was held and passed 3-1 with M. Bard abstaining.**

#### **Update on the Ice Center of Washington West**

K. Martin provided the Board with minutes from an August 26<sup>th</sup> meeting at the Ice Center she was in attendance for. The Ice Center is in the process of dealing with a leaking water tower as well as a mold issue.

#### **Vacancies on Elected Boards**

The Cemetery Commissioners have lost one of their Board members, Jack Carter, as a result of his passing. The Library Commissions have also received a resignation of Board member Curtis Ostler due to his relocation out of State. **M. Bard made a motion authorizing staff to advertise for each vacancy. D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

#### **Proposed Resolution of court case**

W. Shepeluk provided a brief review of the court case brought against the Town, (In re: Perry Hill Partners, LLC Zoning Permit), due to a denied Zoning Application at 28 Stowe Street for a brewery/restaurant. To resolve the case in question, **M. Bard made a motion to accept the proposed stipulation to withdraw the appeal, at the recommendation of counsel, for the reasons stated in the stipulation. K. Martin seconded the motion; a vote was held and it passed unanimously.**

#### **Appoint Voting Delegate to the VLCT Town Fair – Sept 29, 2021**

W. Shepeluk gave the board an overview of some of the roles VLCT plays in local government and invited interested Board members to participate in Town Fair if they wish. **M. Bard made a motion to appoint W. Shepeluk as the Town of Waterbury voting delegate to the September 29, 2021 Town Fair. D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

#### **MANAGERS ITEMS**

##### **Contract renewal with Land Records Vendor**

W. Shepeluk explained on behalf of C. Lawrence that a contract with a new land records vendor had previously been approved and signed only to learn that the company was discontinuing the software. C. Lawrence worked to void the new contract and is asking the Board for permission to re-sign with the previous vendor, Avenu Enterprises. **M. Bard made a motion to have the Town Clerk engage with Avenu Enterprise Solutions for land records maintenance for Waterbury. K. Martin seconded the motion; a vote was held and passed unanimously.**

##### **Update on 2021 Paving**

Waterbury has received a grant to cover the cost of paving Stowe Street – this work will be performed in 2022

The planned 2021 paving is nearly complete.

Elm Street has been paved following sewer and storm water drain work.

Stowe Street from Main to Railroad Street has been paved following water and sewer line replacements.

The membrane on the dry bridge was also replaced as part of this work.

Blush Hill paving is in progress. Lonesome Trail pavement has been extended to the top.

**M. Bard made a motion to enter into deliberative session to discuss the appointment of the Assistant Planning & Zoning Administrator. D. Kehlmann seconded the motion; a vote was held and passed unanimously. The Board returned to open session at 9:11pm.**

Following the deliberation **M. Bard made a motion to appoint Cameron McCormick to a 3-year term as Assistant Zoning and Planning Director, subject to a successful completion of a background investigation. D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

W. Shepeluk handed out 2020 Town of Waterbury audit reports for the Board to take home and review. There are no material weaknesses noted in the report. There are several deficiencies of note. In particular, the tax sale savings account will be closed and those funds moved into a new fund in the general checking account. In addition, the day-to-day operation of the Library Trust account needs to be addressed and will be soon.

**D. Kehlmann made a motion to adjourn. K Martin seconded the motion; a vote was held and passed unanimously.**

Respectfully submitted,

Karen Petrovic, Secretary

Approved on: October 4, 2021