

Minutes of the Select Board
Monday October 2, 2023
Steele Community Room, 28 North Main Street and via Zoom

Attendance: A. Johnson, K. Sweeney, M. Bard, R. Clapp, D. Kehlmann; Board T. Leitz Manager, K. Petrovic

Public Attendance: ORCA Media, L. Schlegel, B. Shepeluk, L. Scagliotti - Waterbury Roundabout

ZOOM: ORCA Media, T. Yip, M. Culbertson, Elisabeth, J. Simpson, N. Miller

R. Clapp called meeting to order at 7pm

Approve Agenda: A. Johnson moved to approve the agenda as drafted; K. Sweeney seconded the motion. R. Clapp asked to add the closure of Randall St & Elm St for Halloween 2023 from 4-9pm to the consent agenda. A vote was held with unanimous approval of the amended agenda. The motion to approve the amended agenda also passed unanimously.

Consent Agenda:

- a.) Minutes of September 18, 2023
- b.) Request to Cater Permit JWD Corporation 5365 Waterbury Stowe Road (Fish & Game Club); Wedding, it will be held outside, there will be food served by another vendor. We will be bringing beer, wine, and liquor for a wedding.
- c.) Closure of Randall and Elm Streets for Halloween 2023 4-9pm

K. Sweeney moved to approve the consent agenda. D. Kehlmann seconded the motion; a vote was held and passed unanimously.

Public: Public reminder regarding the Zoning update walking tour and open house on Thursday.

<https://www.waterburyvt.com/news/item/post/zoning-update-walking-tour-and-open-house>

Many thanks to L. Scagliotti for all her hard work and coverage regarding Waterbury in the local Waterbury Roundabout. There is an invitation to join a meeting at the Waterbury Public Library to discuss the future of the Waterbury Roundabout on Tuesday from 6:30-8pm.

<https://www.waterburyroundabout.org/business-archive/oidlm8pel4ymfzh941f3y421w3rhbw> M. Bard attended Town Fair and felt the two days was very well spent. M. Bard stated a number of valuable take aways he experienced at the fair some of which he will ask to discuss in further detail at a further Board Meeting.

Community Resilience for the greater Waterbury area ~ CReW: B. Shepeluk and L. Schlegel spoke to the board to review the mission of CReW as well as some of their organizing efforts. There are 11 members on the committee currently with bylaws drafted for consideration tomorrow night at their meeting. There are currently reps from Moretown, Duxbury and Middlesex areas also on the board. The Board is working to assist households in Waterbury as well as neighboring communities. They meet Tuesdays at 6pm at the RW Conference room. Vast majority of Waterbury flooding was basement flooding. Fortunately, the 2023 flooding was far less damaging to living spaces with named exceptions for properties on Route 2, Main Street and Elm Street. Some of the defined work the committee is providing is to assist people to move electrical boxes and panels, heating systems etc up from the basement to

assist with resilience. B. Shepeluk introduced L. Schlegel with debts of gratitude for her knowledge and work in disaster relief efforts. L. Schlegel stated in the zip codes of 05676 & 05677 there are 184 FEMA applications in the que. Social and Emotional support and FEMA support are a focus now that cleanup efforts have wrapped. The committee has a goal to build a community of folks that can help others in a time of disaster for community resilience.

B. Shepeluk spoke to the Board about tax abatement for homes in the floodplain that were completed in 2011 following Irene. CReW wondered if opposed to abatements could the Selectboard consider funding towards CReW in 2024.

Anyone interested in donating to CReW's efforts can do so now by sending checks to Revitalizing Waterbury with a note on the check that says CReW. Donations are tax deductible. The resource email to ask for any assistance is waterburyhelp@gmail.com.

Road Salt Use: T. Leitz introduced a plan for road salt use, no good data yet about salt impact on the water shed. T. Leitz pushed hard for consideration of roads in Waterbury Center but Public Works resisted because of speed limits and safety. The price of salt has increased from \$82-90 per ton this year. The no salt policy came forward at the request of C. Viens. While the Town will most likely not see any cost savings from a no salt policy the Board all agree having one is better for the environment. There was a discussion about whether no salt roads will assist in decreasing speeding in areas of Waterbury Center. **D. Kehlmann made a motion to adopt the no salt policy as proposed on a trial basis for the 2023-2024 season. M. Bard seconded the motion. D. Kehlmann stated a couple of small typographic errors to the list. A vote was held and passed unanimously.**

Committee Application Process: D. Kehlmann brought a draft application to the board for consideration. This application would be necessary for reappointment without the cover letter and resume. D. Kehlmann will make updates as recommended and send the application to Tom to share.

Local Options Tax Policy: T. Leitz reminded the board that having an adopted policy will assist in shepherding the local options tax through the legislation. R. Clapp would like to adjust one item, *Funding for economic development, affordable housing, and community vitality efforts. Discussion followed about the wording of the policy. The fund balance piece is proposed as 10% of the local options tax to be marked for fund balances. There is cost increases coming for sand and gravel as well as big pieces of equipment that may be necessary to invest in for hauling. Big budget recreation pieces that the community has indicated a desire to improve. In 2025 it might be nice to pay off some small debt services using local option tax money. K. Sweeney clarified that we require a policy in order to assist in getting the Charter through legislature that can be altered later when it is necessary. T. Leitz will make changes to the policy as drafted now and circulate it for consideration at the next meeting. Any comments should be made individually to T. Leitz and not as a group.

Next Meeting Agenda:

Interviews of candidates for three open boards.

Initial Discussion to format future Town meetings.

Bevy of Animal Control calls today – in reviewing the AC Ordinance we cannot find a schedule of fees.

EPIC through the VLCT

Adjourn: D. Kehlmann made a motion to adjourn which was seconded by K. Sweeney and passed unanimously.



VERMONT

STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Salvage Yard Program
1 National Life Drive, Davis 1, Montpelier, VT 05620-3803



CERTIFICATE OF APPROVAL FOR LOCATION OF A SALVAGE YARD

The application of Clement + Donna Despault whose address is
1189 us Route 2 Waterbury

dated 10/2/2023 to locate a junkyard on the land and premises in the city/town of
Waterbury owned by Clement + Donna Despault
and described as follows see application details

has been duly heard and acted upon by the Selectboard
(City Council, Selectboard, Trustees)

of said Town pursuant to the provisions of 24 V.S.A., §§ 2251- 2257
the same is approved this 2nd day of Oct, 20 23

The certificate is valid for 3 years from date of issuance, subject to the provisions
(1 through 5)

of State Statute or Municipal Ordinance presently or hereafter appertaining thereto. This
certificate is for the exclusive use of the named applicant and is not assignable.

The application fee of \$25.00 and all other assessments authorized by 24 V.S.A. §2256 have
been paid.

Selectboard
(City Council, Selectboard, Board of Trustees)

of the City/Town/Village of Waterbury

[Signature]

Alyssa Johnson
[Signature]

Karen Petrovic

From: Thomas Leitz
Sent: Monday, October 2, 2023 11:57 AM
To: Karen Petrovic; Roger Clapp
Subject: FW: Randall Street Halloween

Karen/Roger

Perhaps this could be added to the agenda tonight?

Regards,

Tom Leitz, Municipal Manager
Town of Waterbury
28 North Main St., Waterbury VT 05676
(802) 244-4300
he/him/his



From: Jc Smith <jcsmithvt@gmail.com>
Sent: Monday, October 02, 2023 9:58 AM
To: Thomas Leitz <tleitz@waterburyvt.com>
Subject: Randall Street Halloween

Good Morning Tom,

For many years there has been a huge Halloween event on Randall Street. The crowds of trick or treating kids are hundreds strong. Way back when the village had a police department the chief would and trustees would help us close the street for a few hours for safety. This has evolved to us reaching out to the Municipal Manager who asks the Select Board for their okay.

What happens after we get approval is that I reach out to Celia at the road department and she makes sure that signs get dropped off at the park row end of Randall and on Elm Street by the entrance to Ayers Studio. We then put them up to close the street by 4PM. The youngest children come out in the afternoon and we also want to keep the bar patrons from parking in the closed area and then trying to leave while the street is closed and full of people. We open the street back up by 9PM and the signs are picked back up the next day.

Continuing the street closure is very important as even my 17 year old doesn't remember it not being closed so the younger kids will not even consider looking for vehicles in the street.

Please let me know if you have any questions and I hope you can come by Randall Street on Tuesday the 31st and take a look at this amazing Waterbury tradition.

Jeff Smith
12 Randall ST
802-734-8787

Community Resilience for the greater Waterbury Area

A.k.a CReW

Following the intense flooding of July, 2023, Town Manager Tom Leitz and others asked Revitalizing Waterbury if they would consider being a fiscal agent for any long-term effort the Town put together. RW agreed, providing the funds raised would be used for residents and businesses.

In early August Rep. Theresa Wood convened interested members of RW and and the Town's flood recovery efforts to form a steering committee. The group determined that some kind of rebuilding group would be necessary, similar to the ReBuild Waterbury effort hosted by Revitalizing Waterbury after Tropical Storm Irene.

This steering committee has been meeting regularly since early August and has evolved into the CReW.

Board members: currently 11, by-laws allow for 16

Bill Shepeluk (Chair)

Liz Schlegel (Vice-Chair)

Krister Adams

Judi Daley

Tom Drake

Matt Larson

Mame McKee

Nora Miller

Janet Simpson

Tori Taravella

Tessa Yip

What's CReW?

Community Resilience for the (greater) Waterbury (area)

– including surrounding towns

A FEMA Long-term RecoveryGroup (LTRG)

– meeting FEMA's criteria for access to grants and volunteer labor

Revitalizing Waterbury is the fiscal agent, but this org has a separate board/mission

– Recovering from this disaster preparing for the next one

A volunteer-led project to help Waterbury build resilience (and preparedness) and make climate adaptations for the future

Mission:

Help residents and businesses in the greater Waterbury area “build back smarter” from the July ‘23 flooding, by providing technical assistance, resources, volunteer labor and 1:1 support for flood-affected folks, with a commitment to equity and environmental justice

- Raise \$\$ to fill budget gaps for residents and businesses
- Provide technical and hands-on assistance for rebuilding
- Provide 1:1 support for dealing with the human & administrative side (FEMA and insurance appeals, emotional support, contractors)
- Build local capacity to prepare and respond to ongoing challenges/disasters

Goals:

- Help 100+ property owners and tenants in these ways: with recovery/rebuilding, finding the help they need, choosing climate- and flood-smart options, find the money and labor they need to do that
- Leverage skilled contractors and tradespeople to lead semi-skilled volunteer labor
- Create processes & systems that can be replicated for future disasters and community challenges
- Build Waterbury’s capacity to care for ourselves by building connections among local folks and also build regional relationships for ongoing support and mutual aid.
- Involve the community in how we move forward; creating space for all community members with different skill sets
- Act as a model, partner and resource for other communities.

Components:

1:1 support: for individuals and business folks - provided by a cohort of volunteer case advocates (CReW Partners). We will provide training and ongoing support for these volunteers, who will each handle a couple of families or businesses to help them over the course of their recovery. We will make sure the volunteers have access to info about FEMA, social services, financial resources, community services and other relevant information.

Construction support: Connect with contractors and plumbers & electricians, find ways where we can use them as leaders and provide volunteer labor to follow their directions. Collaborate with the Town to find the best ways to secure construction help for affected folks. Identify costs for individual projects such as elevating electrical boxes, moving washers & dryers to first or second floors, and moving HVAC systems to upper floors. Form a construction committee to ID the best activities for the types of buildings in our area.

Data management: Build a database of affected and at-risk people, using low- or no-cost software that can help us provide info to case advocates, contractors and tradespeople, and aggregate information for reporting to funders and other partners. Collaborate with the Town to potentially develop a way to build an opt-in system to text at-risk property owners and residents.

Fundraising and partnership: Raise resources to help close financial gaps for individuals and businesses, build partnerships with relevant organizations including Efficiency Vermont, Green Mountain Power, the Vermont Community Foundation, Capstone, Waterbury LEAP and other state and local organizations involved in recovery, mitigation, and preparedness.

Youth engagement: Provide ongoing opportunities for local youth to volunteer and learn, including possible HS internships, training in basic skills, opportunities for youth groups (honor society, other HS clubs). Connect with middle school and high school staff to help make connections with youth.

Research & technical assistance: Work with regional, state and national partners to understand local risks and mitigation options; support contractors and property owners to make smart choices and identify potentially better practices in maintaining buildings and planning for future inundation (and other) risks. Partner with Waterbury preparedness committee as well as other towns and long-term recovery groups.



WATERBURY MUNICIPAL OFFICE
802.244.7033 or 802.244.5858
FAX: 802.244.1014
28 NORTH MAIN ST., SUITE 1
WATERBURY, VT 05676
WATERBURYVT.COM

Memo

Date: September 29, 2023
From: Tom Leitz, Manager
To: Selectboard
Cc: Bill Woodruff, Celia Clark
Re: Road Salt

In discussing road salt usage with the Public Works Director and Highway Forewoman we have agreed on the following list of roads that merit consideration of a no-salt policy. This list is generally based on the posted speed limits of the roads, elevation and direction changes, and our desire to reduce salt usage without impacting public safety.

The roads and their approximate lengths are as follows:

Road Name	Estimated Length (Feet)	Estimated Length (Miles)
Sunset Drive	980	0.19
Lakeview Terrace	1,040	0.20
Metayer Court	1,130	0.21
Heeley Court	240	0.05
Adams Court	300	0.06
Swasey Court	330	0.06
Jenny Davis Rd.	1,880	0.36
Butler Street	700	0.13
Prospect Street	350	0.07
Intervale Avenue	590	0.11
Wallace Avenue	670	0.13
Armory Avenue	990	0.19
O'Hear Court	590	0.11
Huntington Place	520	0.10
Batchelder Street	720	0.14
Little River Rd.	2,500	0.47
River Rd.	2,640	0.50
Total	16,170	3.06

For context, the Town has roughly 25 miles of paved roads, so this above list comprises roughly 12% of that total. I note we have received pricing on road salt for the 2023/24 winter, and the increase will negate any savings we might experience through reduced usage.

Depending on the weather this plan will impact road conditions. The most significant will be that we will be unable to completely clear the snow from these roads, and over time we can expect the surface to become a hard packed layer of snow. In this scenario we would seek to add a fine layer of sand to these roads to improve traction. We do not intend to use heavy equipment to scrape these roads bare, as that work would result in an overall cost increase to the Town.

Finally, if we have a storm that results in a significant layer of ice, we would ask for the discretion to utilize salt to remove the ice. Under normal winter conditions and snow events we would comply with the no salt policy.

We are open to your input about adding or removing roads from this list.

TOWN OF WATERBURY VERMONT

Application Form for Town Commissions, Boards, and Committees

Please submit your application to **one** of the below:

In person or by mail: Board Search, Town of Waterbury, 28 N. Main St. Waterbury, VT 05676 or **by email** to: karen@waterburyvt.com

Please supply the following information:

1) Review the scheduled meeting day/time of the Commission, Board, or Committee along with the length of the term of the position. Will you be able to regularly make the meetings? Y / N Will you be able to serve for the term of the position? Y / N

2) Please introduce yourself to the Selectboard by providing a short cover letter detailing your background, training, and experience with the board/commission/committee you are applying for and/or resume.

Name of Applicant: _____

Date: _____

Phone Number: _____

Email Address: _____

Name of Commission/ Board/ Committee and term:

How many years have you served on this Committee? _____ Years

If you serve on another Commission/Board/ Committee, please indicate which one(s):

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

Waterbury Resident: Y / N (circle one)

Please note, applicants are asked to attend the selectboard meeting at which volunteers will be nominated to their respective positions. If you cannot attend, please email Karen@waterburyvt.com in advance of the meeting to provide additional background information.

For hard copies or accessibility accommodations please contact: Karen Petrovic; karen@waterburyvt.com

Memo

Date: June 2, 2023
From: Tom Leitz, Municipal Manager
To: Selectboard
Re: Local Option Tax & Manager Authority

I was tasked with further research related to the possibility of enacting a Town charter and an accompanying local option tax (LOT), and some research related to the Manager's appointment authority.

Local Option Tax

By way of background on April 14th, 2023 I had provided a memo with some summary statistics related to the LOT, which estimated annual town revenues in the range of \$600,000 assuming the tax applied to retail sales, meals, rooms and alcohol. For further context property taxes provide roughly 70% of all town revenues. The obvious advantage of property taxes is the stability of the revenue stream. Nonetheless, any governmental operation should strive to diversify its revenue streams, and the local option tax is the only significant means we have to accomplish this.

I have researched a number of other communities and how they specifically use LOT funds. When we had a broader charter discussion it was noted there is no model to choose from; a similar statement can be made for LOT revenues. Some municipalities (Stowe, Barre City, City of Essex Junction) have no specific policy related to their use of LOT funds, others have specific policies (St. Albans City and Town, Shelburne, Barre City, South Burlington), while still others have charter language that outlines how funds are spent (Colchester, Brandon, Montgomery, Hartford).

I believe specific charter language is too restrictive. Community needs and the Town's financial condition can change quickly. I do recommend a Town policy that specifies eligible uses of funds without defining exact amounts. I suggest the following broad categories be considered for this policy:

- Reductions or stability in the town tax rate through the following means:
 - Direct payment of existing debt service.
 - Funding towards capital expenses that would otherwise be paid with property taxes.

For the above category I can envision near term investments in infrastructure in roads and bridges consistent with priorities outlined in the ARPA survey, along with potential investments in recreation infrastructure including the pool and accessibility improvements at Hope Davey. I note that our current debt service exceeds \$700,000 per year, and our capital budget exceeds \$1.0 million. Based on those amounts I don't believe we can manage growth in the tax rate without specifically allowing LOT revenues to offset more general expenses.

- Funding for economic development and community vitality efforts.

Currently this category could include costs related to Revitalizing Waterbury, concerts in the park, Town events, public art, and efforts to develop affordable housing. The cost to purchase and redevelop Stanley Wasson, for example, could be financed with LOT revenues.

- Efforts to streamline and modernize municipal operations, including one-time costs that may be associated with investments to gain long-term efficiencies.

This category could include technology investments that reduce long-term costs (automated lawn mowers being an example), or costs related to municipal consolidation efforts.

One area where I do recommend specificity pertains to our finances. The Town's has an overall deficit in its undesignated fund balance. A set percentage of local option tax revenues could cure this deficit over time without impacting the property tax rate. I would recommend that 10% of the revenues be designated towards this purpose, and this percentage be revisited when the fund balance has recovered.

There is one further item for your consideration that pertains to broader town finances. Without a specific policy unspent local option taxes at year end simply become part of the undesignated general fund balance. In combination with the policy above I recommend a policy that established a LOT reserve. All unspent funds would fall to this reserve, and the Town would establish a transparent method of tracking and reporting the use of funds.

I note you can always create a reserve for a specific project, and direct unspent LOT funds, or a portion thereof, towards that project. St. Albans Town, for example, specifically reserved their LOT for many years before finally utilizing the funds (and paying cash) for a new public works garage and town hall.

Managers Authority

Waterbury formally adopted the Town Manager form of government many years ago. Under 24 V.S.A. § 1236 the Manager has the following authority:

“To perform all duties now conferred by law upon the selectboard, except that he or she shall not...make appointments to fill vacancies which the selectboard is now authorized by law to fill.”

There has been discussion about providing the Manager additional authority via a charter, specifically related to hiring Town employees. Many communities outline the powers of their manager in their charters, and while each community has its own charter language, the following four issues are commonly addressed:

- 1) The authority of the manager to appoint, suspend and terminate all employees (which would be done in accordance with and subject to the personnel policies adopted by the selectboard).
- 2) The authority to set and modify salaries and wages.
- 3) The authority to authorize others, such as department heads, to take action with respect to the items above.
- 4) Prior to hiring and terminating department head positions Managers often have a requirement to receive the approval of the selectboard.
 - a) I note that, as per our employee handbook, any employee that is terminated has a right to appeal to the municipal manager. In the event the employee is a department head, the appeal goes to the selectboard. That language would make charter language about termination redundant.
 - b) In some towns the selectboard appoints department heads based on the recommendation of the manager. In the event the manager's recommended candidate is not appointed the authority is not given to the selectboard. Rather, the manager would have to recommend another candidate.
 - i) In Stowe, for example, the manager notifies the selectboard about his intent to appoint a department head. The selectboard has 7 days to object to the appointment.

Specific language for Waterbury could be developed quickly and easily depending on how view on the items above, or any other that you may wish to add. I note that, with a few exceptions, items 1 through 3 above are historically done by the Manager, who has involved the selectboard at his discretion. I would recommend a charter that generally follows our history. On item 4 I believe it is appropriate to have the selectboard confirm department head positions, and I suggest the Stowe model is reasonable.