

Minutes of the Waterbury Selectboard
Monday, March 17, 2025 | 7:00 p.m.
28 N. Main St. and via Zoom

Attendance: Alyssa Johnson, Kane Sweeney, Tori Taravella, Tom Leitz, Cheryl Casey, Roger Clapp

Public attendance: ORCA Media, Chris Viens, Lisa Walton, Lisa Scagliotti, Evan Hoffman, Valerie Rogers, Mike Dacey, Kelly Lake

Zoom attendance: ORCA Media, Sandy Sabin, Ian Shea, Amy Marshall-Carney, Wayne Quillin, Alyssa Johnson, Rebecca Mead, Anne Imhoff, Theresa Wood, Mike Dacey

MEETING OPENED by general consent at 7:02p.m.

Approval of agenda

A Johnson amended the agenda to add a second executive session item regarding pending litigation involving the Town.

- **Motion by R. Clapp to approve the agenda as amended; seconded by T. Taravella**
- No further discussion; **motion approved unanimously**

Selectboard Organization

Motion by T. Taravella to elect A. Johnson as chair for a term of one year; seconded by K. Sweeney.

K. Sweeney thanked A. Johnson for her service and willingness to continue in the role.

No further discussion; **motion approved 3-0 with A. Johnson abstaining.**

Motion from R. Clapp to nominate K. Sweeney as vice chair; seconded by T. Taravella.

K. Sweeney thanked the members of the selectboard for their trust in him.

No further discussion; **motion approved 3-0 with K. Sweeney abstaining.**

Motion from T. Taravella to designate M. Bard as secretary; seconded by K. Sweeney

K. Sweeney thanked M. Bard for volunteering.

No further discussion; **motion approved unanimously.**

Approval of consent agenda

A. Johnson amended the agenda to add a special event permit request from Lawson's Finest for March 22, 1:00-3:00 p.m. at Cold Hollow Cider Mill, 3600 Waterbury-Stowe Road, Waterbury Center.

Motion from R. Clapp to approve the consent agenda as amended; seconded by T. Taravella.

No further questions; **motion approved unanimously.**

Public comment

A. Johnson demonstrated the new display and links for Selectboard meetings on the Town website. She also gave information about the Housing Task Force's Building Better Waterbury session on March 18 and the Planning Commission's visioning sessions for the town plan. All details are on the town website.

C. Viens offered his impressions of the discussions at Town Meeting:

- He is disturbed that younger members of the community that he didn't know or recognize accused the attendees in the room as being privileged to attend town meeting.
- He expressed anger that people would come to Waterbury and call people privileged. The younger generation is looking to achieve by their mid-30s what has taken a lot of long-time residents decades to accomplish. A community of strangers isn't a community.
- He suggested the younger generation is really missing the opportunity of enjoying the people that are older and long-time residents. "Privilege" has become a pretty loose word to use.

K. Lake expressed three main points of concern:

- She observed that in the 9 years she has lived off of Shaw Mansion Road, the road conditions have become unacceptable for the amount of taxes that people pay. Putting money towards bike trails is fine because we are a tourist town, but we also need money to go toward the infrastructure that supports the town's residents. She inquired why we don't tax tourists.
- She also observed that the voting machines don't provide the voter with a printout confirming the votes were registered correctly. She cannot make sense of how few Republicans are elected on the Town ballot, referencing her experience in running for Justice of the Peace in 2022.
- She is concerned that forest management seems to have gone by the wayside.

A. Johnson noted that the Town Clerk oversees all things related to elections, so questions about how the voting machines work should be directed to that office.

K. Sweeney also encouraged her to contact the Secretary of State's office with any concerns and questions.

Regarding road conditions, T. Leitz said if we put material on the road now, it will end up in a ditch because it will likely snow again and we'll have to plow the material off. The roads have to wait, logistically, for a short period of time.

K. Sweeney explained we have implemented a local option tax, which doesn't target tourists directly but is as close as it comes to a kind of tourist tax.

Selectboard administration and logistics

A. Johnson summarized key rules of procedure, noting that requests to put items on the meeting agenda should be sent to either herself or T. Leitz.

Motion by T. Taravella to readopt the Town of Waterbury Selectboard rules of procedure; seconded by K. Sweeney.

Discussion:

- R. Clapp recommended that taking up the next meeting agenda as a routine item on the agenda is a good practice to keep, but not significant enough to make an amendment to the rules of procedure.

No further discussion; **motion approved unanimously.**

Selectboard meetings

Typically, meetings have been held the 1st and 3rd Mondays of the month at 7:00 p.m. A. Johnson suggested that months with 5th Mondays could be useful to include in the meeting calendar. Agreed by K. Sweeney and T. Taravella, who added that an earlier start time is preferable.

Motion by T. Taravella to adopt 1st, 3rd, and 5th Mondays at 6:30 p.m. for selectboard meetings, with the exception of March 31 to begin at 7:00 p.m.; seconded by KS.

Discussion:

- C. Viens urged the selectboard members to be aware that they might still end up going late and simply adding half an hour to the meeting.
- R. Clapp will have to arrive late on March 31 because of an RW event.

No further discussion; **motion approved unanimously.**

Paper of record and location for posting meeting notices

Ordinances and notices must be sent to the paper of record; staff have used the *Times Argus* because it is a daily printed paper and VT meeting law mandates information be posted a certain number of days in advance *in print*. Waterbury Roundabout also receives the information.

Motion by R. Clapp to adopt the *Times Argus* as the paper of record and also send notices to the Waterbury Roundabout; seconded by K. Sweeney.

Discussion – Walton asked if information would also be posted on the town website. A. Johnson confirmed it would be.

No further discussion; **motion approved unanimously.**

Warrant authorization

Motion by K. Sweeney to authorize any one selectboard member to sign warrants on behalf of the board; seconded by T. Taravella.

No further discussion; **motion approved unanimously.**

Conflict of interest policy

T. Leitz explained that there is now an ethics law at the state level; the Town policy is more expansive than the state law and he doesn't see any conflicts. There is a piece of the ethics law that is unresolved in the Town policy, which is the designation of an ethics officer for handling complaints.

Discussion

- T. Taravella suggested amending the policy to include a reference to the ethics law.
- T. Leitz said the conflict of interest policy doesn't expire, so we can return to the issue of appointing a designee at the next meeting. There might be a lot of interest in the role if it is advertised.
- T. Taravella suggested tabling the discussion so she could take time to review both the state law and Waterbury's policy and make recommendations.
- K. Lake asked for more description of how conflict of interest might come into play. T. Taravella gave the example that if the Rotary came to ask the selectboard for something, she would have to recuse herself from discussion and vote because she is president of Rotary; her failure to do so would warrant a complaint to the ethics officer.
- C. Viens asked if a complaint could be dismissed on the basis of incongruity between the state law and the town policy. T. Leitz responded that the town's policy is stricter than the state law, so someone might violate the policy but not the law. As long as the two don't say something wildly different, there is no concern.

Selectboard agreed to **table the issue.**

Open Meeting Law training requirements

T. Leitz summarized the relatively new law, which includes:

- Advisory bodies can have remote only meetings, but not in-person only; recordings of the meetings must also be posted.
- Although we are complying without issue, our selectboard will still have to watch the training video at some point.
- VLCT is also holding a general training for new selectboard members, and will include a review of open meeting law.

K. Sweeney suggested we watch the training video together.

T. Leitz said that Lamoille County is having a selectboard meetup; he will ask VLCT if there is a Washington County meetup, or if Washington can join Lamoille.

Municipal boards and committees

Discussion

A. Johnson suggested that the 4/7 meeting can begin interviews of candidates for appointment to commissions and boards. We have until 4/30 to do that.

T. Leitz noted he will be absent on 4/21, so that might be a good meeting day for appointments.

R. Clapp said we need to make sure we're giving people enough time to apply and the selectboard enough time to review nominees.

Selectboard liaison role and assignments

Discussion

A. Marshall-Carney asked about the appropriate structure for including the selectboard liaison in board work, especially around decision making.

- K. Sweeney noted he uses the word "advisory" to describe the liaison role.
- R. Clapp said there isn't a decision-making element to the liaison role; its primary function is to maintain open lines of communication. It has been working reasonably well but would probably also benefit from further definition and ensuring that each of the boards present to the selectboard at least one per year.
- K. Sweeney and R. Clapp recommended a written encapsulation of the discussion about this topic at the previous selectboard meeting to have for reference. R. Clapp will do that.

R. Clapp suggested he be liaison to the Recreation Committee because it is least likely to present a conflict of interest for him in his capacity as executive director of Revitalizing Waterbury.

T. Taravella will be liaison to the Planning Commission.

Debrief of Town Meeting and potential next steps

Discussion

R. Clapp acknowledged the lively discussion and thought it was a good discussion, but it did appear that there was some interest in finding ways to involve more people than could show up at the Tuesday daytime meeting. Duxbury's model doesn't seem to be of interest to a majority of voters; nevertheless, some kind of study to extend that discussion could be useful.

T. Taravella agreed that we should look at a way to give people with disabilities a way to vote and provide their input, if they are incapacitated. It's worth exploring ways to accommodate a greater range of needs.

L. Walton perceived a strong pushback to making the change, as well a continued push from the selectboard. Undertaking a study seems redundant after the article was rejected by a wide margin.

C. Viens said this issue has probably been in play for all 261 years the institution of Town Meeting has been implemented.

- Is there some way to incorporate technology to enlarge the floor vote options?
- He is concerned about moving the budget vote to Australian ballot: It seems more difficult to be involved in the school budgeting process now that it has moved to Australian ballot, and he is fearful of the town budget following the same path. For him, the votes that come from the floor have the best knowledge and the best interests of the town.

A. Johnson said that the fundamental win for her as a community member was the engagement of a lot of folks and a lot of good feedback from people on both sides of the issue.

- She summarized some research on town meeting trends by Susan Clark (Middlesex town moderator) which shows the challenge of balancing democracy by quantity with democracy by quality.
- She still has some unanswered questions she'd like to have explored.

V. Rogers said she's not sure why we're still talking about keeping Town Meeting or not; focus should be put toward exploring ways to make it hybrid.

E. Hoffman said he heard a lot of people acknowledge the limitations of the Town Meeting format, so he encouraged the board to continue talking about it in order to address those limitations.

L. Walton recommended the selectboard focus on how people can be encouraged to come, how the meeting can be publicized more, and how businesses can be encouraged to give employees the option to participate. People should better understand what it means to show up at Town Meeting and how it empowers citizens.

K. Sweeney said both things can be accomplished.

- We can keep Town Meeting day and explore different formats to give more people the opportunity to attend.
- It's worth exploring the legal aspects of ensuring local employees aren't penalized by their employers to attend Town Meeting

T. Taravella explained the state does have a law that employees can't be penalized, but employers still don't have to pay them for the time.

K. Lake observed there doesn't seem to be a place to advertise in town, which needs to be addressed if efforts to advertise Town Meeting better are intended to improve. She additionally inquired about the reasoning for preferring the Australian ballot.

R. Clapp summarized what the Duxbury Town Clerk told him about their lessons learned after moving to Have Your Say Day and moving the floor votes to Australian ballot. In sum, more people were able to vote on all of the articles, and holding a Have Your Say Day using the town meeting format still ensured public discussion.

T. Leitz observed as a nonresident that people get lost in the budget.

- The conversation at Town Meeting is pretty short, but then gets quite lengthy when the special articles are introduced.
- Perhaps we should think about breaking up the budget into segments for easier digestion and more substantive discussion.

K. Sweeney said we as a selectboard do need to figure out how to get more community members in the door to cast their votes, whatever the format for Town Meeting.

- We should never stop trying to make voting more inclusive.
- People said no to these articles, so we need to find another way to make voting more inclusive.

C. Viens said getting people to vote and getting people to make an informed vote are two different things; we should engage more people to be informed.

L. Scagliotti suggested that there are some other options that towns are doing to retain traditional Town Meeting but still make it more inclusive, including changing the time of day. The Waterbury votes on the town meeting issue represented 4.6% of the eligible voters, so there is room for improvement.

Flood resiliency updates

T. Leitz said there is a bill in committee to transfer the cornfield (Randall Meadow) to the town. A relatively modest project on the cornfield can give some benefit to protecting the state office complex and South Main Street, using modeling done after Irene and updated with some new data. FEMA money from a 2023 claim can be used to address the cornfield, depending on the outcome of the bill. He is testifying before the committee this week at the statehouse.

T. Wood: We are hopeful the state will release the property, even though the current commissioner is less enthusiastic about doing so than the previous commissioner. The best path forward will likely be having this item in the Capital Bill.

Discussion

R. Clapp asked that if the Capital Bill is the most likely way for this to go through, how should people advocate specifically?

T. Wood recommended they write to the committee for it to be included in the Capital Bill if we hope to get the state to transfer the property this year. It's always helpful for the committee to hear from citizens in the community, including the selectboard; emails to the House Corrections and Institutions committee chair and vice chair expressing your thoughts would be helpful in the next couple of days.

T. Leitz said that according to our zoning rules, nothing can be built on the cornfield because it is in a special flood zone.

T. Wood said the property is obviously of no use to the state because of zoning rules. It would be helpful if we can get Doug Farnham to weigh in on the issue since he is in charge of all things flood-related.

V. Rogers asked if the state leased the property to the farmer again for the corn.

- T. Wood doesn't know the answer to the question, but it can be asked in the committee meeting on Wednesday morning.
- V. Rogers suggested that the town can possibly lease the property for some other reason, for revenue.

C. Viens explained that when silt is removed from an area like that, it's an opportunity for the next flood to fill it back in. Soil will have to be tested for toxins before it is moved, but more generally, it could be only a temporary fix.

T. Wood said that when we have the opportunity to potentially have an impact in making the downtown more flood resilient, even if it requires regular maintenance, we should pursue it.

Motion by K. Sweeney for A. Johnson to send an email to the chair and vice chair of the House Corrections and Institutions Committee in support of including the sale of the cornfield to the Town of Waterbury in the Capital Bill; seconded by T. Taravella.

No further discussion; **motion approved unanimously.**

M. Dacey encouraged the selectboard to communicate as much as possible with the community about this issue as it unfolds.

Rental registry update

T. Leitz reported that the go-live date for the new permitting platform is 3/24, with a rental registry included in the platform. Postcards will go out immediately for people to register their rentals by a proposed date of April 15. They would have three weeks to complete their registration.

R. Clapp recommended pushing the deadline to the end of April just in case “going live” has some challenges.

Motion from T. Taravella to set the initial registration deadline for April 30; seconded by K. Sweeney.

No further discussion; **motion approved unanimously.**

Municipal planning grant resolution

T. Leitz summarized that the Planning Commission is applying for funding to bring in additional resources to help with writing the new town plan. One of the priorities is to use some of the grant funds on the communication part of the project, creating storyboards about the process.

Motion from T. Taravella to approve the municipal planning grant resolution; seconded by R. Clapp.

No further discussion; **motion approved unanimously**

A. Johnson pointed out the Planning Commission’s website, planWTB, for community members to stay apprised of the planning process. It can be found via the Planning Commission’s page on the town website.

Selectboard and Manager Informational Updates

A. Johnson repeated her announcement about the Planning Commission’s visioning sessions and the next Building Better Waterbury session by the Housing Task Force.

T. Taravella confirmed that the Rotary is holding NQID on June 28; a permit request for the event is forthcoming.

R. Clapp announced that Revitalizing Waterbury is planning a Community Volunteer Day on May 17 at Brookside Primary School to let people know what volunteer opportunities there are in town, and for people to get more engaged and join different organizations. Interested organizations should contact R. Clapp at roger@revitalizingwaterbury.org

T. Leitz gave several updates:

- Summer camp staffing went better than envisioned, so we can increase the number of spots.
- There is a bill in the legislature with momentum that would allow the town to keep more of the local option tax (currently 70/30; proposed 80/20).
- He is working with the chair of EFUD to develop a question for the voters about funding a study about the costs and benefits of a merger. This is not a study about how a merger would happen; rather, it is strictly limited to learning what would be the efficiencies and what would be the drawbacks should a merger ever take place.

Next meeting agenda review

Next meeting is March 31, 7:00 p.m.

Items include:

- Conflict of interest and ethics policy

- Selectboard liaison role and assignments - review the description drafted by R. Clapp based on recent discussions.
- T. Leitz will report back on his testimony to the committee and further flood resilience updates.
- VSP will be in attendance to discuss issues in Rt. 2 neighborhood, traffic enforcement in Waterbury Center, patrolling, and general staffing availability and response time
- Report from Conservation Commission

Executive session

Motion by K. Sweeney to find that premature general public knowledge of labor relations agreements would clearly place the public body or a person involved at a substantial disadvantage; seconded by R. Clapp.

No further discussion; **motion approved unanimously.**

Motion by K. Sweeney to find that premature general public knowledge of pending litigation involving the Town would clearly place the public body or a person involved at a substantial disadvantage; seconded by T. Taravella.

No further discussion; **motion approved unanimously.**

Motion by K. Sweeney to enter executive session and invite the municipal manager; seconded by T. Taravella.

No further discussion; **motion approved unanimously.**

Selectboard entered executive session at 9:20 p.m.

Selectboard exited executive session at 9:30 p.m.

Motion by T. Taravella to approve the draft V.R.C.P. 58 Stipulated Judgement Order in the Armory appeal before the Environmental Division and to authorize the Town Attorney to sign and file the Order once it is approved by the State; seconded by K. Sweeney.

No further discussion; **motion approved unanimously.**

Motion by K. Sweeney to enter executive session and invite the municipal manager; seconded by R. Clapp.

No further discussion; **motion approved unanimously.**

Selectboard entered executive session at 9:33 p.m.