

**MINUTES OF THE ANNUAL MEETING
OF THE VILLAGE OF WATERBURY
MARCH 7, 2012**

The inhabitants of the Village of Waterbury who are legal voters in Village Meetings are hereby notified and warned to meet at the gymnasium of the Thatcher Brook Primary School in the Village of Waterbury on Wednesday March 7, 2012 at 7:30 P.M. in the evening to act on the following matters:

P. H. Flanders called the meeting to order at 7:00pm. He stated that the 2011 Annual Report is dedicated to the Volunteers who did so much for the Waterbury community in the aftermath of Hurricane Irene.

He then read the point of order: The Charter for the Village of Waterbury on page 14 paragraph 19 states that the Village President as presiding officer at a Village Meeting has the same powers and duties as moderators at Town meetings. The Charter does not address that the Village President when presiding as moderator can speak to subjects being discussed. Based on that fact the presiding officers responsibilities fall under Municipal Law and not the Village Charter. Therefore to remain impartial the Village President needs to act with unanimous consent when possible and appoint a temporary moderator. To implement this procedure it is required to state what you intend to do and state "if there are no objections I will appoint 'a specific person' so named to act as Moderator Pro temp."

ARTICLE 1: To act on the reports of the officers of the Village of Waterbury.

N. Howell-Sherman made a motion to accept the reports of the officers of the Village of Waterbury as printed in the Village Report. The motion was seconded. N. Howell-Sherman thanked the Municipal Manager for his in-depth report. There was a question on page 24 as to whether the year shown should be 2010 or 2011. The year 2010 is correct as this is information from the 2010 audit report and the 2011 report has not yet been completed.

R. Boyle asked about the storm drainage system, and whether there are concerns with capacity or if the system needs modification. A. Tuscany addressed the question stating that the system can handle typical storm runoff. The systems are sized properly as long as the river does not rise, as it did during Tropical Storm Irene. The motion passed by voice vote.

ARTICLE 2: To elect by Australian ballot, the following Village officers: Clerk for 1 year, Treasurer for 1 year, Village President for 1 year, Trustee for 2 years, and Water & Sewer Commissioner for 3 years.

There were 163 ballots cast and the results were as follows:

VILLAGE PRESIDENT (1 year term)	
P. Howard 'Skip' Flanders	136
Write-ins	14
Blanks	13

VILLAGE CLERK (1 year term)	
Carla Lawrence	160
Write-ins	3
Blanks	0

VILLAGE TREASURER (1 year term)	
Carla Lawrence	159
Write-ins	4
Blanks	0

VILLAGE TRUSTEE (2 year term)	
Mark Frier	50
Lawrence 'Lefty' Sayah	107
Write-ins	1
Blanks	4
Spoiled	1

WATER/SEWER COMMISSIONER (3 year term)	
P. Howard 'Skip' Flanders	145
Write-ins	14
Blanks	4

ARTICLE 3: To set the compensation of Village officers for the ensuing year.

Alex Cawley made a motion to set the compensation of Village officers for the ensuing year as follows:

Village President	\$1,200
Trustees	\$1,000 each
Water & Sewer Commissioners	\$1,000 each

The motion was seconded. A. Cawley indicated that the compensation does not reflect all of the work that the Trustees perform during the year. The motion passed by voice vote.

ARTICLE 4: To see what action the Village will take with reference to fixing the dates when taxes shall be due and payable and to provide for charging interest on taxes not paid when due.

L. Sayah made a motion that the tax warrant on real property be dated July 1, 2012, and that taxes be due in two installments; the first installment due and payable on August 10, 2012, and the second installment be due and payable on November 9, 2012, without discount and that interest be charged at the maximum allowed by statute, not to exceed one and one-half percent per month or portion thereof on each installment, and a late penalty of eight percent be charged as allowed by statute on taxes not paid when due. The motion was seconded.

L. Sayah indicated that this is the standard procedure each year. R. Boyle asked why these dates are set as such. W. Shepeluk indicated that the grand list is set in April of each year. Waterbury has a calendar budget year, therefore the grand list is not certified until approximately July 1st, and the tax rate cannot be set until that point. The tax bill must then go out 30 days prior to the due date, which pushes the first tax due date until about August 1st. There is no requirement for number of installments; however, they must be made during the calendar year. The motion passed unanimously.

ARTICLE 5: To see if the Village will authorize the Trustees to transfer up to \$25,000 from the Capital Improvement Fund to defray 2012 expenses made necessary as a result of Tropical Storm Irene.

N. Howell-Sherman made a motion to authorize the Trustees to transfer up to \$40,000 from the Capital Improvement Fund to defray 2012 expenses made necessary as a result of Tropical Storm Irene. The motion was seconded.

N. Howell-Sherman explained that these funds are necessary for tax abatements; also rent, electric, and heat for new location for police as the Scout Hall location will be vacated. There is also no income from the Town for rental of the Municipal office space. These items are estimated to cost \$25,000. The Trustees are also requesting \$15,000 for architectural work to explore options for 51 South Main Street and Stanley Hall for potential use by the Municipal Office and police.

R. Grace asked for the definition of capital improvement. The Manager explained that typically, a capital improvement costs more than \$5,000 and lasts more than 10 years. He explained the impact of the flood to the Village and associated expenses, and had suggested to the Trustees to transfer money from the capital improvement fund to help cover the costs. It may not be necessary to transfer some of these funds if insurance will cover a portion of the costs.

Tom Stevens stood in as Moderator so the P. H. Flanders could speak to the question. He explained the funds requested for architectural work were for the 51 South Main Street and Stanley Hall sites. This relates to Article 9, and will recommend that this article be passed over as they are uncertain as to the use of 51 South Main Street at this time.

E. Coffey asked about the status of the architect's investigation on 51 South Main Street. The project has not yet been started. W. Shepeluk explained that the Village owns the building and that the building is insured. The building has been looked at and to restore the building just the way it was is estimated at \$435,000. The Village is now looking at a generational decision in designing a building that will be used for 40 to 50 years. A. Imhoff requested that the weather vane on the roof be saved. The motion passed by voice vote.

ARTICLE 6: To see if the Village will authorize the Trustees to borrow a sum of money by note, for a period not to exceed five years, to make improvements to the water system.

N. Howell-Sherman made a motion that the Village authorize the Trustees to spend up to \$175,000 for improvements to the water system and to authorize the trustees to borrow up to \$175,000, by note, for a period not to exceed five years to finance the project, if it is deemed in the best interest of the Village by the Trustees. The motion was seconded.

W. Shepeluk explained two proposals from the Water/Sewer Commissioners; the first to replace the windows at the water treatment plant on Barnes Hill at an estimated cost of \$11,000, rounded to \$15,000. The second proposal is to purchase a generator that will provide emergency power for ground water wells up on Sweet Road. A. Tuscany explained how water is supplied to the Village and indicated that this project would close out the one loose end to the well system. The cost of the project includes the generator and concrete enclosure. R. Boyle asked about the decrease in water revenues since the storm. The main factor in revenues being down is due to the lack of activity at the State complex. It is a concern; however, there are currently adequate reserves. The Village is waiting to see what the future plans are for the State complex. R. Boyle expressed concern about the timing. The motion passed by voice vote.

ARTICLE 7: To see if the voters will authorize the Trustees to purchase a police cruiser and to fund the expenditure from the Capital Improvement Fund.

L. Sayah made a motion that the Village authorize the Trustees to spend up to \$35,000 to purchase a police cruiser and to fund the expenditure from the Capital Improvement Fund if the Trustees deem it to be in the best interest of the Village of Waterbury. The motion was seconded.

L. Sayah indicated that the Crown Victoria is aged and in need of replacement. It was asked if the cruiser was used from the Chief to commute to his home. The Manager indicated that this does not happen on a regular basis. It was asked what the replacement vehicle would be, as \$35,000 seems like a large amount of money. This amount includes all of the equipment that would need to go into the car and it is expected that the final net price will be significantly lower. It was asked if the purchase can be justified, given the state of uncertainty with the police department. The Trustees would like the authority to make the purchase if they deem it necessary. The motion passed by a vote of 22 to 20.

ARTICLE 8: To see if the Village will authorize the Trustees to borrow a sum of money, by note, for a period not to exceed five years, to make improvements to the wastewater system.

L. Sayah made a motion that the Village authorize the Trustees to spend up to \$137,000 for improvements to the wastewater system and to authorize the trustees to borrow up to \$137,000, by note, for a period not to exceed five years to finance the project, if it is deemed in the best interest of the Village by the Trustees. The motion was seconded.

W. Shepeluk explained the line items in the Sewer budget on page 32 that will require borrowing on behalf of the Village. A question was asked what the administrative service fees encompass. Administrative fees cover costs for services provided by Village employees. It was asked if any benefits have been derived from FEMA to offset costs. W. Shepeluk explained that \$100,000 was received from the insurance company and it is anticipated that \$65,125 will be received from FEMA. The motion passed by voice vote. An update on the phosphorus project was requested, and W. Shepeluk provided the update.

ARTICLE 9: To see if the Village will authorize the Trustees to transfer the real property located at 51 South Main Street in the Village of Waterbury to the Town of Waterbury along with any insurance proceeds received for the repair or replacement of the Municipal Building on terms agreeable to the Trustees if they deem it to be in the best interest of the Village of Waterbury.

L. Sayah made a motion that consideration of this Article be postponed indefinitely. The motion is non-debatable. The motion passed by voice vote.

ARTICLE 10: To see if the village will authorize the Trustees to enter into an agreement with the Town of Waterbury to transfer the assets of the police department and the December 31, 2012 Fund Balance of the CIP Fund to the Town of Waterbury on terms agreeable to the Trustees if they deem the transfers to be in the best interest of the Village of Waterbury.

N. Howell-Sherman made a motion that consideration of this Article be postponed indefinitely. The motion is non-debatable. The motion passed by voice vote.

ARTICLE 11: To see if the Village will vote sums of money for payment of debts and expenses for the Village with the same to be expressed either in specific dollar amounts or as a rate of tax on a dollar of the Grand List, and if by specific dollar amounts to authorize the Trustees to set the necessary tax rate and to lodge warrants therefore in the office of the Village Clerk.

L. Sayah made a motion that the Village appropriate the following sums of money for the interests of its inhabitants, for the prosecution and defense of the common rights, and for necessary expenses: \$445,975 for general fund expenses, and that the Village set a property tax rate not to exceed \$.15/\$100 of property valuation. The motion was seconded.

N. Howell-Sherman made a motion to amend the budget to \$460,975 by adding \$15,000 for the professional and consulting services line in the general budget. The motion was seconded. N. Howell-Sherman explained that this is for the architectural services as discussed in Article 5. The motion passed by voice vote.

A question was asked about the line items for legal expenditures in the General Government budget and police budget as to how much has been spent and what the use of these funds will be. The Manager explained that \$4,513 was spent in 2011 for police union negotiations, and some was used for legal fees for the firing of an officer. He indicated that \$7,500 is budgeted in 2012. There is \$15,000 budgeted in the general government budget for legal expenses. It is expected that this will be spent on personnel issues involving the firing of an officer. Approximately \$12,000 has been spent to date.

A question was asked about the line item for the part time clerical position of \$14,000. The Manager explained that this line item was split out of the Part-time pay line.

E. Coffey made reference to pages 16 and 17 of the report outlining the police incidents during 2011. He pointed out line items of directed patrol, foot patrol and miscellaneous which total 503 incidents. He noted only 3 DUI's during 2011. E. Coffey made a motion to amend the budget to decrease the police budget to \$30,000 per month for a period of 8 months starting January 1st for a maximum expenditure of \$240,000. The motion was seconded.

It was asked if there is any way to revive the effort to explore a local options tax. W. Shepeluk explained that this issue was explored after the annual meeting last year and stated that he felt instituting a local options tax now in the wake of Tropical Storm Irene would harm businesses. The tax also requires legislative approval and would take some time. T. Stevens stated he was deeply offended by comments made by E. Coffey: in essence, he is asking the Trustees to discriminate based on someone's weight.

P. H. Flanders distributed some statistics he compiled for years 2008 through 2011 which included incidents he feels are important. The Trustees want to maintain a police department to provide services that the Village of Waterbury needs. E. Coffey suggested that a certified constable be appointed starting July 1, 2012. R. Clapp commended the Trustees for working diligently on the budget and did not support the amendment. W. Shepeluk indicated that the Town does not have money to fund a constable. The Trustees indicated they are very interested in continuing the conversation with the Town about the police coverage issue. N. Howell-Sherman indicated that the Planning Commission will be doing a community survey and the police issue should be included. The motion to amend the budget to \$240,000 failed by voice vote.

The amendment to add \$15,000 to the budget for professional and consulting services passed by voice vote.

The motion under Article 11 to approve the budget of \$460,975 passed by voice vote.

ARTICLE 12: To do any other business that may legally come before the meeting.

Sally Dillon made a motion to recommend that the Board of Trustees instruct the manager to request an investigation by the State Police into the allegations of misconduct with our police department. The motion was seconded.

Sally Dillon read a statement in support of her motion. It was clarified that the Board cannot be forced to take action under Other Business but may consider recommendations. The motion passed by voice vote.

K. Grace would like people to investigate the cumulative effect of storm water in the Village.

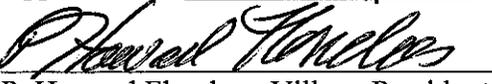
Angela Wells stated that her home and that of the Woods' was destroyed and they are still being charged sewer connections fees. She requested that the Water & Sewer Commissioners waive those fees while they navigate rebuilding.

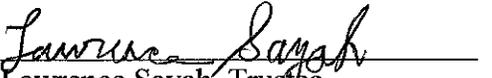
P. H. Flanders congratulated all elected officials and thanked L. Sayah and M. Frier for their participation and desire to serve.

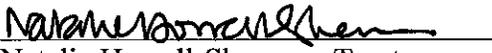
There being no further business, the meeting was adjourned at 9:45pm.

Respectfully submitted,


Carla Lawrence, Village Clerk

Approved on: March 19, 2012

P. Howard Flanders, Village President


Lawrence Sayah, Trustee


Natalie Howell-Sherman, Trustee