

Joint Meeting of the Waterbury Select Board and Village Trustees
September 2, 2014
Main Street Fire Station

Present: C. Nordle, Chair; K. Miller, C. Viens, and D. Schneider, Select Board; P H. Flanders, Village President; N. Howell-Sherman and L. Sayah, Village Trustees; B. Farr, Long Term Community Recovery Director; Z. Gordon, VISTA Member; D. Winham, Economic Development Director; W. Shepeluk, Municipal Manager; M. Orso, Waterbury Record; A. Imhoff, ORCA Media; and C. Lawrence, Town Clerk.

Public: A. Murray, VIA; S. Dillon; L. Shullenberger; E. Coffey.

The meeting of both Boards was called to order at 7:03pm.

APPROVE AGENDA

C. Nordle asked to add a discussion with Luke Shullenberger about the Sweet Road Solar Facility. He also asked to add a discussion with D. Winham. The budget update was removed from the agenda and will be done at a future meeting. D. Schneider asked to add an update from the parking committee. C. Viens made a motion to approve the agenda. The motion was seconded by D. Schneider and passed unanimously.

P. H. Flanders stated that the Trustees will hold a separate meeting following the joint items.

CONSENT AGENDA ITEMS

D. Schneider made a motion to approve the consent agenda items (attached). The motion was seconded by C. Viens and passed unanimously.

PUBLIC

No public comment.

MUNICIPAL BUILDING ITEMS

A. Murray from Vermont Integrated Architecture joined the meeting to give an update on the HVAC systems for the project (HVAC systems evaluation attached to these minutes). Energy modeling has been done to estimate energy use and costs. She gave a review of the three systems that were evaluated. These included a VRV (Variable Refrigerant Volume) heat pump system with a propane backup; a VRV system with wood pellet backup; and a Geothermal Heat Pump system. A. Murray then reviewed the costs of each system, and the annual energy costs.

The building committee eliminated the pellet-based system primarily due to pellet storage issues and maintenance. The recommendation of the building committee is to use the geothermal heat pump system. This allows the building to be operated without fossil fuels, using electrical energy only. It creates the opportunity to add photovoltaic electricity to the building or through power purchase agreements, and operate the building as a truly net-zero facility. It would also ease concerns about market volatility for propane and fuel oil.

B. Farr stated that a \$30,000 cultural facilities grant has been awarded that will be applied toward the HVAC system. Green Lantern may also get involved for the tax credits. There should also be an incentive from Efficiency Vermont. The building will be built to accommodate solar panels, which can be installed at a future time. If this system is chosen, money will have to be found through outside funding to help offset the costs.

K. Miller made a motion to follow the recommendation of the building committee to go with geothermal as the energy source. The motion was seconded by D. Schneider. C. Viens asked if there was an emergency generator considered for the building. A generator is not in the budget. A. Murray stated that the building would take a day and a half to cool down in the event of a power outage, and outages of that length are not common. The motion passed unanimously.

The list of projects for the Local Hazard Mitigation Plan was previously distributed. B. Farr gave an overview of the status of the plan as it has to be reviewed annually. K. Miller made a motion that the Board accept the July 2014 mitigation strategy update. The motion was seconded by C. Viens and passed unanimously.

The Act 250 permit application was submitted earlier today, and should take 2 to 3 months for approval.

L. Shullenberger was present to give an update on the Sweet Field solar panel project. Since summer, the type of solar panel has been changed so the production will be reduced from what was originally planned. The production distributed between the Village, the Town and the school has to be reallocated. The school may opt out of the project if their contract changes. The project could be re-engineered to match the demand of the Village and Town, changing to a smaller project. K. Miller made a motion to authorize the Manager to amend the agreement with Green Lantern such that the Town of Waterbury is in the third position. The motion was seconded by C. Viens and passed unanimously.

MANAGER'S ITEMS

B. Farr collected fuel bids for the upcoming heating system and distributed a summary of the bids. A bid from Bourne's came in as the most complete and most cost effective. K. Miller made a motion to accept the bid from Bourne's to provide heating oil, propane and diesel for the year ending June 30, 2015. The motion was seconded by C. Viens and passed unanimously.

L. Sayah made a like motion on behalf of the Village. The motion was seconded by N. Howell-Sherman and passed unanimously.

W. Shepeluk stated that there are a lot of road construction projects occurring in Waterbury over the next few years. As Route 100 is being reconstructed, it may make sense to include sewer lines to extend the system, and to do a feasibility study to determine the costs and benefits. A letter to Kevin Marshia of the Vermont Agency of Transportation has been drafted expressing interest in conducting the feasibility study. P. H. Flanders stated that this would be a Town sponsored project, and that the Village would lend their support.

C. Viens made a motion to authorize the Manager to sign the letter written to Kevin Marshia to explore the possibility of the Town and Village adding onto the sewer line up Route 100.

D. Schneider seconded the motion. K. Miller expressed concern about Route 100 becoming a commercial corridor. The motion passed unanimously.

PERSONNEL POLICY

C. Viens previously reviewed the Workplace Safety section. The section was discussed and some edits were made.

PARKING COMMITTEE UPDATE

D. Schneider showed a schematic of the parking spots within the Village. Next week, volunteers will go around in 2 hour time slots and review the use of all 365 spots.

ECONOMIC DEVELOPMENT DIRECTOR

D. Winham was present to discuss the possible conversion of Anderson Field to a hotel, and move the recreational encumbrances to the Ice Center site using private dollars. A draft letter to Ed O'Leary was distributed. K. Miller stated there is some sentiment wondering why the project is being explored, and it sparks concerns. She has grave concerns about the entire plan. C. Nordle stated that the recreational facilities are dated, and the project may replace the facilities so it would be irresponsible not to explore the project. P. H. Flanders stated that there are concerns about the devaluing of the Grand List in the Village, and opportunities should be explored. D. Schneider made a motion to authorize the Town Manager to sign the feasibility letter to switch land from Anderson Fields to the Ice Center. The motion was seconded by C. Viens and passed by a vote of 3 – 1.

N. Howell-Sherman made a like motion on behalf of the Village Trustees. The motion was seconded by L. Sayah and passed unanimously.

The Waterbury Development Board has been discussing how they should be operating. D. Winham feels it makes the most sense to have the Board be an official committee that is endorsed by the Town, with open meetings and appointments made by the Select Board. There are currently 11 members. The Economic Development Director would then be a contract employee that reports to the WDB. D. Winham will draft a proposal for the next meeting.

D. Winham stated that he has taken a position in Exeter, NH. The WDB does not want to see projects in process fall apart. He suggested continuing under the current agreement at 20 hours per week. The WDB would like to replace D. Winham with someone local, and perhaps provide more hours.

W. Shepeluk let the Select Board know that there is a tax sale scheduled for 10:00am on Friday September 5th. Over 50 letters were originally sent to taxpayers. Only 4 properties are left to go up for tax sale as the rest of the taxes have been collected.

Agenda items for the next meeting were discussed. C. Viens asked about the dog park. W. Shepeluk stated that no money has been spent by the Town or Village except in labor.

There being no further business, the meeting of the Select Board was adjourned at 9:40pm.

The Waterbury Village Trustees' meeting remained in session after the Waterbury Select Board adjourned their meeting.

Those remaining in attendance at the meeting were:

P.H. Flanders, Village President; L. Sayah and N. Howell-Sherman, Trustees; W. Shepeluk, Municipal Manager; D. Winham of DarWin Dynamic Solutions, D. Johnson of Shelburne, Everett Coffey, Public; and Anne Imhoff, Orca Media.

P.H. Flanders stated the meeting of the Trustees had remained open. In addition to the item on the agenda pertaining to 51 S. Main Street, he noted that two additional items would be discussed. These included a discussion of a possible easement for Chad Rich at 2 Elm Street, and brush hogging at Village land near the Ice Center. The Board agreed to add these items.

President Flanders asked if the public had any comments. E. Coffey asked if the item regarding 51 S. Main Street would be in Executive Session. Flanders said he was not sure yet.

P. H. Flanders explained to the board that the newly constructed handicapped ramp at 2 Elm Street, part of the Prohibition Pig property owned by Chad Rich, had been built with about one square foot of area extending over the line onto Village owned property at the Elm Street parking lot. He explained that the encroachment did not adversely impact the use of the parking lot and that it would be best to resolve the issue through an easement. He recommended that an easement or lease be granted for a period of 99 years at \$1.00, paid in full in advance. In addition, Mr. Rich should have to provide a survey of the property and the language for the easement or lease. There was a brief discussion among those present about the building and the issue. Upon a motion made and duly seconded (Sayah, Howell-Sherman), the Trustees voted unanimously to approve an easement or lease with Chad Rich to resolve the encroachment issue as described above, provided that Mr. Rich pay \$99 to the Village of Waterbury, as well as prepare and provide the survey and the necessary legal document.

P. H. Flanders opened discussion about 51 S. Main Street. He suggested the Trustees would be discussing a possible Purchase & Sale Agreement for the property with Mr. Johnson. As the board would be negotiating a potential real estate contract, he recommended the discussion be held in closed session. E. Coffey asked how long the Executive Session might last, wondering if he should stay around. Flanders stated that he did not know, but he offered to call Mr. Coffey when it ended. L. Sayah made a motion that the Trustees enter into Executive Session, inviting in Dan Johnson, Darren Winham, and William Shepeluk; to discuss and negotiate a contract for the potential sale of 51 S. Main Street. N. Howell-Sherman seconded the motion, which passed unanimously. The closed session began at 9:50 p.m.

The Trustees re-entered open session at 11:05 p.m., having had taken no actions in Executive Session. The Trustees asked the Manager to call Ms. Imhoff of Orca Media back to the meeting. The meeting was in brief recess while waiting for the return of Ms. Imhoff.

The meeting reconvened at 11:09 p.m. N. Howell-Sherman made a motion to authorize the Municipal Manager to execute a Purchase and Sale Agreement with DWJ Properties, LLC for 51 S. Main Street, Waterbury, VT. L. Sayah seconded the motion. The Trustees voted in favor of the motion 3-0.

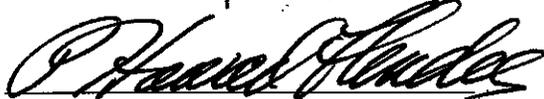
L. Sayah reported to the board that he had a discussion with Marty Wells about brush hogging the Village owned land near the Ice Center that lies between the road and the railroad track. L. Sayah moved to hire Wells to do the work as described for up to \$500. N. Howell-Sherman seconded the motion, which passed without dissent.

A motion to adjourn (Howell-Sherman/Sayah) was passed unanimously at 11:16 p.m.

Respectfully submitted,

Carla Lawrence, Town Clerk

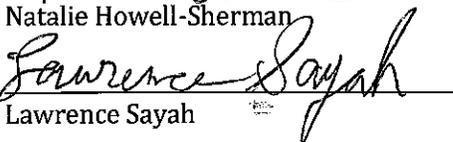
Approved on: Sept. 10, 2014



P. Howard Flanders



Natalie Howell-Sherman



Lawrence Sayah