

Waterbury Village Trustees
2nd Public Hearing on Proposed Charter Changes
June 14, 2017 at 7:00pm
Thatcher Brook Primary School

Present: P. Howard Flanders, Village President; L. Sayah and N. Sherman, Trustees; W. Shepeluk, Municipal Manager; and C. Lawrence, Village Clerk.

Public Attendees: Listed at the end of the minutes.

OPEN HEARING – WELCOME

P. Howard Flanders opened the public hearing at 7:00pm.

BACKGROUND

N. Sherman provided background on how the Village Trustees decided warn a Special Village Meeting vote on June 20th. She explained that at the 2016 Annual Village meeting, the Trustees were asked to consider disbanding the Village. Over the past year, the Trustees have received considerable interest in this concept and the Trustees thought it important to take the steps to vote on the changes. There was an informational meeting in February to present the changes and explain the effects.

At the 2017 Annual Village meeting, which had record attendance, there was a vote as to whether to draft charter changes which passed 79-13 showing strong interest in the concept of elimination of the Village. The vote was set for June 20th. There was a public hearing in May and at that meeting, concerns were expressed about the Village traffic ordinances so the Trustees met with the Select Board to discuss options. N. Sherman explained that the Trustees have held 14 meetings, with 4 public informational meetings, to discuss the topic.

CHARTER CHANGE TRANSITION TIMELINE AND RESPONSIBILITIES TO TRANSITION THE VILLAGE GOVERNMENT

P. H. Flanders distributed the proposed changes to the charter as drafted by Attorney Paul Giuliani. The new 2 page charter would replace the current 36 page charter. The new district will be called the Edward Farrar Utility District and will be limited in authority to operate and maintain the water and sewer utilities. P. H. Flanders gave a brief history on who Edward Farrar was and his importance in the history of Waterbury Village.

If the vote passes, the changes are proposed to be effective July 1, 2018, after approval by the Legislature in early 2018. P. H. Flanders then reviewed the proposed charter as handed out (see attached in its entirety). If passed, one Waterbury would be created with the exception of the utility district. The Trustees support the proposal. They also support a police department but believe it needs to be funded by the Town in order to have an adequate department.

CONSIDERATION OF EFFECTS OF CHARTER CHANGE

W. Shepeluk spoke to closing down the police department. All equipment would be turned back to the district and could be disposed of as the district sees fit. There is no expectation that the Town will immediately have a department, but the Trustees have expressed a willingness to turn the equipment over if a department is formed.

W. Shepeluk discussed the disposition of equipment that was purchased through a state or federal grants, which is more complicated. The Village would be able to give the equipment to another agency, or return it to the originator of the grant. Radar signs around the Village could be turned over to the Town.

W. Shepeluk has started re-writing Village Ordinances in the event that the Town wishes to adopt similar ordinances. The Village has traffic and parking ordinances which contain a lot of antiquity. Speed limits and parking ordinances are currently enforced by Village police, but can also be enforced by the State Police. W. Shepeluk stated that it will be prudent for Select Board to adopt a mirror image of the ordinances.

If passed, the Village Clerk will certify the election to the Secretary of States office and forward to the Legislature. The Village and general government functions would be dissolved. If the vote fails, the Village has the authority to have a police department but does not have to fund it.

VERMONT STATE POLICE

P. H. Flanders explained that Village police currently work Monday through Friday from 8:00am to 11:00pm and coverage in the off hours is provided by the VSP. N. Sherman handed out statistics compiled by the State Police. Lt. Nally and Sgt. LeBlanc were present to discuss State Police coverage. Lt. Nally explained that calls to Interstate 89 were removed from the statistics that were provided at the previous meeting. He then provided a snapshot of the services of the VSP and explained that all calls are triaged and they respond accordingly. They will not be able to satisfy all the things the Village police do as the staffing is limited. If they are able to respond to a call in the Village, they will. The VSP would most likely not be writing parking tickets, or respond to property crimes and nuisance complaints.

D. Schneider asked what would cause the State police force to expand. Lt. Nally responded that it could happen through a legislative process.

Lt. Nally explained that the VSP has one Town contract for VSP services for 40 hours per month. Sgt. LeBlanc explained how the coverage works. The idea is to have a dedicated trooper to assist with calls from that Town. The VSP only has one Town but could absorb another Town if requested.

A. Tuscany asked about the issuance of parking tickets. Lt. Nally explained that you do not need to be a sworn officer to issue a ticket.

QUESTIONS RAISED AT LAST MEETING

At the last meeting, a question as to Village ordinances between January 1, 2018 and July 31, 2018 was raised, and the enforcement thereof if there is no Village police department. W. Shepeluk explained that the Select Board could adopt and enforce ordinances.

It was also asked at the last meeting if the Trustees had met with the Select Board and discussed the future of police services. The Trustees met with Select Board on June 5th. C. Viens stated that the Select Board understands the desire to have police coverage and funding mechanisms were discussed at their most recent meeting. He stated that the Board is anticipating a draft of new Town ordinances and will make a decision on whether or not to adopt. The Town voters will at some point decide on whether or not to fund a Town wide force. There was also discussion about forming a committee to review options. C. Viens stated that the Select Board needs to have serious discussions with Town voters through public hearings or surveys and that he wants the Town voters outside of the Village to know that this discussion is coming.

M. Metayer emphasized the importance of making sure there is not a gap whereby there are no ordinances in place. The Select Board will have a discussion about establishing a committee to look at alternatives and get community input, and will encourage and utilize feedback from the community.

OTHER TOPICS

P. H. Flanders explained that the vote was moved up to June 20th to catch people before summer vacation and to give the Select Board more time for planning and discussion.

W. Shepeluk was asked to address municipal efficiencies if the vote passes. He explained that Waterbury has 5 elected Boards and if the vote passes, there will be fewer meetings as there will be no Village Trustee meetings. Most services previously included in the Village budget have been absorbed into the Town budget (e.g. highway and fire department). The only thing left in the Village budget is police and debt service related to police department. Currently, the budget has to be administered and personnel are involved. With no Village budget, the community will save money; however the issue is much bigger than efficiencies for staff.

W. Shepeluk stated that the Village has been bearing the burden of funding the police department. The Village tax rate is almost 16 cents, of which 14 cents is related to the police department. Expenditures would have to increase 3.5 times for the Town residents to pay what the Village is paying now, or a budget of \$1.1 million.

W. Hodge asked about any possible municipal inefficiencies if the vote passes. W. Shepeluk explained that the vote is not on a merger of the Town and Village, but rather dissolution of the Village. Waterbury will lose some money from the State in the form of Payment in Lieu of Tax payments to the Village, while the Town PILOT payment may increase a bit.

A. Tuscany asked about land currently owned by the Village, including land at the Ice Center used by the Town, Rusty Parker Park, 51 South Main, and land by the National Guard armory. He asked if the ownership of the land would be transferred to the Town. P. H. Flanders stated it would be cleaner to let the utility district make the choice to give up properties. W. Shepeluk added that the Village does generate revenue from some of these properties in the form of rent.

S. Dillon stated that she received information that the contract rate for the VSP is \$66 per hour, so for 80 hours per month the cost would be \$63,000 per year or less than a penny on the tax rate.

M. Moore suggested that an alternative is a local option tax to help fund a Town wide police department. W. Shepeluk stated that this option was discussed in the spring of 2011 but was sidetracked by Tropical Storm Irene. Local option taxes include rooms and meals, alcohol and sales. W. Shepeluk explained that the Town does not have a charter so it cannot impose a local option tax, and that pursuing this route may require the Town to go through the process of becoming a chartered community.

VOTING

C. Lawrence reported that early voting started 3 weeks ago and will continue through Monday June 19th during normal business hours. Voting will take place from 7:00am to 7:00pm at the Municipal Center on June 20th. The ballots will be counted when the polls close.

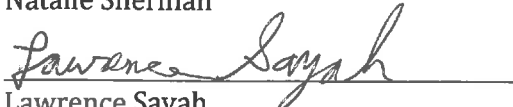
The public hearing ended at 8:30pm.

Respectfully submitted,

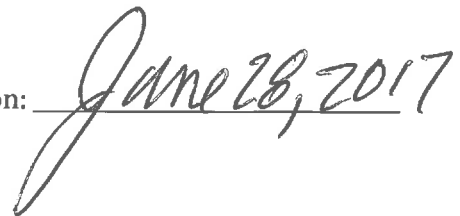
Carla Lawrence, Village Clerk


P. Howard Flanders


Natalie Sherman


Lawrence Sayah

Approved on: _____


June 28, 2017

Meeting Attendees:

Chris Viens
Marc Metayer
Don Schneider
Lt. Matt Nally
Sgt. Ray LeBlanc
John Sherman
Anne Imhoff
Bob Finucane
Pauline Martin
Virginia Martin
Whitney Aldrich
Wade Hodge
Sally Dillon
Gary Dillon
Brad Hodgdon
Pauline Hodgdon

Alec Tuscany
Jane Tuscany
Melissa Moore
Jane Willard
Paul Willard
Chief Joby Feccia
Cpl. Anthony Mazzilli
Everett Coffey
Mary Koen
Marie Andre-Gervais
Gordon Miller
Georgianna Birmingham
Lisa Scagliotti
Phoebe Pelkey
Marcella Pelkey