

**Waterbury Village Board of Trustees Meeting  
Steele Community Room  
28 North Main Street  
April 12, 2017**

Attendees: P. Howard Flanders, Village President; Lawrence Sayah, Natalie Howell Sherman, Trustees; William Shepeluk, Municipal Manager; Joby Feccia, Chief, Waterbury Police Department; John Leddy, Esq. of McNeil, Leddy and Sheahan, P.C.; Steve Lotspeich, Community Planner; Anne Imhoff, ORCA Media; and Denise McCarty, Board Secretary.

**Opening and Call To Order**

P. Howard Flanders, Village President called the meeting to order at 4:32 pm.

**Consider any modification to the agenda**

There were no modifications to the agenda as presented.

**Public**

Everett Coffey, Anne Coffey, Sally Dillon, Gary Dillon, Melissa Moore, Mary Koen, Marie-Andree Gervais, Leah Fournier and Bill Richardson.

**Consider proposal to solicit survey of Historic Properties for possible extension of Historic District with Steve Lotspeich, Community Planner**

Steve gave an overview of the proposal to solicit a survey of the historic properties for the purpose of extending the historic district and the pros and cons of doing this. He outlined the process for soliciting proposals. He stated that he will put together an outline for proposals and try to get interest by including a photograph and a summary of the historic preservation in the current Historic District. He recommended to the Trustees to send out an RFP for this work. Discussion followed regarding the cost of the survey and the process.

**N. Howell Sherman moved to authorize the Municipal Manager to advertise for a Request for Proposals (RFP) for the purpose of hiring a consultant to conduct a historic building survey as discussed. The motion was seconded by L. Sayah and passed unanimously.**

E. Coffey asked where the designated downtown ends. S. Lotspeich said it ends near the old Ladd Hall and Batchelder Street.

**Review February and March Police Department Reports and update on Police personnel**

Chief Feccia reviewed the February and March Police reports. He stated that he is on light duty since his injury. He has been working in the office. He also stated that the Governor's Highway Safety Grant money that was going to be spent for the body cameras would be better spent at this point on additional speed signs as well as make the temporary speed signs in the area, permanent signs and either power them by solar power or hard wire and hook up to the nearest power pole. Should some be permanent signs and some be kept portable? Discussion followed.

**N. Howell Sherman moved to authorize the Municipal Manager to use the Governor's Highway Safety Grant Money and the Linlack money to purchase two permanently mounted speed signs. The motion was seconded by L. Sayah and passed unanimously.**

Joby discussed some of the items that will need to be taken care of before the dissolution of the police department. Office furniture and office supplies would need to be sold, donated or thrown away. Computer hard drives would need to be destroyed and Secure Shred can do that for \$10 each. The copy machine is under lease; there is a gun safe, evidence safe, and bicycles as well as a license plate reader and other various equipment. There was public comment asking if there a weapons and ammunitions inventory list so that there is some kind of inventory control? Joby stated that he knows who has firearms and what those serial numbers are and ammunition is known as well but not necessarily the number on a list. Discussion followed. No action was taken at this time regarding this matter.

### **Bill Richardson use of Rusty Parker Park for Concert**

Bill would like to request the use of Rusty Parker Park for two different events. One event is on July 22<sup>nd</sup> from 6 pm to 8 pm and the other event is called Godstock and it is a longer event that will start at 12 noon and end at 6 pm on August 26<sup>th</sup>. This event brings all the churches together from around the area so they are in one location. People who are interested in finding out more information about the various churches can attend this event. There will be music, speakers, and children's activities. There will possibly be 12 different ministries at the event and it draws between 250 to 400 people throughout the day. Discussion followed. There were some public attendees who had concerns about the length of the August 26<sup>th</sup> event, the amount of people that would be attending throughout the day, and the noise and disruption it may have on nearby residents around the park. Discussion followed. **By consensus the Trustees approved the request for July 22 from 6 to 8 pm as long as the rules are followed to keep the sound decibels down within required range as discussed. The August 26<sup>th</sup> event will need to be at a different location to accommodate a larger crowd. Debbie Fowler, Recreational Director will assist Bill Richardson in finding an alternate location for the Godstock event in on August 26<sup>th</sup>.**

### **Review Draft Amendments to Village Charter**

The Trustees reviewed the draft of the Act to Amend the Charter of the Village of Waterbury and to establish the Edward Farrar Utility District. There was public comment asking what the timeline was when this would happen? P. Howard Flanders stated that the Charter amendments would need to be approved by the Trustees and Select Board and then public hearings and a vote would occur. He said as soon as possible and hopefully by the summer. The police department will exist until December. Discussion followed. Public comments were also made inquiring about how to minimize a worker's compensation lawsuit. Due to the subject matter being an employee and employer matter, that could not be discussed at this time. There were additional comments on was what progress was made to reach out to Vernon Police Department about steps to shut down a police department. Discussion followed. Public comments were taken on the option to stop any additional expenses or restrictions on the water and sewer users in the district and the ability to expand the usage of personal or commercial property for more users if the owner so chooses. Discussion followed. No action was taken at this time to accept this draft charter change.

**Assignment and Assumption Agreement – Main Street Project**

The Assignment and Assumption Agreement for the Main Street Reconstruction project was reviewed by the Trustees. This agreement is needed to move forward with the project. Discussion followed. **N. Howell Sherman moved to approve and sign the Assignment and Assumption Agreement for the Main Street Project, which was seconded by L. Sayah and passed unanimously.**

**Executive Session to Discuss Pending Litigation Regarding the Adam Hubacz v Village of Waterbury lawsuit**

P. Howard Flanders stated that he would entertain a motion that the Board make a specific finding that premature public knowledge of discussion concerning the pending civil litigation in the lawsuit entitled Adam Hubacz v. Village of Waterbury, in which the Village is a party, would clearly place the Village of Waterbury at a substantial disadvantage.

**N. Howell Sherman moved to enter into Executive Session, which was seconded by L. Sayah and passed unanimously.**

P. Howard Flanders stated that he would entertain a motion that the Board enter Executive Session pursuant to 1 V.S.A. Section 313 (a)(1)E to discuss the pending litigation in the lawsuit entitled Adam Hubacz v. Village of Waterbury, as the premature public disclosure of which would clearly place the Village of Waterbury at a substantial disadvantage.

**N. Howell Sherman moved to enter into Executive Session, which was seconded by L. Sayah and passed unanimously.**

**Executive Session was entered at 6:07 pm. The Trustees asked the municipal manager and John Leddy, Esq. to be present during the executive session.**

The Trustees re-entered open session at 6:44 p.m. No decisions were made in Executive Session.

**Meeting Minutes**

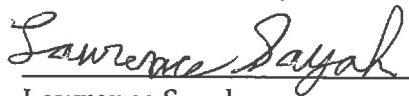
Natalie Sherman moved to approve the minutes of the special meeting held on March 31, 2017. L. Sayah seconded the motion and it passed unanimously.

The Trustees briefly discussed options for considering proposals for development of 51 S. Main Street. They took no action and made no decisions.

**L. Sayah made a motion to adjourn. N. Sherman seconded the motion and it passed unanimously and the meeting adjourned at 7:13 p.m.**

Respectfully submitted,  
Denise McCarty  
Denise McCarty  
Board Secretary

Approved on: April 26, 2017  
  
P. Howard Flanders

  
Lawrence Sayah

  
Natalie Howell-Sherman