

**Meeting of the Waterbury Select Board
June 6, 2016
Steele Community Room ~ 28 North Main Street**

Present: D. Schneider, Chair; C. Nordle, C. Viens, and J. Brown, Select Board; W. Shepeluk, Municipal Manager; A. Imhoff, ORCA Media; S. Blow, Waterbury Record; and C. Lawrence, Town Clerk.

Public: Peter Turmelle, Skip Flanders, Maureen & John Touchette, Cyrus Scribner, Dorianne Cedeno, Sophia DeSanto, Grace Casey, Laura Andrews, Sharon Sweetser, Troy Wheeler, Tabitha Henry, Teri Maher, Steven Dodge, Bill Minter, Brian & Beth Reilly, Marcy Blauvelt, Bill Bonyun.

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

APPROVE AGENDA

C. Nordle made a motion to approve the agenda as presented. The motion was seconded by J. Brown and passed by those present.

CONSENT AGENDA ITEMS

C. Nordle made a motion to approve the consent agenda item including minutes of the May 16th Joint Meeting, and minutes of the May 16th and May 20th Select Board Meeting. The motion was seconded by J. Brown and passed by those present.

PUBLIC

No public comment.

UPDATE BOARD ON CHANGES TO LAW AFFECTING WORKERS COMPENSATION COSTS

W. Shepeluk stated that there has been activity in the Legislature with respect to workers compensation as it relates to municipalities. The Town is impacted the most in the area of recreation, where people coach for a week or two. They will be treated as 1099 employees. When the payroll is audited, these people will most likely be considered employees therefore premiums may increase next year.

NOTICE OF PUBLIC HEARING FOR VICIOUS DOG HEARING

D. Schneider opened the hearing at 7:10pm and read the notice of the hearing. He then read the complaint received from Maureen Touchette, Shawn Touchette, and Troy Wheeler. The complainant and others providing testimony took the oath. The basis for the hearing is that a dog at 202 Howard Avenue bit a child at a daycare at 216 Howard Avenue on May 31st. The bite required medical attention and a letter of complaint was filed at the Town Clerk's office.

S. Touchette stated that the dog in question roams free most of the time and has almost been struck by a car, and it is time to remedy the situation so no more children are endangered.

D. Schneider gave the oath to Peter Turmelle and Cyrus Scribner.

C. Viens asked if this was the first complaint on this dog. P. Turmelle stated that he has received complaints about this dog in the past. He stated that according to Amanda Whitehead-Scribner (dog owner) the dog has bitten someone in the past. Prior complaints included that the dog runs loose and defecates on other properties. He did not speak with the dog owner relative to prior complaints. P. Turmelle has met with M. Touchette and A. Whitehead-Scribner over the incident. He also spoke with the Doctor at Immediate Care. He spoke with the victim's pediatrician and with C. Scribner about relocating the dog.

C. Viens asked if the bite was provoked. P. Turmelle stated that the dog seemed to crave attention.

C. Nordle asked that the pictures be presented into evidence if they are going to be discussed. M. Touchette stated that she took pictures of the front and back of the victim's hand. She took pictures the day of the bite and the day after (May 31st and June 1st). The pictures show that the bite broke the skin.

L. Andrews (victim's mother) expressed concern about the dog's behavior and believes the dog should be placed in a better environment. C. Nordle asked if there was direct knowledge of a prior dog bite. L. Andrews stated that her pediatrician stated that this was the second bite.

C. Scribner (dog owner) stated that they have lived at 202 Howard Avenue for just over a year. He stated the dog should not have been out loose and took full responsibility. He stated that his dog is not neglected, and gets a lot of exercise. He stated that this was the second bite. The first time involved another dog and a child. They plan to be moving away from 202 Howard Avenue in the near future. He stated his dog gets shaved once a year, as he is a long haired golden retriever.

C. Nordle stated that in one prior incident the dog was removed from the property. C. Scribner stated that the dog is part of the family and they do not wish to relocate him. They try to leash the dog each time it goes out. The dog was not up to date with the rabies vaccination or licensed at the time of the incident. The dog has since been vaccinated and licensed.

P. Turmelle pointed to Section 6, item 4 of the animal control ordinance. C. Nordle stated that this section was not appropriate in this juncture of the meeting. C. Scribner stated that he would cover medical expenses.

No further comments from the complainant or pet owner were given. J. Brown made a motion to close the hearing and hold a deliberative session at a later time, either tonight or at a later date. The motion was seconded by C. Nordle and passed unanimously.

OPTIONS TO ADDRESS SPEEDING ON STOWE STREET

D. Cedeno distributed a document dated June 6th entitled Stowe Street Speeding Concerns (attached). S. DeSanto expressed her concerns about the speeding on Stowe Street where she lives. She has witnessed people driving and texting, or talking on a cell phone while driving. G. Casey stated that speeding is a serious issue. S. DeSanto stated that 26 kids live in the neighborhood. They raised money to buy signs, and the signs have been removed and thrown on people's lawns.

D. Cedeno understands speeding is under Village Police jurisdiction, but the Town should be involved as well as it is a Town road. She described several dangerous incidents on Stowe Street and explained why the Select Board should be concerned (see memo). She suggested that Stowe Street be created to be more pedestrian and biker friendly. She offered several solutions to ease the speeding problem.

P. H. Flanders stated that D. Cedeno and the girls attended a Trustees meeting to express their concerns. He distributed statistics from a speed sign that was placed on Stowe Street (attached). The effectiveness of the sign in slowing cars is quite good. In looking forward, permanent speed signs can be installed at a cost of about \$5,000. The Trustees would like the Select Board to share 50% of the cost. The police have been trying to give this area more attention. W. Shepeluk stated that it would be beneficial for the Town to help the Village with speed signs. The crosswalk on Stowe Street by East Street was discussed.

D. Schneider suggested looking at what can be done in the short term, and to add this issue to the agenda for the next meeting. C. Nordle moved to direct the Municipal Manager to find within the approved budget money to purchase an additional speed detector. The motion was seconded by C. Viens and passed unanimously.

CONSIDERATION OF A MEMORIAL BENCH TO BE PLACED IN THE LIBRARY'S WORD GARDEN

W. Shepeluk asked if there needs to be a policy about placement of memorial benches on Town Property. There were two benches in the park in Waterbury Center, and one in the Newton Baker mini-park. C. Nordle stated that if a policy is drafted, it should be clear and applicable to any situation. D. Schneider suggested that this particular bench be approved, and a policy developed at a later date. J. Brown made a motion to approve the bench request and look into a policy for dealing with memorial structures. The motion was seconded by C. Viens and passed by a vote of 3 – 0, with C. Nordle recusing himself.

MANAGER'S ITEMS

Staff's recommendation is to pave Blush Hill, High Street, and Hollow Road at an estimated cost of \$289,000, including debt service. C. Viens expressed concerns about drainage issues on High Street and offered suggestions to alleviate the problem.

J. Brown made a motion to approve the revised budget for Blush Hill and Hollow Road with debt service, and to direct the Municipal Manager to research changes to the project on High Street to add foam. The motion was seconded by C. Nordle and passed unanimously.

W. Shepeluk presented documents for the 2016 bond sale to refund the Perry Hill Paving note and recommended a 10 year payment schedule. C. Viens expressed concerns with many of the asphalt roads in the Town and the amount of debt that is incurred. C. Nordle made a motion to authorize the refunding of the Perry Hill paving note as a 10-year bond. The motion was seconded by J. Brown and passed unanimously.

W. Shepeluk gave a brief update on the North Hill Cell Tower, stating he conversed with attorney Joe MacLean and the project is still at the comment stage before the Public Service Board. The Town has submitted all filings including wildlife impacts and an aesthetic study. The Town asked the Department of Public Service to perform a propagation study. It was concluded that Verizon's study was accurate and had been conducted properly. ANR requested that the tower elevation be lowered and Verizon has opposed that request. Alternate locations considered included Village land on Sweet Road and the Barnes Hill water treatment plant site. There is not a lot of information about the Barnes Hill site.

Marcy Blauvelt feels the burden falls on the Town and concerned landowners to find an alternate site, and to defend the Town Plan. She stated it is critical to save the wildlife corridor. She requested that the Town hire a telecommunications expert to find an alternate site and knows people that would contribute to a fund. W. Shepeluk suggested getting advice from the attorney about performing the study. D. Schneider asked M. Blauvelt to come back to the next meeting with an idea of funding commitments. The Municipal Manager will talk with the attorney about whether a study would be accepted by the Public Service Board.

C. Nordle made a motion to move into deliberative session to discuss the resolution of the vicious dog hearing case. The motion was seconded by C. Viens and passed unanimously.

There being no further Select Board business, the meeting adjourned at 10:00pm.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: June 20, 2016