

**Minutes of the Waterbury Select Board  
Tuesday September 5, 2023  
Steele Community Room, 28 North Main Street and via zoom**

**Attendance:** A. Johnson, K. Sweeney, M. Bard, T. Leitz, R. Clapp, D. Kehlmann; Board K. Petrovic, K. Lisaius

**Public Attendance:** C. Viens, B. Minter, S. Yusen - Waterbury Roundabout, G. Dillon, S. Dillon, L. Walton, M. Culberson, Lt. C. Winn, B. Shepeluk

**ZOOM:** ORCA Media, C. MacMillian, A. Imhoff, "iphone" D. Spence, T. Gloor

R. Clapp called meeting to order at 7pm

**Approve Agenda: K. Sweeney moved to approve the agenda, D. Kehlmann seconded the motion. A.** Johnson requested to amend the agenda to add two items. To the Consent Agenda include One Time Occasion Permit for AMPS LLC (The Phoenix Gallery & Music Hall) on September 15, 2023; 6pm – 10:45pm and to the Executive Session add Real Estate Acquisition. **A vote was held on the amended agenda and passed unanimously.**

**Consent Agenda:**

- a.) Minutes of August 7, 2023 and August 21, 2023
- b.) Special Events Permit 10/07/2023 10am – 5pm for Bakersfield LLC Wine Tasting Inside Cabot Farmers' Store; Request to Cater Permit 09/09/2023 3pm – 9pm for Bevo LLC at Farr's Field 4th Annual Calcutta, Central VT Chamber
- c.) Application for Certificate of Approved Location of a Salvage Yard – Clement & Donna Despault 1189 US Route 2

**D. Kehlmann moved to approve the consent agenda. K. Sweeney seconded the motion. A vote was held and passed unanimously.**

**Public:** M. Bard encouraged all Board members to attend Town Fair 9/26 & 9/27. Town of Waterbury will pay for Board members if they wish to attend.

**Right to Purchase Agreement for Stanley Wasson Hall:** T. Leitz provided an overview of the bill which did not include the stipulation that the land be used for housing. Town of Waterbury just needs to indicate the desire to purchase, there is not a purchase price at this time. T. Leitz has spoken to many people in the housing development world who stated that multifamily development is a challenge. T. Leitz is checking into how to make the development stage move faster. This parcel could add a considerable amount to the Grand List. The declaration to be signed by the Board "affirms the town's interest" in the letter and not a commitment at this time to purchase. **A Johnson made a motion to approve the Resolution in support of Acquiring Property from the State of Vermont with correction to the typo. M. Bard seconded the motion.** D. Kehlmann asked if there would be an opportunity to approve any offer which was confirmed, any offer would require board approval. The final clause "purchasing or acquiring" is listed. **A vote was held and passed unanimously.**

**Letter of Attestation – Downtown Organization:** T. Leitz gave a brief explanation of this request and stated that K. Nevin has indicated to him that RW will spend the funds on employee benefits and marketing indicatives. T. Leitz cannot confirm if this is annual or one-time allocation of funds. **A.**

**Johnson moved to approve the municipal letter of Attestation for RW. Kehlmann seconded. A vote was held and passed unanimously.**

**Recreation Presentation and Staffing:** T. Leitz updated the board on the current budget spending and a plan to hire a second full time Recreation employee. T. Leitz does not believe Rec needs a Capital fund but does acknowledge the pool need repairs. Pool suffered this past season because of weather issues. Staff is seeking Board authorization to fill a second full time position. Rec will cost the town roughly 10K more next year. Major duties of the new hire position: Program Coordinator role. Lead both After school and summer camp program. The individual will be supervising staff. Management realized this past summer how challenging the summer camp is to operate and needs additional employees working less hours per week so they are fresher. Acknowledgement that the position will be an ask to increase the budget next year to support it. **M. Bard made a motion to add a second position to next year's budget. K. Sweeney seconded the motion.** T. Leitz asked for permission to seek a candidate now and fill this position immediately. **A friendly amendment was made to alter the motion to state the new employee can be hired now as it was previously in the budget. A vote was held and passed unanimously.**

**Police Presentation & Public Safety Lt. Charles Winn:** R. Clapp thanked the Lieutenant for handling a disturbance in Waterbury Center several weeks ago for the department responsiveness. Board asked the Lieutenant how he feels the contract is working and his assessment of how things are going. Lt. Winn took over in February for Lt. White, he is coming up to speed now and thanked the Board for their invitation to come and speak to them. His entire barracks was at a standstill for the hours spent on Loomis Hill.

Juvenile problems that take up a lot of time in Town. A criminal Loitering Ordinance could be useful to officers as well as cameras, locations to be determined. Suggestion to install cameras in parking lots and public spaces where no one has an expectation of privacy. Two troopers are assigned to Waterbury with one officer now out on Paternity Leave. Trooper May Murdock begins on the night shift beginning September 10<sup>th</sup> and Trooper Riegler will stay on day shift so there will be two officers back in Waterbury beginning next week.

Department request "See something Say something" – don't wait to make the call.

Mental Health counselor is still staffed for the barracks. Works for Washington County Mental Health but assigned to the State Police. The position is back filled by WCMH when the staff member is unavailable. 16 cadets in class now with 2 expected in Berlin and 2 requested transfers that need to be back filled at the barracks they vacate.

**Natural Disaster Preparedness Committee:** K. Sweeney was asked to define the committee; he has prepared a 5-member committee that includes the Select Board liaison. At conception the new Board will meet monthly until such time the board feels they can meet quarterly. Create and manage a stock pile of supplies as well as define role of the Committee and Municipal staff. Create a handbook of post disaster clean up and public assistance. G. Dillon is willing to be involved with the committee. It is important to understand the aftermath is not the emergency. **M. Bard made a motion to publish and accept nominations for the Natural Disaster Preparedness Committee. D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

**Charter and Meeting Schedule:** T. Leitz proposed Charter language memo attached.

T. Leitz has heard some public input and he's encouraged folks to attend the public hearing. The data point available is an RW study that showed 60% of the customers that visited Waterbury were from outside Waterbury.

**K. Sweeney moved to accept the Charter language as presented on the memo dated September 5, 2023 and to schedule a Special Town Meeting on Tuesday December 5, 2023. D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

**Next Meeting Agenda:**

6:30pm Abatement Hearing

After Action Report

Zoning update

Road Salt Use

Schedule of Fees (Rec and Zoning)

Emergency Management Training

**A. Johnson made a motion to find that premature general public knowledge of a possible Real Estate Acquisition and a hiring nominee would place the Town of Waterbury at a substantial disadvantage. The motion was seconded by K. Sweeney and passed unanimously.**

**K. Sweeney made a motion to enter Executive Session. A. Johnson seconded the motion; a vote was held and passed unanimously.**

**Executive Session to consider Zoning Administrator and Real Estate Acquisition:** The board entered Executive Session at 9:05pm

**A. Johnson moved to exit Executive Session which was second and passed by unanimous vote. The Board exited Executive Session at 9:30 pm**

**D. Kehlmann moved to nominate M. Bishop for the vacant position as Town of Waterbury Zoning Administrator. K. Sweeney seconded the motion; a vote was held and passed unanimously.**

**K. Sweeney moved to adjourn. A. Johnson seconded the motion; a vote was held and passed unanimously.**



**APPLICATION FOR CERTIFICATE OF APPROVED LOCATION  
 OF A SALVAGE YARD**

To the Selectboard of the City/  
 (City Council, Selectboard, Board of Trustees)

Town/Village of Waterbury in the county of Washington.

The undersigned hereby applies for a permit to locate and maintain a junkyard to be located on the land and premises as herein described.

1. Name of Applicant: Clement DespaULT
2. Address of Applicant: PO Box 282  
Waterbury Vermont 05676
3. Owner of Land: Clement/Donna DespaULT
4. Description of Land: 5 Acres, garage, apt, salvage yd

Being all or part of the same land and premises conveyed to Clement/Donna DespaULT  
 (Grantee)

by deed of Jennison Land Service Page \_\_\_\_\_ of the \_\_\_\_\_  
 (Grantor)  
 recorded in Book 78 Page 103 of the Waterbury  
 (City/Town)

Land Records; as described below:

Describe the land briefly, indicating dimensions to include reference to so-call permanent boundary markers.

See attached pages of yard

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**CONTINUED ON BACK**

Dated this 30 day of August, 20 23.

Signature of Applicant: Danna Dwyer

Consent of Owner (if land is leased, rented or otherwise permitted)

I hereby consent to the location and maintenance of the heretofore described junkyard on my land, dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Land Owner: Clement Dwyer

Attached is a certificate from the ~~Zoning Board of Adjustment~~ <sup>Select Board</sup> for the above cited location granted on this 5th day of September, 20 23.

This application is to be submitted to the Legislative Body in the municipality where the salvage yard is located. An application fee of twenty-five (\$25.00) made payable to the municipality named, and, if applicable, the Certificate from the Zoning Board of Adjustment in Accordance with 24 V.S.A. §2251 (as amended) must accompany this application.

VERMONT SALVAGE YARD PERMIT  
APPLICATION FORM

Business Mailing Address:

PO Box 282

Telephone:

802-244-6212

Business Physical Address (if different):

1189 Route 2  
Waterbury, VT 05676

Email Address:

ddespaull@hotmail.com

**SALVAGE YARD OWNER INFORMATION**

CO-APPLICANT NAME:

Business Name:

Business Mailing Address:

Business Physical Address (if different):

Telephone:

Email Address:

**SALVAGE YARD OPERATOR INFORMATION**

CO-APPLICANT NAME:

Business Name:

Business Mailing Address:

Business Physical Address (if different):

Telephone:

Email Address:

**IV. LOCATION OF SALVAGE YARD / PROPERTY INFORMATION**

PROPERTY SPAN# (From Tax Bill):

911 Street Address:

1189 Route 2

City/Town/Zip code:

Waterbury Vermont 05676

**V. CERTIFICATE OF APPROVED LOCATION**

Effective Date:

Expiration Date:

**VERMONT SALVAGE YARD PERMIT  
APPLICATION FORM**

**CERTIFICATION STATEMENT**

Each applicant or a duly authorized representative of each applicant is required to sign this form and all reports requested or required by the Secretary. If additional space is needed to complete this section, submit additional required co-applicant information to the Secretary as an attachment to this application form. By his or her signature below, each applicant hereby certifies to the following:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision. Based on my inquiry of the person or persons who operate the salvage yard, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I certify that all adjoining property owners have been notified of the application.

Authorization for signature by duly authorized representative shall be submitted to the Secretary pursuant to § 26-107(c) of the Vermont Salvage Yard Rules. Authorization shall be submitted prior to or conjunction with the submission of any documents (including this application form) signed by the representative.

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**VI. SIGNATORIES**

Applicant: Property Owner  
(or duly authorized representative)

Clement Despaule  
Signature  
Clement Despaule  
Print Name  
8-28-23  
Date

Co-Applicant:  
(or duly authorized representative)

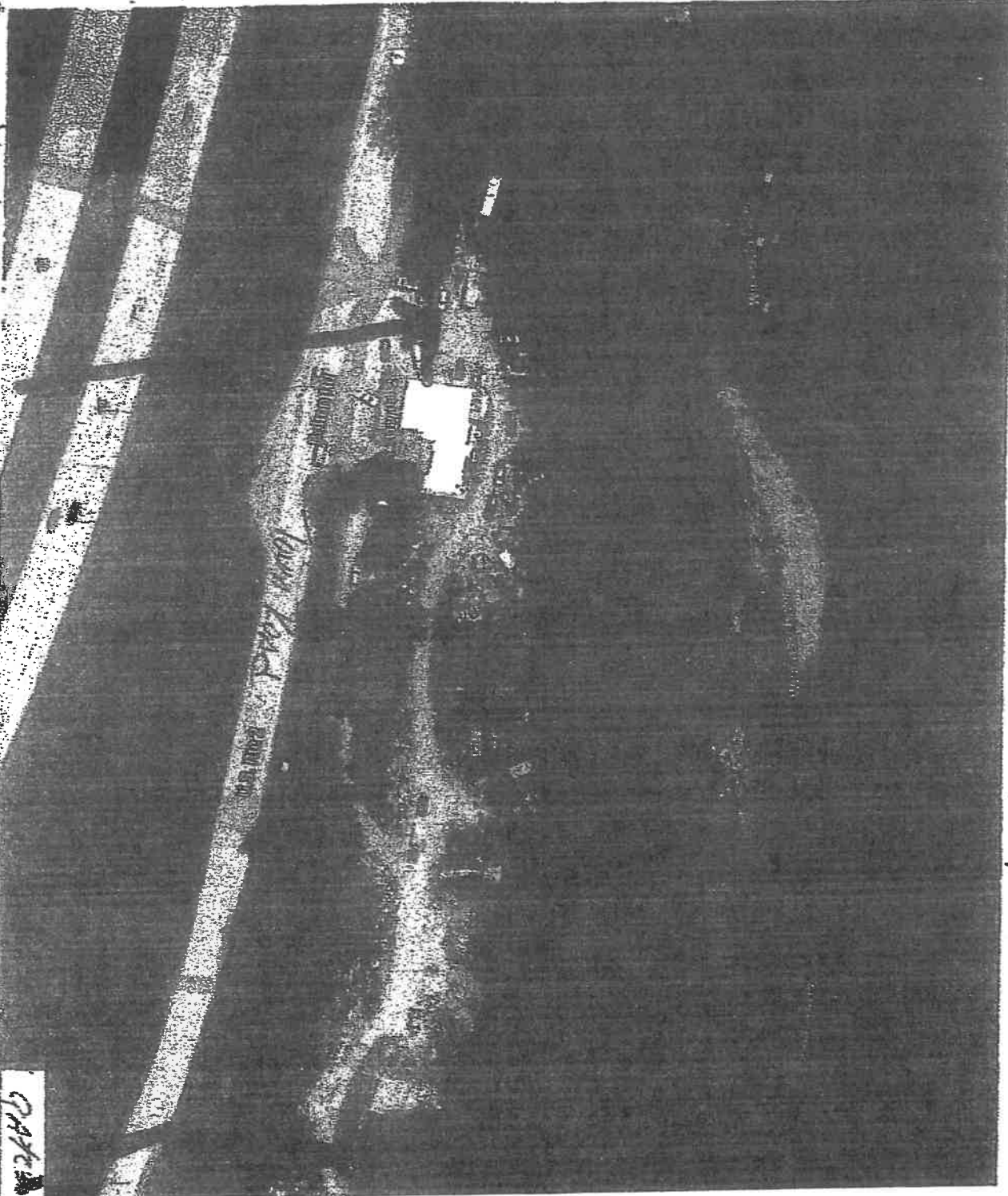
Donna Despaule  
Signature  
Donna Despaule  
Print Name  
8-28-23  
Date

Property Line

State

Vehicle Storage Tire Storage

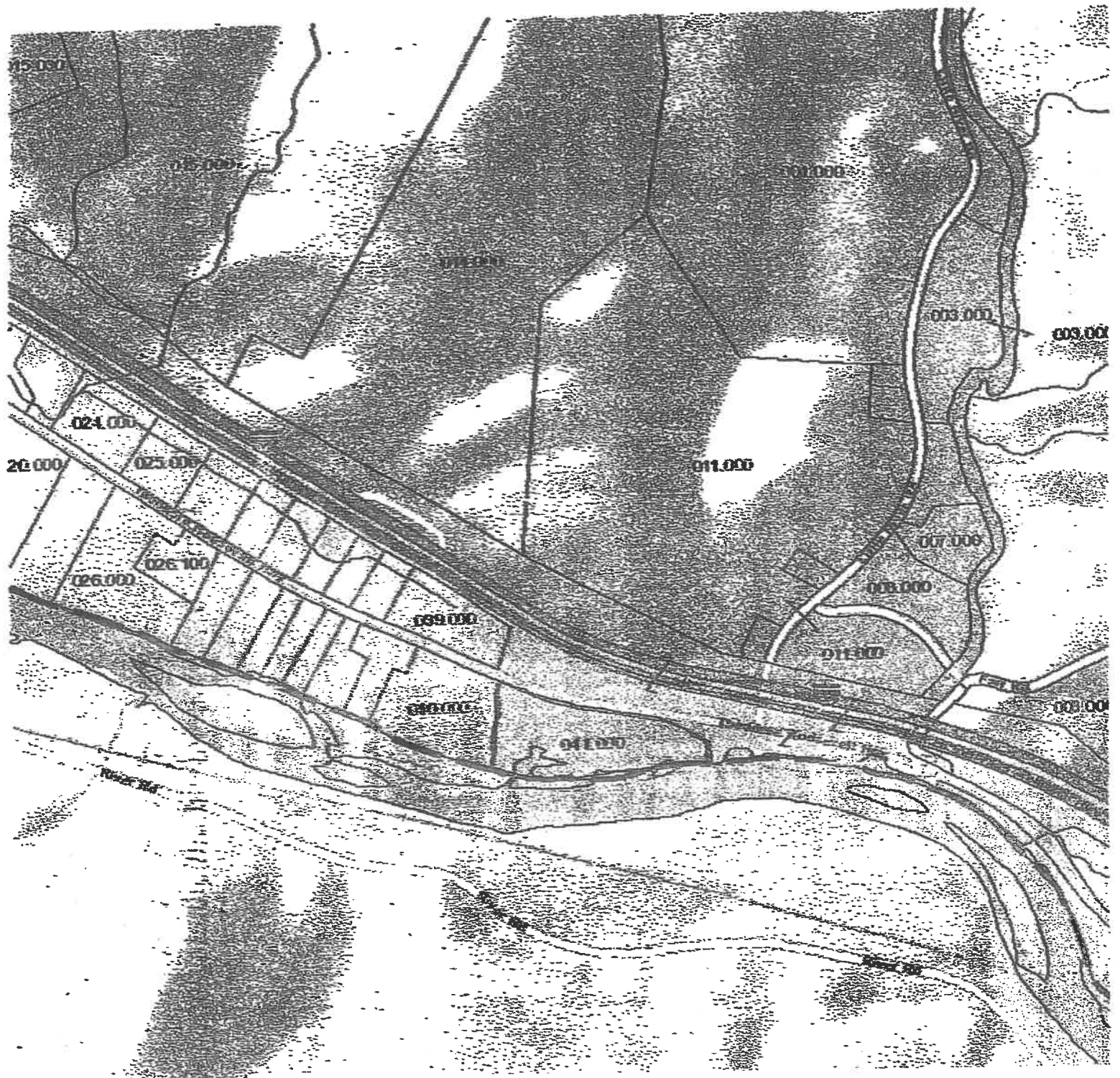
DATE



Storage









VERMONT

Department of Buildings and General Services

Office of the Commissioner

133 State Street, 5<sup>th</sup> Floor  
Montpelier, VT 05633-5801

[phone] 802-828-3519  
[fax] 802-828-3533

Agency of Administration

August 22, 2023

Tom Leitz, Municipal Manager  
Town of Waterbury  
28 North Main Street Suite #1  
Waterbury, Vermont 05676

Re: Right to Purchase

Dear Manager Leitz:

As you may be aware, included in this year’s Capital Bill (H.493), which was signed into law by Governor Scott, is language providing the Town of Waterbury a right to purchase a subdivision of state-owned property located at the Waterbury State Office Complex with the following language in Section 22:

- (b) Stanley Hall and Wasson Hall. Notwithstanding 29 V.S.A. § 166(b), the Commissioner of Buildings and General Services (BGS) is authorized to subdivide, sell, or otherwise dispose of the portion of land in the Waterbury State Office Complex (Parcel ID # 916-0103.V as designated on the Town of Waterbury’s Tax Parcel Maps) that housed the former Stanley Hall and the adjacent parking lot, located at 32 Park Row, and Wasson Hall, located at 64 Horseshoe Drive, to the Town of Waterbury.
- (1) The Commissioner of Buildings and General Services shall notify, in writing, the Town of Waterbury of the right to purchase or acquire the properties described in subdivision (1) of this subsection provided that the following conditions are met:
  - (A) The Town of Waterbury’s Select Board takes a formal action on or before October 15, 2023, indicating the Town’s interest in purchasing or acquiring the properties; and
  - (B) If the Town elects to purchase or acquire the properties, the Town submits a written offer not later than June 1, 2024;
- (2) If the conditions in subdivision (1) of this subsection are not met, then the Commissioner’s authority to subdivide, sell, or otherwise dispose of the property described in this subsection shall be rescinded.

I am writing to provide notice to you that the State is formally offering the Town of Waterbury the right to purchase the property. The team at the Department of Buildings and General Services is available to provide information and a tour of the property, as well as answer any questions the Town may have regarding the property. I am also available and happy to meet with Town officials to discuss the property. Thank you.

Sincerely,

Jennifer M.V. Fitch P.E.  
Commissioner





**WATERBURY MUNICIPAL OFFICE**  
**802.244.7033 or 802.244.5858**  
**FAX: 802.244.1014**  
**28 NORTH MAIN ST., SUITE 1**  
**WATERBURY, VT 05676**  
**WATERBURYVT.COM**

**Town of Waterbury Selectboard Resolution in Support of Acquiring Property from the State of Vermont**

Whereas, Governor Scott signed into law H. 493, which provides the Town of Waterbury a right to purchase a subdivision of State owned land which encompasses the former Stanley Hall and Wasson Hall, and

Whereas, The subdivision is anticipated to total approximately 2.5 acres and the property is located in Waterbury's village area, where local and state planning goals encourage housing development, and is served by municipal water and sewer, and

Whereas, On February 27, 2023 the Town Selectboard resolved to support housing development on this site, and directed the Town's leadership to make every effort to achieve this goal, and therefore be it

Resolved, The Town Selectboard hereby affirms the Town's interest in purchasing or acquiring the property, and directs the Municipal Manager to prepare a written offer to ultimately secure the property.

Signed:

Roger Clapp, Chair: \_\_\_\_\_

Danielle Kehlmann, Vice Chair: \_\_\_\_\_

Alyssa Johnson:

Kane Sweeney:

\_\_\_\_\_

Michael Bard:



# APPENDIX II

Downtown Vibrancy Fund – Municipal Letter of Attestation

*Must be signed below by a majority of the legislative body.*

Name of Municipality: Town of Waterbury

Name of Downtown Organization: Revitalizing Waterbury

Date: \_\_\_\_\_

The Municipality supports the work that our Downtown Organization is doing to further the development and success of our downtown. The Municipality understands that the Downtown Organization will be receiving \$25,000 in State funding through the Downtown Vibrancy Fund program to complete projects aligned with the Main Street 4-point approach: economic vitality, promotions, design, and organization. The Municipality acknowledges and agrees that this funding will supplement, and not supplant, any funding traditionally provided to the Downtown Organization by the Municipality.

The Municipality acknowledges that DHCD will review the Municipality's allocation to the Downtown Organization annually and may take any change in the allocation into future Downtown Vibrancy Fund program awards.

## LEGISLATIVE BODY

(name)

(signature)

Michael Bard

Alyssa Johnson

Alyssa Johnson

_____	_____
_____	_____
_____	_____
_____	_____





	A	B	C	D	E	F	G	H	I	J	K	L	M	N
101	11-7-54-3-424.00 PARKS-Grounds Maint	22,224	22,067	20,000	13,087		20,000	Any work on soccer field at ice center should be 75% reimbursed through FEMA		20,000				Moved from capital fund
102	New - Field Maintenance						5,000			5,000				Moved from capital fund
103	New - Tennis Court Maintenance						1,000			1,000				Moved from capital fund
104	New - Playground Maintenance						3,000			3,000				Moved from capital fund
105	New - Community Garden Maintenance						2,250			2,250				Moved to rec
106	11-7-54-3-431.00 PARKS-Equip Maint	1,007	1,988	3,000	703		3,000			3,000				Moved to rec
107	11-7-54-3-622.00 PARKS-Electricity	3,224	3,636	3,500	1,177		3,500			250				Moved to rec
108	11-7-54-3-626.00 PARKS-Fuel Gas	3,339	3,833	3,500	90		3,500			2,365				Moved to operations
109	11-7-54-5-310.00 PARKS-Public Works Direct	690	590	2,365	-		2,365			1,825				Moved to operations
110	11-7-54-6-520.00 PARKS-Ins-Prod & Liability	1,118	1,960	1,825	1,404		1,825			1,825				Moved to operations
111	11-7-54-7-741.00 PARKS-New Equipment	647	2,249	1,750	565		1,750			1,750				Consolidate capital expenses in one transfer
112	11-7-54-9-960.00 PARKS-To Capital Fund	1,500	3,300	3,300				Don't believe this will be needed						
113							96,026			105,358				
114	Parks	98,744	109,894	111,842	55,876						(6,484)		-5.8%	
115														
116	Grand Total	226,123	279,681	290,000	268,554		298,704			343,821				
117	Revenues	458,915	637,299	604,147	415,355		585,610			668,652				
118	Expenses													
119	Town Share - All Parks & Recreation Programs	232,792	357,618	314,147	146,802		286,906			324,831			3.4%	
120														
121	Capital Fund - Revenues	20,000	75,000	59,500			35,000			26,000				
122	75-6-00-1-002.02 Transfers from GF-Rec Dep	(5)	83		264		300			300				
123	75-6-00-9-001.00 INTEREST		1,355											
124	75-6-00-1-002.01 Grants													
125														
126	Subtotal	19,995	75,083	59,500	264		35,300			26,300				
127														
128	Capital Fund - Expenses	761	670	10,000	1,821		2,250			2,000				Moved to operations
129	75-7-34-7-430.00 Recreation Buildings	14,850	4,197	20,000	109		5,000			3,000				Moved to operations
130	75-7-54-7-460.00 Field Improvements	4,064	88	3,500	53		3,000							Moved to operations
131	75-7-54-7-460.01 Pool Improvements	-	1,602	3,000			3,000							Moved to operations
132	75-7-54-7-460.02 Tennis Court Improvement	-	-	-	1,100		1,100			1,100				Moved to operations
133	75-7-54-7-460.03 Playground Equipment	1,011	1,063	1,000	786		1,000							Moved to operations
134	75-7-54-7-460.09 Community Gardens	66,194	205											Moved to operations
135	75-7-54-7-460.10 Rec Van			12,000	2,956		12,000			20,000				Estimated Town share of grant. Will know more in November
136	75-7-54-7-460.11 Pool Study													
137														
138	Hope Dawey Accessibility Improvements													
139														
140	Subtotal	86,879	7,825	49,500	7,396		25,350			26,100				
141														
142	Net Gain (Loss) of Capital Fund	(66,884)	67,299	10,000	(7,131)		9,950	Important to not deplete the fund, but we also don't need to grow it.		200	(9,800)		1	



To: Selectboard  
From: Kane Sweeney, Select Person  
Subject: NDRC outline  
Cc: Town Manager

**Natural Disaster Response committee  
Outline**

- 5 member committee
- Once monthly meeting until such time as the committee feels that they can meet quarterly
- Create handbook for responding to natural disasters
- Create system for a volunteer system for responding to a Natural Disaster
- Create system for managing volunteers after a natural
- Create and manage stockpile of supplies needed for natural disaster cleanup
- Work closely with public works to better understand roles

Proposed Charter Language: September 5, 2023

Article 1:

“The Town Selectboard shall be authorized to levy a one-percent tax on sales, meals and alcoholic beverages, and rooms.”

Article 2:

“The Municipal Manager shall hire, appoint, discipline, and remove all Town employees, subject to the provisions of personnel rules approved by the selectboard.

The Municipal Manager may authorize a department head to hire, appoint, discipline, or remove an employee, subject to the Manager’s discretion and supervision.

The Municipal Manager’s appointment of a department head shall be approved by the Selectboard.”