

**Joint Meeting of the Waterbury Select Board &  
EFUD Commissioners  
April 18<sup>th</sup>, 2022  
28 North Main Street**

Present: M. Bard, D. Kehlmann, C. Viens, A. Johnson and R. Clapp, Select Board; P. H. Flanders, N. Sherman, L. Sayah, C. Parks and B. Finucane, EFUD Commissioners; S. Lotspeich, Director of Planning & Zoning; N. Nadeau, Director of Parks & Recreation; W. Shepeluk, Municipal Manager; and C. Lawrence, Town Clerk.

Public: ORCA Media; Lisa Scagliotti, Waterbury Roundabout; Jonathan Griffin, VTrans; Kati Gallagher, Planning Commission Candidate; Tom Scribner; T. Salisbury; L. Salisbury; Jane Brown; Mallory Culbertson; Thomas Knight, Stantec; Meg Baldor; Tami Bass; Maroni Minter; Mahendra Thilliyar; F. Spaulding; Marc Frier; Al Lewis.

D. Kehlmann, acting Chair, called the meeting to order at 7:00pm.

**APPROVE AGENDA**

C. Lawrence asked to add a liquor license for the Wine Vault and an outside consumption permit for Smuggler's Notch Distillery. A. Johnson made a motion to approve the agenda as amended. The motion was seconded by R. Clapp and passed unanimously.

**CONSENT AGENDA ITEMS**

R. Clapp made a motion to approve the consent agenda item including the minutes of the April 4<sup>th</sup> meeting, liquor licenses for Cabot and the Wine Vault, an outside consumption permit for Smuggler's Notch Distillery and the various committee reappointments as listed on the agenda. The motion was seconded by C. Viens and passed with M. Bard abstaining.

**PUBLIC**

There was no public comment.

**SELECT BOARD ITEMS**

**Interviews – Planning Commission**

C. Lawrence stated that Megan Noonan had to withdraw her name from consideration due to a conflict with her work. Kati Gallagher was present to express her interest in serving on the Planning Commission and gave a brief background. She received her M.S. in Community Development and Applied Economics from the University of Vermont. K. Gallagher is interested in assisting the Planning Commission to work on the Town Plan and recognizes it is a large task. There is one more candidate to be interviewed at the next meeting before appointments will be made.

**CVFiber**

D. Kehlmann stated that the hope is to have a brief conversation this evening to see if the Board can come to some determination if ARPA funds should be granted to CVFiber and under what conditions. R. Clapp asked if CVFiber is willing to collaborate with Consolidated Communications. L. Gravel stated that she believes CVFiber does not have the authority to do so. D. Kehlmann asked if the funds were designated, whether they would be returned to the Town if the project is not completed. L. Gravel stated that the request can be put in the letter with the fund conditions. L. Gravel stated that construction has already started. D. Kehlmann would like to look at the Board's decision through a lens of equity. W. Shepeluk stated that asking the Select Board to apply conditions to the funds is difficult. M. Bard made a motion to approve a one-time ARPA funding of \$75,000 to CVFiber only for underserved with income restrictions to be determined. C. Viens seconded the motion. Discussion continued. M. Bard withdrew the motion and C. Viens withdrew his second. R. Clapp made a motion to appropriate up to \$50,000 to CVFiber, to be used exclusively in Waterbury to provide fiber optic service to unserved and under-served permanent residents with the Select Board reserving the

ability to review specific plans for construction and connections. The motion was seconded by C. Viens and passed unanimously. W. Shepeluk will draft a letter to be submitted to CVFiber.

### **Letter of Support – Worcester Cell Tower Issue**

D. Kehlmann explained that Worcester received word that a technology company had leased land and was preparing to build a tower at the top of North Road in Worcester. The Worcester Select Board and Planning Commission is opposed to this proposal. They have asked other towns for a letter of support in opposition to this project. S. Lotspeich explained that the Town of Waterbury does not have party status to this project. After a brief discussion, no action was taken at this time.

P. H. Flanders called the meeting of the EFUD Commissioner to order at 8:07pm to conduct joint business with the Select Board.

### **JOINT MEETING WITH EFUD COMMISSIONERS**

#### **Stowe Street Bridge Project Update**

J. Griffin of VTrans was present to update the boards on the Stowe Street Bridge project. T. Knight of Stantec screen shared a presentation of the latest status of the project. The project is in the preliminary design phase and is moving forward. The recommended alternative is a full bridge replacement with buried structure and the impacts were explained. The estimated cost of the project is \$4 million but may be up to \$500,000 more. The Towns share of the project is 5% and may be applied to only certain aspects of the project. R. Clapp made a motion to approve up to the 21-day recommended Lincoln Street closure. The motion was seconded by M. Bard and passed unanimously.

#### **Manager Search Committee**

P. H. Flanders explained the Search Committee (2 members were previously appointed from each board) has met with VLCT. They learned that their work on the committee falls under the open meeting law so future meetings will have to have agendas and be warned. P. H. Flanders asked if an alternate from each board can be appointed in the event one of the members cannot attend a meeting. P. H. Flanders asked if the committee should be expanded to a public member and/or staff member. The Library Commissioners have expressed interest in involvement as well. P. H. Flanders suggested that the Library Commissioners appoint one person and an alternate for the search committee. In addition, VLCT has provided a 2-page service agreement that both boards need to approve.

A. Johnson made a motion to appoint R. Clapp as the alternate to the Municipal Manager search committee. The motion was seconded by C. Viens and passed unanimously. On behalf of the Commissioners, N. Sherman made a motion to appoint L. Sayah as an alternate to the Municipal Manager search committee. The motion was seconded by C. Parks and passed unanimously.

M. Minter stated that he thought it appropriate that the Library Commission have a representative on the search committee. W. Shepeluk explained that the Library Commissioners are not an appointing authority of the Municipal Manager. R. Clapp made a motion to accept the recommendation from EFUD to include a representative and alternate from the Library Commission. The motion was seconded by C. Viens and passed unanimously. On behalf of the Commissioners, N. Sherman made a motion to include a representative and alternate on the search committee from the Library Commission. The motion was seconded by L. Sayah and passed unanimously.

P. H. Flanders stated there is a service agreement with the Town and EFUD with VLCT at a cost of \$7,250. A. Johnson authorized M. Bard to sign the service agreement with VLCT on behalf of the Town. The motion was seconded by R. Clapp and passed unanimously. N. Sherman authorized the P. H. Flanders to sign the service agreement on behalf of the Commissioners. The motion was seconded by C. Parks and passed unanimously.

### **EFUD – Town MOU Regarding Land Transfer**

The EFUD annual meeting warning contains an article for the transfer to the town of land not related to the operations of its water and sewer utilities. The MOU states that the Town, in perpetuity, agrees to allocate space within the building to house the operations and staff of EFUD. R. Clapp made a motion to accept the MOU between the Town and EFUD as written and authorize M. Bard to sign. The motion was seconded by C. Viens and passed unanimously. On behalf of the Commissioners, N. Sherman made a motion to accept the MOU between the Town and EFUD and authorize P. H. Flanders to sign. The motion was seconded by L. Sayah and passed unanimously.

### **Review RFP for Recreation Master Planning**

S. Lotspeich and N. Nadeau crafted a RFP for a consultant study and master plan for Hope Davey Park and the recreational areas in the vicinity of the Ice Center. The Recreation Committee gave their input. This would utilize the \$50,000 of funds approved by the voters at Town Meeting. S. Lotspeich explained the process and stated that the goal is to wrap up the study by mid-December. There will be a steering committee appointed to work with the consultant. R. Clapp made a motion to advertise the RFP and solicit members for the steering committee. The motion was seconded by M. Bard and passed unanimously.

The meeting of the EFUD Commissioners adjourned at 9:28pm.

### **MANAGER'S ITEMS**

#### **Vermont State Police Reports**

This topic will be moved to a future meeting.

#### **ARPA – Lost Revenue**

A. Johnson made a motion to approve filing the ARPA report to indicate that the Town will choose the option of using lost revenue as a means to appropriate the funds. The motion was seconded by C. Viens and passed unanimously.

#### **First Quarter Budget Review**

W. Shepeluk distributed and reviewed the first quarter budget report.

#### **Discuss Next Meeting Date**

The next regularly scheduled meeting is May 2<sup>nd</sup>. The Municipal Manager will be unable to attend but there may be topics that the Select Board will need to address.

#### **Update on Wage and Salary Range / Executive Session**

At 10:04pm, A. Johnson made a motion to enter in Executive Session to consider the evaluation of a public employee and invited the Municipal Manager and Director of Parks & Recreation to join them. The motion was seconded by R. Clapp and passed unanimously.

The Select Board exited Executive Session at 11:53pm with no action taken. After the long discussion board members had with W. Shepeluk and N. Nadeau, and with their agreement, R. Clapp made a motion to amend the memo from the Municipal Manager titled "Employee Pay Ranges" and dated April 4, 2022, by replacing the two instances of "Director of Recreation and Community Services" with "Assistant Municipal Manager for Community Services." C. Viens seconded the motion. The motion passed unanimously.

R. Clapp made a motion to enter Executive Session for the purposes of evaluation of a public employee. The motion was seconded by M. Bard and passed unanimously. The Select Board exited Executive Session at 12:01am with no action taken. R. Clapp made a motion to authorize M. Bard to work with town staff on recognition of a public official. The motion was seconded by C. Viens and passed unanimously.

There being no further business, the Select Board adjourned at 12:03am.

Respectfully submitted,

Carla Lawrence, Town Clerk

Approved on: May 2, 2022