

**Waterbury Village Board of Trustees Meeting
Main Street Fire Station
September 24, 2014**

Attendees: P. Howard Flanders, Village President; Lawrence Sayah and Natalie Howell-Sherman, Trustees; William Shepeluk, Municipal Manager; Anne Imhoff, ORCA Media; and Denise McCarty, Board Secretary.

Opening and Call to Order

P. Howard Flanders called the meeting to order at 4:30 pm.

Approve Agenda/Consider Modifications to the Agenda

The agenda was modified to add a discussion about the great pumpkin giveaway event at the Rusty Memorial Park. This item will be discussed at the end of the meeting just before the approval of the meeting minutes.

Public

Jeff Kampion and Mary Koen, Planning Commission; Steve Lotspeich, Community Planner; Mike Thompson; Kathy Grace; and Jonathan Siegel.

Review August Police Report

Chief Feccia was not present at this meeting. The Police report was reviewed and questions were asked by the Trustees about the content including the drop in traffic tickets from 27 to 2 and the increase in 9 DUI's in one month. W. Shepeluk will ask Chief Feccia to include more detail in the narrative of his next report. Chief Feccia is requesting to lease a newer used car. Discussion followed. N. Howell-Sherman would like an update on the speed sign information that Chief Feccia has collected and how that has helped him. No action was taken.

Police Department Items

W. Shepeluk state that without Chief Feccia present, it is difficult to discuss the update and clarification on VSP responses during off duty times and the clarification of "on call" coverage during regular duty times.

Termination of Providing Traffic Control Through WPD to Private Contractors

W. Shepeluk discussed with Chief Feccia what the expectations were after this matter was discussed at the last Trustees meeting. W. Shepeluk stated that as of this week, RJ Caldwell is on the construction contractor's payroll when he provides traffic control at the rotary construction site. Discussion followed regarding the implications of him still wearing the Waterbury Police Department uniform when he does traffic control. No action was taken at this time.

Roy Schiff Presentation and Discussion of the Study of Impact of Flood Plains Regulations

Roy Schiff is working on a project with Lake Champlain Basin Program to study how to cost effectively live in flood plains. The study will analyze the cost of recovering and social drag on business and the risk of danger of living in a flood plain. The other town participating in this study besides Waterbury is Willsboro, NY. R. Schiff stated that this study is being funded by an EPA Grant and collaboration with New England Water Pollution Control. R. Schiff is also working with Earth Economics who specializes in valuing natural resources and the economic value on any kind of land. The study will evaluate the benefit cost analysis, assessed value that is lost and lost economic opportunity. R. Schiff asked the Trustees if they have a vision of what Waterbury Village will look like in 50 years (2065). Discussion followed and included that the

vision would be that buildings would be elevated and there would be more businesses. What is the grand list value of the portion that is in the flood plain? The total property value of land and buildings that were affected by Tropical Storm Irene is approximately \$700 million without taking exemptions out. Discussion followed.

Also discussed were projected flood flows and how they might change down the road; the cost of elevating versus cost of the damages; immediate damage reduction and lowering the flood plains; elevating buildings and utility elevation; what happens to flood levels when they fill basements; and whether the new complex exacerbates things in the Village with the new swale designs.

It was asked if this project give will give the DRB recommendations. R. Schiff stated that there will be draft results in 3 to 4 weeks. R. Schiff will make a presentation to the Planning Commission on October 27th and this is an open meeting. No action was taken at this time.

Review Trustees Priorities to be Considered in Flood Plain Regulations

Some of the items discussed as priorities were utility entrances, furnace locations, and impacts on businesses. No action was taken at this time.

Update on Open Meeting Law and Requests for Information

P. Howard Flanders discussed the requirements of the Open Meeting Law to amend the agenda at the beginning of the meeting. He stated that there was an information request concerning all the meetings that discussed the solar panels. C. Lawrence was able to provide that information. From now on, agendas are required to be posted online.

Consider being a Co-applicant of Strong Communities Grant Application – Barb Farr

Barbara Farr asked if the Village would consider being a co-applicant of the Strong Communities Grant Application to support the joint project of the sewer line extension. This grant is a land use grant. B. Farr stated that the project is eligible for two grants. The Strong Communities grant deadline is October 3rd. She met with the Planning Commission on Monday night. They would like to oversee the grant, land use, existing zoning, and what can be grown there. Discussion followed regarding how can we recoup on the investment, and whether is it reasonable or feasible to do the sewer line extension while the road is torn up on Route 100.

Approval of Great Pumpkin Giveaway Event at Rusty Parker Park

There was a request from Ben and Jerry's to have a Great Pumpkin Giveaway Event at Rusty Parker Park on October 19th from 8 am to 1 pm. The Trustees appointed L. Sayah to coordinate with Chad Ummel in the future. If these types of requests have been done before, they will go to L. Sayah and Chad Ummel for consideration and approval.

Strong Communities Grant Application

The Trustees continued the discussion about the application for the Strong Communities Grant. While the Trustees are supportive in general, they do have some concerns about how extending sewer service to Waterbury Center will impact future development in the Village's core area. The Trustees also made clear they will not support an extension of sewer service anywhere if the existing customers are burdened with the costs. **N. Howell-Sherman made a motion authorizing the Village to be a co-applicant with the Town for the Strong Communities Grant with the understanding that a Trustee will participate on the project management team, suggesting also that a Select Board member participate on that team and on the condition that study specifically evaluate the impact on potential growth in the Village if**

access to public is extended to the designated growth center in Waterbury Center. L. Sayah seconded the motion which passed on a unanimous vote.

Ice Center UDAG Loan

The Trustees next took up the issue of renegotiating the UDAG loan that the Village has made with the Ice Center of Washington West. Jonathan Siegel and Mike Thompson, members of the Ice Center Board of Directors joined the meeting. The Manager reported that after making the loan payment scheduled for November 15, 2014, the Ice Center will owe a principal balance of \$389,361.07. The current interest rate is 3.76% and 276 months (23 years) of payments in the amount of \$2,109.65/month will remain on the loan if the terms remain unchanged. Messrs. Siegel and Thompson reported to the board how business was at the Ice Center. The past few years have been good and they have enough cash on hand that they hope to finish construction on the mezzanine, the only unfinished element in the building. They noted, however, that Stowe's new rink was now operating after having been closed for more than a year. They expected its opening to take some business away from their facility. The Manager reported that the Town and Village have inadvertently overlooked billing the Ice Center for municipal taxes for the years 2011-2014. Changes in state law and the exemption granted by the Town and Village 5 years ago cause a tax bill in the amount of \$0.00 to be generated. The Manager has forgotten to send bills for the payment in lieu of taxes the Ice Center has agreed to pay to the Town and Village, an amount totaling \$9,615.98. Messrs. Siegel and Thompson agreed that the Ice Center owed the taxes to the Village and Town for 2011-2014, but asked if the Ice Center could borrow that amount from the village's UDAG Fund. They proposed adding the amount to the outstanding balance on the loan as of November 15, 2014 and asked to pay it off over the remaining 276 months. They also asked the Trustees to consider lowering the interest rate to 2%, the same rate the Village granted for the UDAG loan made to the Ladd Hall affordable housing project. P. H. Flanders asked if they would accept the deal they proposed if the rate could be renegotiated after five years. The representatives from the Ice Center agreed.

N. Howell-Sherman made a motion to loan the Ice Center of Washington West \$9,615.98, allowing the Ice Center to use it to pay outstanding payments in lieu of taxes due to the town and village, adding it to the \$389,361.07 principal balance the Ice Center will owe after having made their payment due on November 15, 2014. The new balance of the loan will be \$398,977.05 and it will be amortized over 276 months at a rate of 2% per annum. The new monthly payment of \$1,804.63 will be due on the 15th of each month beginning December 15, 2014. The interest rate on the loan will be subject to negotiation in 60 months (five years). L. Sayah seconded the motion and all three Trustees voted in favor of the motion.

Budget Report

Next, the Manager presented a report on the status of 2014 revenues and expenses from January 1st-September 24th. Revenues are expected to be higher than budgeted reflecting contract revenue for traffic control by the police department and higher than anticipated PILOT payment from the state. Spending was generally on track except for legal expenses related to the Hubacz case. At present, it seems likely a small deficit will exist in the general fund at year end (see attached).

Upcoming Meetings

P.H. Flanders told the Board that a joint meeting would be held with the Select Board on October 6th. The joint discussions would include topics of personnel policy and the Local Development Corporation—Darren Winham's contract.

The Trustees discussed the possibility of regulating the use of "Jake" breaks by trucks within the village limits. They also asked that signs regulating movement of trucks or commercial vehicles on certain residential streets be changed to include words "Except for Local Deliveries". They suggested too many trucks were trying to turn around in inappropriate places to comply with current signage.

Minutes

The Trustees considered minutes from previous meetings. **N. Howell-Sherman made a motion to approve the minutes of the September 10, 2014 meeting. L. Sayah seconded the motion. It was approved unanimously.**

N. Howell-Sherman moved to adjourn the meeting at 7:45 p.m. L. Sayah seconded the motion. The motion passed without opposition.

Respectfully submitted,

Denise McCarty, Board Secretary

Approved on:

Oct 8, 2014

P. Howard Flanders

P. Howard Flanders

Natalie Howell-Sherman

Natalie Howell-Sherman

Lawrence Sayah

Lawrence Sayah