

**TOWN OF WAITSFIELD, VERMONT**  
**Selectboard Meeting Minutes**  
**Monday, June 5, 2023**

**I. Call to Order:** The meeting was called to order at 6:30 pm by Brian Shupe. The meeting was held in person at the Waitsfield Town Offices and remotely via Zoom.

Members Present: Chach Curtis, Fred Messer, Brian Shupe, Christine Sullivan

Staff Present: Annie Decker-Dell'Isola, Town Administrator; JB Weir, Zoning Administrator

Others Present: Jon Ashley (Dubois & King), Bob Cook, TJ Greenwood, Dori Ingalls, Anthony Italiano (MRVTV), Theron Matthews (McFarland Johnson), Kellee Mazer, Sean McFarland (McFarland Johnson), Robin Morris (Water Commission), Alice Peal (Planning Commission), Peter Reynells, Joshua Schwartz (Wastewater Planning Project Coordinator), Ed Spaulding, Courtney Spaulding, Sal Spinosa

**II. Regular Business.**

**1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).**

The consent agenda was adjusted to remove approval of the minutes and Item 10 was clarified to indicate that two appeals to the Environmental Court have been filed.

**2. Public Forum.**

Courtney Spaulding presented some questions regarding the property-related matters she and Mr. Spaulding had asked the Board to address at a recent meeting. Mr. Shupe explained that the process of investigating some of the issues raised had taken longer than anticipated, but the Board expected to finalize their response in Executive Session at the end of this meeting.

**3. Consider Liquor License applications for The Great Eddy and Rider's Outpost.**

Kellee Mazer was present representing The Great Eddy; TJ Greenwood was present representing Rider's Outpost. Both reported that the appropriate training had taken place. Ms. Mazer explained where she plans to allow for outdoor consumption, which will be the same setup as Peasant had in place.

**MOTION:** *Mr. Shupe made a motion to approve the liquor licenses as outlined for The Great Eddy and Rider's Outpost. The motion was seconded by Mr. Messer. All voted in favor.*

**4. Review and approve Mad Marathon Festival Permit Application.**

Ms. Decker-Dell'Isola explained that the culvert replacement on East Warren Road will mean that the road is closed on the date of the Marathon, but that the contractor will have a pedestrian bridge in place if there is not a lane available and usable by runners during the event. She noted that any sharing of the cost for the related change order between the Town and the Marathon has not yet been fully discussed. Board members expressed potential willingness to share the cost due to the economic benefits the Marathon provides for the area. Ms. Ingalls explained that there will be a 5K and 10K race added to the event this year, and that the opening food and music event will be held at the Round Barn. Otherwise, she indicated that no changes from previous years need to be considered.

47 **MOTION:** *Mr. Curtis made a motion to approve the Mad Marathon Festival Permit Application.*  
48 *The motion was seconded by Mr. Shupe. All voted in favor.*

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50 **5. Wastewater Project Preliminary Engineering Report (PER) 90% Recommendation & Next**  
51 **Steps.**

52 Mr. Schwartz provided an update to the May 30 presentation, including an outline of the  
53 upcoming design work phase and specific action steps being requested of the Board. He  
54 explained that the 90% draft of the PER was ready for review and outlined the next steps to be  
55 taken in working toward accessing funding and developing design plans for the system. Jon  
56 Ashley has recommended that the design work also be broken into three phases, in order to  
57 qualify for different upcoming rounds of grant awards. The Planning Team at this point is  
58 seeking to have the Board accept the findings and recommendations of the 90% PER as well as  
59 authorize the Planning Team to explore options for funding remaining connections to the water  
60 system and to draft an Agreement with Dubois & King for 30% Design Engineering Services  
61 including an application to DEC's CWSRF for funding.

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63 Mr. Schwartz provided some details related to the planned timeline, which will result in a bond  
64 vote in November of 2024. He confirmed that no Town funds are being requested for  
65 allocation at this point.

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67 In response to questions raised regarding the capacity at the Munn site, Mr. Ashley explained  
68 that past approvals for lower wastewater capacity at that site were based on a more minimal  
69 infrastructure, and that the current plan is for tertiary treatment, which allows for greater  
70 capacity.

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72 Ms. Peal explained that some consideration was given to the Loop Road and the potential for a  
73 disposal site to the north of the Village, but that the problems to be addressed in the Village  
74 and Irasville are the more critical factors at this point. She also confirmed that the PC is  
75 working toward bylaw changes that will allow for additional infill in the Village and Irasville  
76 areas.

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78 **MOTION:** *Mr. Shupe made a motion to authorize the Wastewater Project Planning teams to*  
79 *proceed with the next steps identified, specifically to a) authorize the Project Coordination Team*  
80 *and Funding Team to work with funding agencies to explore options for self-funding the*  
81 *remaining connections to the water system and bring a summary of options back to the*  
82 *Selectboard for further consideration, and b) authorize the Project Coordination Team and*  
83 *Engineering & Technical Team to draft a 30% Design Engineering Services Agreement with*  
84 *Dubois & King, including an application to DEC CWSRF for Step 2 Design subsidy, for review and*  
85 *approval by the Selectboard at the June 26, 2023 Selectboard meeting. The motion was*  
86 *seconded by Mr. Curtis. All voted in favor.*

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88 **MOTION:** *Mr. Curtis made a motion to support the findings and recommendations included in*  
89 *the 90% PER Report. The motion was seconded by Mr. Shupe. All voted in favor.*

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93 **6. Route 100/17 Intersection Refinement Stage Update from McFarland Johnson.**  
94 Mr. Matthews provided some background information, and noted that input has been received  
95 from other pertinent parties. He noted the documentation and studies which have been  
96 included in the current review of the intersection, and explained that a letter of support from  
97 the Town will allow McFarland Johnson to submit their report along with a recommendation  
98 that a full study of the intersection be completed and alternatives be presented for  
99 consideration.

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101 **MOTION:** *Mr. Messer made a motion to approve the Letter of Support to VTrans. The motion*  
102 *was seconded by Mr. Shupe. All voted in favor.*

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104 **7. Town Plan Update – Chapter 13 Amendments Discussion.**

105 It was agreed that Board members will each review and rank the tasks outlined in Chapter 13's  
106 chart and provide Ms. Decker-Dell'Isola (by June 19) with what they believe are the top 10-15  
107 items to be addressed. She will compile this information for review at the next meeting, as well  
108 as update any necessary information in the Chapter's text for review.

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110 **8. Review proposed draft Emergency Management Ordinance.**

111 Mr. Messer explained that the intent of the ordinance is to create a local organization to  
112 organize and oversee any necessary emergency management, in order to avoid conflict that  
113 may arise between executing approved emergency plans and ad hoc efforts undertaken by  
114 independent groups. The group authorized through the ordinance would have the training and  
115 access to the resources needed to address emergency situations. He confirmed that the draft  
116 he is presenting is based upon model ordinance language provided by Vermont Emergency  
117 Management, and indicated a preference that the final draft include some authority for  
118 spending, with an appropriate limit to the amount allowed. Board members expressed that the  
119 penalty language from the model draft would likely not be necessary for Waitsfield. The  
120 ordinance will be reviewed further by Board members before adoption.

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122 **9. Revisit General Wait House Discussion related to short & long-term maintenance.**

123 Ms. Decker-Dell'Isola provided a review of the steps taken so far to address Wait House  
124 maintenance, and suggested keeping the topic as a standing agenda item for Board meetings.  
125 There was discussion of the roof and other needed repairs, along with potential funding sources  
126 and strategies. It was agreed to review the roof quote information received at the June 26  
127 meeting, when fiscal year results will be better known. Funding for roof repairs, including  
128 potential use of ARPA funds, will be determined at that point.

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130 **10. Consider authorizing Stizel, Page, & Fletcher to enter an appearance on behalf of the**  
131 **Town related to two appeals of DRB decisions to the Vermont Environmental Court.**

132 Ms. Decker-Dell'Isola explained that this authorization is a preliminary step, and provides an  
133 avenue for the attorneys to receive all information related to the appeals.

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135 **MOTION:** *Mr. Shupe made a motion to authorize Stizel, Page, & Fletcher to enter an*  
136 *appearance to the Environmental Division of the Vermont Superior Court on behalf of the Town*  
137 *of Waitsfield related to the appeal of the DRB's approval of Application #SUB23-02 and denial of*  
138 *Application #4103-NOV. The motion was seconded by Mr. Curtis. All voted in favor.*

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**11. Consent Agenda.**

**MOTION:** *A motion to approve the consent agenda, consisting of the items listed below, passed unanimously.*

- Bills Payable and Treasurer’s Warrants
- Approve liquor license renewals
- Approve WA County Sheriff’s Contract for July 1, 2023 – June 30, 2024
- Approve Spring Hill School zoning fee waiver request
- Approve request from Town Clerk to mail Unlicensed Dog Letter
- Approve Water Commission recommendation to enter contract with VHB
- Approve draft 2023 Local Emergency Management Plan
- Amend Waitsfield Personnel Policy to confirm Juneteenth is a paid holiday
- Approve Festival Permit Application for VAST Annual Meeting & Round Up

**12. Selectboard Roundtable.**

No items were brought forth during the Roundtable.

**13. Town Administrator’s Updates.**

Ms. Decker-Dell’Isola noted the following:

- There is no definite date for the start of the East Warren Road culvert work, but it is scheduled for the end of June after school is over for the year. Notice will be posted in the Valley Reporter, Front Porch Forum, Facebook, etc.
- The chloride truck needs a repair, so the roads may be somewhat dusty.
- Wait House tenants have been making strides in building improvements such as cleaning out areas of the building, working on the sign, and so forth.
- Brain Voigt has stepped down from the Planning Commission, so there are two vacancies, as well as a need to appoint a Planning District representative.

Board members acknowledged Mr. Voigt’s many years of service to the Town.

**14. Executive Session.**

**MOTION:** *A motion to find Pursuant to 1 V.S.A § 313 (a) (1) that premature general knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the public body would clearly place the public body or a person involved at a substantial disadvantage passed unanimously.*

**MOTION:** *A motion to enter Executive Session pursuant to 1 V.S.A. § 313 (a) (2) [Real Estate], 1 V.S.A. § 313 (a) (3) [Personnel], and 1 V.S.A. § 313 (a) (1F) [Confidential attorney-client communications] passed unanimously.*

The meeting entered Executive Session at 8:45 pm and came back into open session at 9:05 pm.

No further action was taken by the Board.

178 **IV. Other Business**

179 **1. Correspondence/reports received** were reviewed.

180 **IV. Adjourn**

181 The meeting adjourned at 9:05 pm.

182 Respectfully submitted,

183 Carol Chamberlin, Recording Secretary