

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
February 26, 2008**

BOARD OF TRUSTEES: Larry Yandow (Village President); Deb Billado, Tim Jerman, Peter Gustafson, John Lajza.
ADMINISTRATION: Dave Crawford, Village Manager.

I. EXECUTIVE SESSION

The Board met in Executive Session to discuss personnel matters.

II. CALL TO ORDER (regular meeting) & PLEDGE OF ALLEGIANCE

Village President, Larry Yandow, called the meeting to order at 7 p.m. and led the assemblage in the Pledge of Allegiance.

III. AGENDA ADDITIONS/CHANGES

There were no changes to the agenda.

IV. GUESTS/PRESENTATIONS

1. Public Comments on Items not on the Agenda

There were none.

2. Consideration of Public Parks General Regulation Amendment.

Mark Brislin, Assistant Recreation Director, discussed the proposed amendment to the Public Parks General Regulation to allow leased dogs. The dog owner will be responsible for keeping their animal on a lease and to clean up any mess made by their dog. If there are problems, the police will be called. There was discussion of treating Maple Street Park the same as other parks in the village (leashed dogs allowed), the liability of mixing dogs and children, dog messes on the fields, and enforcing the ordinance. It was mentioned recreation department employees may be able to be deputized to enforce the ordinance. Mark Brislin pointed out there is more liability exposure to the municipality if a sign is posted saying no dogs allowed and someone suffers a dog bite on the property. Deb Billado noted the park management is being gracious to allow dogs in the park and that is why there are dogs in the park. Ms. Billado said she would like the village to have an exclusive park for dogs so perhaps some of Maple Street Park could be converted to this. Also, there is concern about people not picking up their animal's droppings in the park, and children getting sick from the waste. Mr. Brislin stated receptacles with plastic bags for waste pick up will be installed throughout the park. Regarding a dog park, it is in the master plan. Tim Jerman suggested the Board could approve the amendment with the caveat staff report back on the situation after a year. Also, offenders must leave the park with the first warning. Dave Crawford agreed language indicating a sunset date and a footnote stating the concerns so expectations are clear should be added. The Trustees will want to know how the signs are working, control in the park, how the situation is managed by park employees, how offenders are handled, and police involvement so a judgment can be made regarding renewal.

MOTION by John Lajza, SECOND by Deb Billado, to table action on the proposed amendment to the Public Parks General Regulations to allow dogs in Maple Street Park until no later than the second Trustees meeting in March, 2008. VOTING: 4 ayes, 1 nay (Jerman); motion carried.

John Lajza suggested dog owners sign in at the gate so there is a record of the dogs in the park. A colored tape could be attached to the leash to visually show the dog has been registered to be in the park. Deb Billado stated dogs allowed in the park should be registered and up-to-date on all vaccinations. Village taxpayers support Maple Street Park, but it is used by residents countywide. It was noted no staff are on duty after 5 p.m. in April, May, and June. There is staff after 5 p.m. once the pool is open. Little League and soccer teams are in the park once the snow is gone. There was agreement a good plan should be in place so if there is a problem the matter can be handled properly. The ordinance amendment is not in effect until 60 days after adoption. It may be prudent to investigate how other communities handle dogs in their parks.

3. Consideration & Approval of VLCT Worker's Compensation Incentive Program. Chris LaBerge, VLCT senior loss control consultant, explained the pilot program to help municipalities with worker's compensation premiums and to bring municipalities more in compliance with VOSHA. Participants in the pilot program include Milton, Ludlow, Colchester, Essex Junction, Bennington, Rutland City, and Newport City. The pilot program will help in determining whether the scoring of a community is fair and what VLCT is asking municipalities to do is reasonable. If Essex Junction is involved it is hoped to reflect the hard work by department heads and management with loss control.

Dave Crawford mentioned the item is on the agenda because Morristown (former town managed by Mr. Crawford) was asked to participate and comments were made by Larry Yandow regarding retaining a loss prevention consultant.

4. Discussion and Action regarding Stormwater Issues.

Jim Jutras explained the five year memorandum of understanding to extend public education and outreach under the Smart Waterways Program. The education and outreach is working. People are aware of what is not to go into stormwater. A pre-survey and post-survey were done showing positive results. Also, there have been many hits on the website. The Village is partnering with the Governor's Clean and Clear Program for television infomercials and public outreach. The program is recognized nationally for having one common goal supported by many different institutions (13 communities with the same message).

5. Stormwater Permit Renewal.

Jim Jutras reported the notice of intent is ready for submittal in the stormwater management plan. The submittal is the same as last year and will meet stormwater requirements. Dave Crawford added the situation is dynamic relative to stormwater regulations. The Board needs to authorize staff to protect the Village's interests and sign documents as necessary. The Board will receive a report on matters.

MOTION by Larry Yandow, SECOND by Tim Jerman, to authorize the Village Manager to sign the Chittenden County Regional Stormwater Education Program Five Year Memorandum of Understanding and endorse the Village Manager's signing of the Five Year Stormwater permit application submitted February 21, 2008, and further, to direct that the Village Manager and the Water Quality Superintendent are authorized to sign documents that protect the Village's interests in managing village stormwater needs with the understanding that the Trustee be informed of actions taken. VOTING: 5 ayes; motion carried.

V. OLD BUSINESS

1. Appointment of Library Board Member(s).

MOTION by Peter Gustafson, SECOND by Deb Billado, to appoint Michael Goodrich to serve on the Brownell Library Board of Trustees until the April 2008 elections. VOTING: 5 ayes; motion carried.

VI. NEW BUSINESS

1. Adopt Warning for Annual Village Meeting.

MOTION by Deb Billado, SECOND by Peter Gustafson, to accept the warning of the Village of Essex Junction for April 2 & 3, 2008 as presented.

DISCUSSION: Tim Jerman mentioned emergency legislation to allow towns to warn their budgets in one overall number rather than breaking the budget down into increments this year. The legislation was precipitated by a court case where a town (Stowe) was sued for not breaking down the budget into increments.

VOTING: 5 ayes; motion carried.

VII. VILLAGE MANAGER'S REPORT

1. Verbal/Written Report.

Dave Crawford reported on the following:

- “get to know you” meetings with the community are going well.
- Pre-bid conference and bid opening is proceeding on the Five Corners redevelopment project. There have been discussions of creating a group to assist in getting information to businesses impacted by the Five Corners project. The possibility of creating a downtown business group has also been discussed.
- IBM has expressed an interest in being briefed on the Five Corners work because of their truck traffic (100 tractor trailer trucks per day).
- Some progress is being made with CVE. A meeting is scheduled on 2/28/08 at 10 a.m. at CVE.

The Board asked Dave Crawford to find out the percent of IBM truck traffic using River Road and Redmond Road to access the IBM facility.

VIII. TRUSTEES COMMENTS & CONCERNS/READING FILE

1. Reading List.

Tim Jerman mentioned the EBPA letter regarding the Memorial Day Parade on May 24, 2008 at 10 a.m. and the candlelight vigil on May 23, 2008 as well as the ADL student essay contest honoring veterans.

Village Annual Meeting and community dinner is Wednesday, April 2, 2008. Voting is April 3, 2008.

2. Board Member Comments.

Larry Yandow announced March 4, 2008 will be a day to remember and honor David Clark, a great legislator, Vermonter, and World War II veteran. Flags will be flown at half-mast. The impact of the recent loss of other legislators who offered a vast institutional memory of the state and the legislature was also mentioned.

Deb Billado reported testimony before the Government Operations Committee on the charter change by the Village of Essex Junction to the legislature is forthcoming. Deb Billado, John Lajza, and possibly Larry Yandow will attend. Tim Jerman is on the committee.

There was discussion of the budget presentation at the annual meeting. The consensus of the Board is to have several visuals for the public to view and copies of the Annual Report for reference. The annual report is in final review. The audio/visual department at the high school should be contacted to make sure the connections are ready for a power point presentation in the auditorium. Dave Crawford will contact Gary Moreau at the ADL Music Department about having the Select Choir sing at the meeting. Members of the Select Choir and their families are invited to the community dinner prior to the annual meeting.

IX. CONSENT AGENDA

1. Approve Minutes
2. Approval of Warrants
3. VLCT Leader Program – Letter of Intent
4. Approval of Village Newsletter

MOTION by Peter Gustafson, SECOND by Deb Billado, to approve the 2/12/08 Board of Trustees minutes as written. VOTING: 4 ayes, 1 abstention (Lajza); motion carried.

MOTION by Deb Billado, SECOND by John Lajza, to approve items 2, 3, and 4 on the Consent Agenda (warrants, VLCT Leader Program, Village newsletter). VOTING: 5 ayes; motion carried.

X. EXECUTIVE SESSION

1. Contractual Issues
2. Legal Issues

MOTION by Tim Jerman, SECOND by John Lajza, to convene Executive Session to discuss contractual and legal issues. VOTING: 5 ayes; motion carried.

Executive Session convened at 8:15 p.m.

MOTION by Tim Jerman, SECOND by Deb Billado, to adjourn Executive Session and reconvene the regular meeting. VOTING: 5 ayes; motion carried.

Executive Session was adjourned at 8:59 p.m.

XI. ADJOURNMENT

MOTION by Peter Gustafson, SECOND by John Lajza, to adjourn the meeting. VOTING: 5 ayes; motion carried.

The meeting was adjourned at 9 p.m.

RScty: M.E.Riordan