

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
April 22, 2008**

BOARD OF TRUSTEES: Larry Yandow (Village President); Deb Billado, John Lajza, George Tyler. (Peter Gustafson was absent.)
ADMINISTRATION: Dave Crawford, Village Manager.

I. CALL TO ORDER & 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.

II. AGENDA ADDITIONS/CHANGES

The agenda will be permanently amended to address comments from the public on items not on the agenda as the first item under "Guests/Presentations" and remove the reading list item under "Trustees Comments and Concerns/Reading File" as the item is for information only (no action).

III. GUESTS/PRESENTATIONS

1. Comments from Public on Items not on the Agenda

George Dunbar, III, village resident, inquired about the appointment of a third Trustee to the negotiating team with CVE and the meetings being open to the public. Larry Yandow explained the meetings will be open to the public and issues that can be discussed in open session will be handled that way. Some items (negotiations, contracts, legal matters) will be covered in Executive Session.

2. Update on Circ Highway EIS Status by VTrans

Ken Robie, VTrans Project Manager for the Circ Highway, updated the Trustees on the status of the Circ Highway EIS. Members of the Essex Selectboard (Irene Wrenner and Max Levy) were in attendance to hear the update. Ken Robie reported in August, 2007 the draft EIS went out for comment until November. Over 300 individual comment letters were received. The consultant is doing additional analysis and crafting responses presently (the document exceeds 800 pages thus far). In parallel to the EIS is the Corps. of Engineers 404 Water Quality Permit process. The EPA and U.S. Fish & Wildlife Department feel the Route 2A alternative has the least environmental impact, but there are many outstanding issues with the option. Federal Highway does not own Route 2A (and VTrans cannot take condemning authority away from the Village). Act 250 review and approval would be needed for the Route 2A alternative, and the project must comply with local and regional plans. Also, there are historic sites and park/recreation facilities on Route 2A in the village which are protected by federal policy [4(f) Evaluation]. Mr. Robie explained the categories of impact (adverse, de minimis, or no impact) and stated the Board of Trustees needs to affirm the impacts to Memorial Park at Five Corners by the Route 2A alternative are adverse, not de minimis. With the 502 process (public information process) the public has one year from the 502 hearing to hold a public vote on the project.

3. Discuss/Adopt Specific Responses on Various Route 2A Alternatives

John Lajza mentioned the survey done by Essex Junction which showed strong support of the A-B alternative, not the Route 2A alternative. Ken Robie stated the survey results will be included in a letter to the EPA. John Lajza urged Mr. Robie to speak to the Essex Police Chief and Essex Rescue about safety issues (local and regional) with the Route 2A option. It was noted Essex Junction will be spending up to \$1.5 million on improvements to Park Street and the surrounding Five Corners area, and many of the improvements relate to traffic calming, not trying to move traffic through faster. Susie Wilson Road and Five Corners are trouble areas for accidents. Ken Robie said the Park Street project was taken into account.

Dave Crawford suggested the resolution be amended to add the requirement that VTrans meets with emergency services. Also, with regard to the 4(f) Evaluation the resolution should indicate the Trustees concur with the points of understanding by VTrans as outlined by Ken Robie (in a letter to Dave Crawford, dated 4/22/08). The points are that the Route 2A alternative would adversely affect Memorial Park, the impact to Memorial Park is not de minimis relative to the effect of Alternatives 3, 19, 22, and 23, agreement with the summary of the meeting on 4/11/08, and agreement with the evaluation of impact on Memorial Park as adverse and as contained in the 4(f) Evaluation. The resolution should also mention the village survey results. Dave Crawford will redraft the resolution for Board review and adoption at the May 13th meeting.

There was further discussion of the process to select an alternative, information that is included in the EIS, and acceptance by FHWA (Federal Highway). John Lajza emphasized the importance of the safety component and the need for priority consideration of the matter. The Circ Highway project will cost \$80 million so it should be done correctly. An alternate highway with a bridge is needed (not adjustment to an existing road), and for the future, all segments of the Circ Highway need to be built, even if just for the safety point of view of being able to get emergency vehicles and mutual aid quickly to a site and not bogged down in traffic. Ken Robie stated the safety analysis did look at accidents quantitatively. The qualitative portion of the equation will be worked into the process. Deb Billado stated there is a quality of life issue with running a highway through the village. The road will effectively split the village in two. There is impact on the commercial district, homes on Park Street, the historic downtown, increase in the probability of conflicts with school children going to/from school, increase in the potential for pedestrian and car accidents, and impact on the \$1.5 million being spent on improvements implemented by the village for traffic calming and increased accessibility to businesses on Park Street. Ken Robie commented cultural resources and impact on neighborhoods is taken into consideration in the analysis.

There was brief discussion of roundabouts. The Board expressed their unanimous opposition to a roundabout at Five Corners, noting the village does not want more through traffic, but rather wants destination traffic. There is concern about pedestrian safety with roundabouts. Ken Robie stated roundabouts do work in the right location.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

None.

VI. VILLAGE MANAGER'S REPORT**1. Verbal/Written Report**

Dave Crawford reported the following:

- April 30, 2008 is the Board retreat to commence at 6 p.m.
- May 13th agenda items include Regional Planning, CVE noise agreement, VTrans resolution on Route 2A alternative, and the five year plan for the library. Discussion of the library plan may have to be postponed until the next meeting.
- There is a legislative alert from VLCT regarding state budget frustrations, the PILOT program, and the erosion of highway money.
- Five Corners improvement project is slated to begin next week. Public notices will be sent to the newspaper and there is a sign posted in front of Lincoln Hall to alert motorists.
- Michelle Ottaviano is not able to facilitate the downtown group as proposed at the last meeting.
- Replacement of the municipal underground fuel tanks with above ground tanks is being investigated. The buried tanks will be removed.

VII. TRUSTEES COMMENTS & CONCERNS**1. Board Member Comments**

None.

VIII. CONSENT AGENDA

1. Approve Minutes of Previous Meeting (4/2/08, 4/8/08, & 4/14/08)
2. Approval of the Warrants
3. Street Vending Permit

MOTION by John Lajza, SECOND by George Tyler, to accept the consent agenda as presented. VOTING: 4 ayes; motion carried.

IX. EXECUTIVE SESSION

1. Contractual Issues
2. Legal Issues
3. Personnel Issues

MOTION by John Lajza, SECOND by George Tyler, to go into Executive Session to discuss contracts and legal matters. VOTING: 4 ayes; motion carried.

The Board entered Executive Session at 8:15 p.m.

MOTION by John Lajza, SECOND by George Tyler, to adjourn Executive Session and reconvene the regular meeting. VOTING: 4 ayes; motion carried.

Executive Session was adjourned at 10:14 p.m.

X. ADJOURNMENT

MOTION by John Lajza, SECOND by Deb Billado, to adjourn the meeting. VOTING: 4 ayes; motion carried.

The meeting was adjourned at 10:15 p.m.

RScty: M.E.Riordan