

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
May 13, 2008**

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

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**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**

Add under 'New Business, Item #2': Discussion of the name of the skate park at Maple Street Park.

**III. GUESTS/PRESENTATIONS**

1. Noise Agreement with Champlain Valley Exposition (CVE)  
Changes in Appendix A relative to administrative procedures with monitoring and recording noise levels were reviewed. There will be a third party to do the testing (New England Air Quality Testing [NEAQT]). The Village will bill CVE for the cost of the testing with exceptions as noted in the agreement (i.e. if the Village wants more services from the tester outside of the items detailed in the agreement). Seven events will be monitored for this season and subsequent seasons through 2011. Dave Grimm, CVE General Manager, confirmed the annual meeting with abutting property owners to be held by mid-June. The Village will be informed and can send a representative to attend the meeting. Mr. Grimm noted an eighth event has been added to the list of events to be monitored. The Vermont Firefighters Association concert on 5/17/08 will be used as a test case for monitoring. An event that appears should be monitored can be discussed, stated Mr. Grimm.

**PUBLIC COMMENT**

Chris Chiquoine, Prospect Street, asked about the data reduction item and reports to be generated by NEAQT. Dave Crawford explained computer printouts of recordings on a time table will be provided by the tester. Mr. Crawford described an example of testing at different locations on the fairgrounds and variables such as wind, humidity, temperature that impact noise levels. Dave Grimm stated CVE is looking at types and volume. CVE wants to have a successful event within responsible bounds and eliminate problems by looking at who is booked for shows. Chris Chiquoine mentioned the tractor pull event (all day event) to be monitored for only two hours. Dave Crawford stated the tractor pull is a waiver event so the Village knows the event being granted a waiver. John Lajza said he wrestled with the tractor pull because the event has been held at the fairgrounds for years and is very popular (draws a large crowd). The Village is trying to work together with CVE. Mr. Chiquoine mentioned the Monster Truck event which is fairly new at the fairgrounds, very successful, and very noisy, expressing concern there will be other such

events. John Lajza stated the dilemma is CVE has an expansion program that includes a new grandstand to reduce noise, but successful events have to be held in order to build up gains to be able to execute the plan. The Trustees must decide for the majority of the community. CVE and the Trustees are trying to determine the events that are reasonable and the impact on people. The testing will hopefully provide data to make good decisions in the future. Tom Oddy, CVE, added CVE is working on retooling events with sensitivity to noise. There has been discussion of not doing the mud drag portion of the Monster Truck event and having a boulder climb instead. Deb Billado stated collectively and in concert the Trustees are working with CVE and the public to resolve the issues. Everyone wants to work and live together and have the same goals. John Lajza noted the results of the testing will be reviewed and discussed on an on-going basis. Chris Chiquoine expressed concern the testing results are between NEAQT and CVE. Dave Crawford assured the Village will receive the information. NEAQT is working for the Village. The agreement is with the Village. CVE will reimburse the Village for costs incurred for the testing. Chris Chiquoine asked about events outside of those on the list to be monitored and if there is a noise problem (i.e. a ride with a siren or “Soak-the-Blake”). Dave Crawford stated the issue can be discussed with CVE at the upcoming neighborhood meeting. CVE has noise monitors. Mr. Crawford expressed confidence CVE will handle any problems. There is a link between the police dispatcher and officers at the fairgrounds so attention to a problem can occur right away. Citizens can always call the Village Office as well. The Village wants to be proactive with CVE and vice versa. Larry Yandow stated Pat Reithhoffer can be contacted about noisy rides. Chris Chiquoine stated his concern is the chain of communication has been loose in the past. Dave Grimm stressed CVE reacts to all calls and tries to be proactive. CVE is listening to comments from citizens. Dave Crawford agreed further work can be done on the protocol between CVE, the police, and the Village in handling complaints received during events. Assurances were expressed and the desire by all parties to work together on resolving the issues was reiterated.

There was discussion of the height level of the sound monitoring. Chris Chiquoine suggested eight feet high to avoid dampening of the sound by people in the area. Dave Crawford pointed out an outside expert has been hired to provide advice. If there is reason to consider a different monitoring height this will be done. Matt Stevens, CVE, stated the monitoring of noise is actually about 10’ or 12’ above the event, but due to the lay of the land the monitoring takes place at a height of six feet above the ground. Dave Crawford added it has been discussed at some point to do monitoring off premise and correlate with readings taken on the fairgrounds.

There were no further comments.

**MOTION by Deb Billado, SECOND by John Lajza, to accept the Noise Indemnification Agreement between Champlain Valley Exposition, Inc. and the Village of Essex Junction for Champlain Valley Exposition events, and to authorize the Village Manager to sign the agreement on behalf of the Board of Trustees and the Village of Essex Junction. VOTING: 4 ayes [Peter Gustafson not present for vote]; motion carried.**

Matt Stevens noted the CVE Board of Directors will not sign the agreement until the document is presented and reviewed by the full board at the next meeting. It is hoped the same resolution will result. Dave Crawford will draft a letter to CVE based on the items discussed, including the amendment process, protocol details on monitoring/continuing review, and sending the agreement for signing.

2. Comments from Public on Items not on Agenda  
None.

#### **IV. OLD BUSINESS**

1. Resolution regarding Circumferential Highway EIS

Dave Crawford commended all parties involved in drafting the resolution which reiterated concerns about the Route 2A Alternate as an alternative to the circumferential highway route. The Village opposes use of Route 2A as an alternative and coming through Five Corners. The new circumferential highway is in conformance with the village and town plans. Also, the Village is making improvements to Five Corners based on the new route of the circumferential highway. The Village also opposes a rotary (roundabout) at Five Corners. The Route 2A Alternate will negatively impact residences and businesses, be detrimental to the Park Street School, historic structures in the downtown area, and safety overall. The new route of the circumferential highway will improve the quality of life for village residents. The residents strongly support the new route which enhances regional emergency management and significantly reduces vehicle emissions in the Five Corners area.

**MOTION by John Lajza, SECOND by George Tyler, to accept the resolution to send to VTrans in relation to the Circumferential Highway as planned rather than the alternative (Route 2A). VOTING: 4 ayes [Peter Gustafson not present for vote]; motion carried.**

Dave Crawford noted Peter Gustafson indicated his support of the resolution prior to the meeting. The Board signed the resolution.

#### **V. NEW BUSINESS**

1. Discussion of Dog Park Issue

Deb Billado updated the Board on progress to date in locating a dog park in the village. The committee to establish a dog park will be meeting on 5/15/08. Ms. Billado volunteered to serve on the committee and submitted a draft conceptual plan for consideration and comment by the Board. A copy will be provided to Brad Luck, Recreation Director. Based on informal research there are two dog parks in Chittenden County (Burlington water front and Starr Farm). Burlington Parks Dept. advises one acre is adequate space for a dog park. Ms. Billado's conceptual plan includes one acre of fenced land and up to 12 parking spaces. There are four potential sites identified in the village. Signs will be needed at the park stating the rules and requirements. An ordinance needs to be drafted and adopted. Ms. Billado's draft plan includes information on costs

and fund raising ideas. It is hoped the dog park might be established and operating within a couple of months.

Ms. Billado also volunteered to replace Tim Jerman on the Recreation Advisory Committee as the liaison to the Board of Trustees

## 2. Discussion of Name of Skate Park at Maple Street Park

John Lajza suggested as a baseline the names of parks in the village should be non-confrontational and define where and what the park is. For example: “Maple Street Park Skate Park”. There may be incidents when a name is created as a memorial, but that should only be granted by the Board of Trustees.

**MOTION by John Lajza, SECOND by George Tyler, as parks in the village are improved with a new function to be named the name shall incorporate the park name (for example, Maple Street Park Skate Park), and further, the name(s) in general must be approved by the Board of Trustees.**

**DISCUSSION: Brad Luck noted the Prudential Committee has a process for naming and dedicating fields, and that is the process Parks and Recreation uses. John Lajza suggested the Trustees discuss the matter with the Prudential Committee. George Tyler agreed, noting there are other implications besides naming the dog park. The Board wanted to thoroughly consider and discuss the matter.**

**MOTION WITHDRAWN PRIOR TO VOTE.**

Brad Luck will advise the Skate Park Committee on 5/14/08 to contact the Village Manager and request being included on the Trustees next meeting agenda. George Tyler volunteered to attend the meeting on 5/14/08 to discuss the matter with the committee.

## **VI. VILLAGE MANAGER’S REPORT**

### 1. Schedule

The Board reviewed the meeting schedule and agenda items for May 27, 2008. The presentation by IBM may be postponed to a later date. There may be need for a short special meeting in June to set the tax rate unless the rate is set at the June 10<sup>th</sup> regular meeting. Board retreat is June 5, 2008 beginning at 5 p.m. June 24<sup>th</sup> regular Trustees meeting rescheduled to June 17<sup>th</sup>. If the tax rate is not set on June 10<sup>th</sup>, then the Board will set the rate at the June 17<sup>th</sup> meeting.

### 2. Verbal/Written Report

- Dave Crawford reported he was interviewed on Channel 17 as the new Essex Junction Village Manager.
- Five Corners improvement project is progressing well, on schedule and budget. Recent add-ons for a control box and bases for eight ornamental light poles between the railroad crossings on Park Street will be authorized. The cost of eight poles is \$40,000. Funds may be realized if there are savings in other areas of the project.

- Complaint about a high water bill was received and investigated. The meter was tested and found to be in order. An appeal may be filed by the property owner to the Board of Trustees.
- A sprinkler system in the lawn by Lincoln Hall is being researched. Public Works will install the system.
- Vacancies on village boards, commissions, and committees include the following (there are letters of interest for the vacancies):
  - Planning Commission – one three-year term
  - Zoning Board – two three-year terms
  - MPO – primary and alternate positions
  - CSWD – primary (John Lajza is the current appointee)

## **VII. TRUSTEES COMMENTS & CONCERNS**

### **1. Board Member Comments**

John Lajza stated he wanted to raise the issue of the need for protocol in naming facilities (parks and such) in the village.

Larry Yandow mentioned the traffic light at the intersection of Main Street/Crestview Drive is not operating correctly. The left turn arrow goes on even if a car is not in the turn lane.

## **VIII. CONSENT AGENDA**

1. Approve Minutes of Previous Meetings (4/18/08, 4/22/08, & 4/30/08)
2. Approval Bill List of 5/13/08
3. Accept Reading List (letters & communications)
  - Notice of Public Hearing to Review FY2009 Unified Planning Work Program
  - Essex Junction Redevelopment Project – Information Sheet and Public Notice
  - CCMPO Letter re: Resignation of D. Scott Johnstone, Executive Director
  - CCRPC Letter re: hiring of Charles Baker as Executive Director
  - Essex Junction Planning Commission Minutes of 4/17/08
  - Letter from Donna Sweaney, Chairwoman, House Government Operations Committee, re: H.643 (Essex Junction Charter Bill)
  - Street Banner Applications by CVE for Circus Smirkus, Champlain Valley Fair, Street Rods, and All Sports Show
  - Approval of FY09 Rolling Stock Purchases
  - Authorize Transfer to Wastewater Capital Reserve
  - Reappointment of CSWD Representative

**MOTION by Peter Gustafson, SECOND by Deb Billado, to approve the consent agenda as presented.**

**DISCUSSION: Dave Crawford mentioned the rescue truck is ready for trade. The engine truck will be held for trade at a later date.**

**VOTING: 5 ayes; motion carried.**

## **IX. EXECUTIVE SESSION**

### **1. Contractual Issues**

2. Legal Issues
3. Personnel Issues

**MOTION by Peter Gustafson, SECOND by Deb Billado, to go into Executive Session to discuss contracts, legal, and/or personnel matters. VOTING: 5 ayes; motion carried.**

The Board entered Executive Session at 8:50 p.m.

**MOTION by John Lajza, SECOND by George Tyler, to adjourn Executive Session and reconvene the regular meeting. VOTING: 5 ayes; motion carried.**

Executive Session was adjourned at 9:58 p.m.

**X. ADJOURNMENT**

**MOTION by John Lajza, SECOND by Deb Billado, to adjourn the meeting. VOTING: 5 ayes; motion carried.**

The meeting was adjourned at 10 p.m.

*RScty: M.E.Riordan*