

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
July 8, 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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**EXECUTIVE SESSION**

The Board met in Executive Session prior to the regular meeting to interview candidate(s) for the vacancy on the Brownell Library Board of Trustees.

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

Prior to the arrival of Village President Yandow, Trustee Billado called the regular meeting to order at 7 p.m. and led the assemblage in the Pledge of Allegiance.

**II. AGENDA ADDITIONS/CHANGES**

Add to Consent Agenda:

- Approval of noise waiver for fireworks on 7/11/08 at Maple Street Park
- Approval of process for sale of pumper engine

Add to Trustees Reading File:

- Information on noise monitoring during the Cancer Society's relay event on 6/20/08 at the fairgrounds
- Letter from the Prudential Committee regarding RecPAC
- Notice of an open house on 7/28/08 to say farewell to Jeff Arango

**MOTION by Peter Gustafson, SECOND by George Tyler, to add approval of the noise waiver for fireworks on 7/11/08 at Maple Street Park and approval of the process for sale of the pumper engine to the Consent Agenda. VOTING: 4 ayes [Larry Yandow not present for vote]; motion carried.**

**III. GUESTS/PRESENTATIONS**

1. Petition/Proposal from Residents to Purchase Land for Park

Priscilla Kimberly, Woods End Drive, requested the Board work to purchase the upper portion of 216 Maple Street for a village woodland park. Some of the area is identified in the Comprehensive Plan as a significant natural community, said Ms. Kimberly. The land is owned by the Bouffard family as was the land where houses exist today on Woods End Drive and the surrounding neighborhoods. Many people in the area neighborhoods use the land for walking, jogging, biking, and dog walking. The land is used for the health, well being, and quality of life for residents in this portion of the village. Ms. Kimberly asked the Board to determine the fair market value of the property and make an offer to the Bouffard family. The land was previously assessed at \$278,000.

Dave Crawford noted the parcel is under development and has been through conceptual approval with the Planning Commission. There are no particular parcels targeted for park land in the village. Parks & Recreation and the school department maintain the existing parks in the village. The Board needs to determine a value for the parcel under discussion and determine if the land is wanted by the village then a public meeting and vote on the purchase must be held and arrangements made to have a purchase and sales agreement with the seller subject to approval by the voters.

George Tyler asked if the Bouffard family has been approached by any individuals in the neighborhoods regarding purchase of the land. Priscilla Kimberly said she asked Michael Bouffard for a sales figure for the land and also spoke to one of the developers. Trustee Tyler observed these are tight fiscal times facing the village and it is assumed the cost of the land would be great based on the scale of the development currently under review by the Planning Commission (a significant number of homes are slated to be built on the land). Unless the land owner allows the village to acquire the property for a small amount of money, Mr. Tyler questioned how the expenditure of so much money for the land would be explained to the taxpayers.

Deb Billado asked about access to the parcel. Ms. Kimberly noted the Bouffard family has been generous and allowed use of the land which can be accessed at the top of Woods End Drive, Briar Lane, Kiln Road, or Forest Road (or from Maple Street at the base of the hill or the power lines through the property). Ms. Billado asked about a road for a park. It was noted the land is adjacent to the sidewalk on Woods End Drive so an access road is not necessary.

Jerry Lasky, Woods End Drive, reiterated the land was assessed at \$278,000 for the lower portion of the property. Some of the neighbors are willing to contribute funding, but help from the village overall would be needed to purchase the property.

Dick Bouffard clarified the Bouffard family did not own the land where houses exist today (Woods End Drive and surrounding neighborhoods). Mr. Bouffard said he was the developer of that housing development and he purchased the land himself. The effort to have the village purchase the Bouffard property is after the fact. There is a sales agreement with the developer and the property is in the approval process for development. There is a site plan and much money has already been invested in engineering. The cost of the property at a minimum would be \$1.2 million. The land has been used for over 60 years by the people in the neighborhoods and no one in that time has approached the family to make an official offer to purchase the land or help pay taxes. Priscilla Kimberly interjected she has written to the Bouffard family three times in the last eight years regarding selling the property, but has not once received a reply. Dick Bouffard explained his siblings have held title to the land for the past 30 years, but while their father was still living in the house they agreed not to entertain any plans for the land. When their father passed away about a year ago, plans were put into place for the land.

Priscilla Kimberly spoke about the multiple references in the Comprehensive Plan to quality of life, walking aspects of the village, and unique parts of the community needing

to be preserved before they are lost. Ms. Kimberly emphasized this parcel is one of the unique parts of the community that should be preserved. The character of the neighborhood will change dramatically with the proposed development, continued Ms. Kimberly, and the Comprehensive Plan supports areas for passive recreation. The Bouffard parcel is the ideal location for this. Trustee Billado stressed the financial challenge to take on the purchase of park land at this time for the expected cost over a million dollars. The land is private property and the owners have indicated they are not interested in giving the land to the village for a park. John Lajza asked if there are any alternatives that may be more affordable, and suggested a committee be formed to explore the matter. Dick Bouffard stated the proposal for development before the Planning Commission includes lots of green space on the perimeter of the development. The middle portion and hillside are being preserved as are the trails. Mr. Bouffard questioned how the residents in the neighborhoods will feel with a parking lot built for other residents to use the area as a park. Mr. Bouffard felt the request to purchase the land for a park is a scheme by the area neighbors to serve their neighborhoods, not the entire village.

George Tyler urged all the residents to stay engaged in the process, be civil and honest. The estimated sale price of the property at \$1.2 million is nearly 70% of the annual budget for the village. This would be a difficult obstacle to overcome.

Mike Bottamini, Briar Lane, asked if the Board does a site visit when a request is received to purchase land rather than simply referring to a map. Deb Billado said she has not visited this particular parcel, but has done site visits in the past to investigate issues. Ms. Billado said she has been on Maple Street Extension at times, and will make a visit to the land under discussion. It was noted other Trustees have been on the Bouffard's land.

Dave Crawford noted it is unusual for residents to request a land parcel be purchased after it is under development review by the Planning Commission. The Trustees can take a position on any application before the Planning Commission to state an opinion as a public body. An opinion has been expressed via adoption of the Comprehensive Plan and the zoning ordinance which is implemented by the Planning Commission.

**MOTION by Deb Billado, SECOND by George Tyler, to table action on the proposal to purchase the Bouffard property at 216 Maple Street pending further investigation and discussion by the Board of Trustees.**

**DISCUSSION:** It was noted an estimated purchase price was stated by the property owner (\$1.2 million). The Board of Trustees does not object to a park, but the cost is prohibitive. The question is whether there are other alternatives. The Comprehensive Plan talks of open space, but there is the reality of what actually happens (i.e. development). The Board wants to hold further discussion at a future time and do a site visit. Everyone is urged to stay engaged, keep lines of communication open, and to remain civil in dealing with these matters. There was mention of the project going through

**Act 250 review and an old map possibly showing some of the land parcel in the Town of Essex.**

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

2. Comments from Public on Items not on Agenda

George Dunbar, III, Juniper Ridge Road, asked for an update on the negotiations with CVE relative to payment in lieu of taxes. Dave Crawford said meeting times have been requested with CVE. There have not been meetings on the topic as yet. John Lajza stated the noise issue has been handled and there is a noise agreement in place. Another committee is being created to discuss how to deal with the tax issue.

**IV. OLD BUSINESS**

1. Pearl Street Water Line Extension

Dave Crawford reported the Trustees granted a waiver allowing the existing four inch water line to remain with the condition the revised plans for water connection by Mr. Handy be approved by the Village Engineer and staff prior to construction and the work be done by 12/31/08. Mr. Handy understands and agrees with the conditions.

**MOTION by John Lajza, SECOND by George Tyler, to approve the draft letter to Gabe and Diane Handy, dated 7/9/08, regarding the waiver granted by the Board of Trustees on 7/8/08 relative to maintaining the existing four inch water main with the condition the revised plans shall be approved by the Village Engineer and staff prior to construction and construction of the approved water line shall be complete by 12/31/08.**

**DISCUSSION: The need to clarify the ordinance to avoid the confusion that those served by the water line will be connected at the developer's expense was noted. Peter Gustafson acknowledged Mr. Handy's frustration about the matter and the clarification by Richard Hamlin, Village Engineer, which helped keep the project moving forward. John Lajza stated opening a major highway for a tap that may not be needed is a waste and would cause much inconvenience to the public. There was much unnecessary expense applied to the developer in this case.**

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

**V. NEW BUSINESS**

1. Consider Authorizing Village Manager to Bid Reconstruction of Taft Street

Rick Hamlin, Village Engineer, reviewed options for the reconstruction of Taft Street and associated costs. Two options (H and I) seem to be the most viable. Option H includes a 28' wide street with full depth reconstruction with curbs and drainage (cost of \$317,000). Public Works will do the removal work. Option I is a 24' wide street with full depth reconstruction and no curbs (cost of \$275,000). Public Works will do the removal work under this option as well. Construction cost difference between Option H and I is \$45,000. The cost of services from Public Works is \$12,445. Mr. Hamlin suggested the project design and plans be the base project bid and removal of the sidewalk, installation of a new sidewalk on one side of the street, and reconstruction of the cul-de-sac be add-

ons to the base project. Contractors are still seeking work even at this point in the construction season and bids are very reasonable.

**MOTION by John Lajza, SECOND by Peter Gustafson, to accept the recommendation for Option H for Taft Street and to go out to bid with identified petitionings for further acceptance/rejection for the total estimated project cost of \$317,536.65.**

**DISCUSSION:** There was general discussion of the cul-de-sac and the potential for the school district to extend the road in the future. The curbing around the cul-de-sac will look different from the rest of the street if the cul-de-sac is not reconstructed. Engineering plans for the street are 90% complete, but will have to be modified to reflect a 28' wide street rather than a 30' wide street. The timing to go out to bid is good for the village since contractors are still looking for work (not a good sign of the status of the economy though).

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

The Board asked about the downtown redevelopment project (Five Corners). Rick Hamlin reported the contractor is ahead of schedule. There have been some traffic delays due to the train (but blamed on the highway project) and some delays due to the project (at times it has been necessary to have only one lane open for traffic). The work crew has maintained traffic flow into/out of area businesses. Not many complaints have been received by the Village Manager. Dave Crawford noted there are some unfunded items associated with the project, including five change orders, additional street lights, and a Single Audit. The Board asked about the traffic lights. Mr. Hamlin stated the mast arms, poles, and lights will likely be the last items done. Peter Gustafson asked about the steel grates at the base of the street trees. Mr. Hamlin explained the steel grates provide a walking surface and allow water and air to get to the tree base. As the tree grows, the opening in the grate can be enlarged.

## **VI. VILLAGE MANAGER'S REPORT**

### **1. Verbal/Written Report**

Dave Crawford reported the water line at Five Corners has been replaced and is now at the appropriate depth. There is an open house to say goodbye to Jeff Arango on 7/28/08. All are invited.

### **2. Trustees Meeting Schedule**

Special Meeting on 7/15/08: Executive Session at 5 p.m. followed by a work session.

Regular Meeting on 7/22/08: Presentation on how IBM fits into the world economy

Regular Meeting on 8/12/08: Presentation by Vermont Rural Development

Special Meeting on 8/19/08

Regular Meeting on 8/26/08

## **VII. TRUSTEES COMMENTS/CONCERNS**

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

- Larry Yandow observed the fireworks slated for 7/11/08 are to make up for the malfunction that occurred on July 4<sup>th</sup>. Trustee Yandow suggested the 4<sup>th</sup> of July fireworks display return to the high school or fairgrounds next year to avoid the parking and traffic issues that were experienced this year with the fireworks being held at Maple Street Park (cars were parked on both sides of streets effectively blocking the streets from access by emergency vehicles).
- George Tyler suggested there be discussion at some point in the near future of next steps for economic development in the village as mentioned by Bill Niquette. (Mr. Niquette suggested a community committee be formed to push economic development.)
- **MOTION by Deb Billado, SECOND by George Tyler, to add to the agenda the appointment to the Brownell Library Board of Trustees, and further, that Todd Logan be appointed to complete the unexpired term on the Brownell Library Board of Trustees. VOTING: 4 ayes, 1 abstention (Yandow); motion carried.**

#### **VIII. CONSENT AGENDA & READING FILE**

**MOTION by Peter Gustafson, SECOND by Deb Billado, to approve the consent agenda as follows:**

1. Approve minutes of 6/5/08 and 6/10/08
  2. Approve warrants (6/24/08 & 6/30/08)
  3. Trustees policy re: memorials and naming
  4. Approve response letter to Prudential Committee
  5. Authorize Village Manager to sign promissory note and security agreement for municipal equipment loan (rescue/pumper)
  6. Request from Intervale Compost Products for abatement of late penalty
  7. Approval of Summit Street neighborhood block party application
  8. Reading list acceptance (letters/communications)
    - Letter and resolution to Prudential Committee re: Park Street School
    - Letter to Sandy Willey re: village gardens
    - Letter from CVE to neighbors re: 6/17/08 meeting
    - Letter to IBM re: water agreement extension
    - Route 15 corridor draft final plan from CCMPO
    - Public hearing notice re: proposed FY09-12 TIP
    - Letter from GBIC re: CEDS update
    - Poster for 7<sup>th</sup> Annual Block Party & Street Dance/1<sup>st</sup> Annual Block Party Fun Run
    - Information on education tax rates for FY09 from Vermont Dept. of Taxes
  9. Approval (via telephone vote) of noise waiver for fireworks at Maple Street Park on 7/11/08
  10. Approval of process for sale of pumper engine
- VOTING: 5 ayes; motion carried.**

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Dave Crawford briefed the Board on the status of the pumper/rescue equipment (old and new).

**IX. EXECUTIVE SESSION and/or ADJOURNMENT**

**MOTION by Larry Yandow, SECOND by George Tyler, to go into Executive Session. VOTING: 5 ayes; motion carried.**

The Board entered Executive Session at 8:30 p.m.

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

Executive Session and the regular meeting were adjourned at 9:30 p.m.

*RScty: M.E.Riordan*