

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
December 2, 2008**

MEMBERS PRESENT: Larry Yandow (Village President); George Tyler, Peter Gustafson, Deb Billado. (John Lajza was absent.)

ADMINISTRATION: Dave Crawford, Village Manager.

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, Larry Yandow, called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance.

II. AGENDA ADDITIONS/PRESENTATIONS

Addition to Agenda:

- Discussion of Local Options Tax by Town of Essex under "New Business".
- Approval of sign at 39 Lincoln Street under "Consent Agenda."
- Amend minutes of 11/10/08 with approval under "Consent Agenda".

III. GUESTS/PRESENTATIONS

1. Request for Hash Marks at 10-12 Pearl Street

Owen Jenkins presented his request for hash marks on Pearl Street to denote a no stopping area in the east bound lane in front of his law office at 10-12 Pearl Street. The hash marks will facilitate ingress/egress from the driveway. Mr. Jenkins offered to pay the associated expense. In response to a question about liability, Mr. Jenkins noted there are hash marks at intersections and crosswalks throughout the village already.

Deb Billado disclosed her attorney/client relationship with Mr. Jenkins. Ms. Billado noted the Village Engineer did not have a problem with the request for the hash marks. There are three contiguous commercial properties that share their driveways which are all in close proximity to Five Corners. Patrons of Chittenden Bank typically ignore the "No Turn" sign on Pearl Street and turn into the bank parking lot from Pearl Street and this tends to back up traffic.

Dave Crawford mentioned the Board is not creating an ordinance so at some point in the future the Board can revoke the approval if necessary.

2. Comments from Public on Items not on Agenda

There were no comments from the public.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Amendment of Street Marking Policy (Hash Marks on Pearl Street)

MOTION by Deb Billado, SECOND by Peter Gustafson, to approve the amendment to the Street Marking Policy (Section 3 – Hash Marks) as presented. VOTING: 4 ayes; motion carried.

2. Local Options Tax by Town of Essex

Dave Crawford reported there has been discussion of establishing a local options tax (sales entertainment tax). The Essex Selectboard is moving forward to hold a public vote on the matter in March 2009. A letter on behalf of the Village to Alan Nye, Chairman of the Essex Selectboard, notes support by the Trustees of the idea provided there is a 50/50 split of revenue after the state's portion is paid. The letter also mentions concern about the potential adverse impact on local businesses by Lowe's Home Center on Susie Wilson Road. The effort by the Essex Selectboard to inform the Village and the invitation to work together was acknowledged. The Trustees authorized Dave Crawford to work with Pat Scheidel (Essex Town Manager) on the formal announcement of the vote, the schedule of meetings with the public and local businesses, and the contract agreement on the 50/50 split. Dave Crawford noted the announcement has already been made and the agreement drafted. Some further discussion and reflection is needed on the agreement. Informational meetings with the business community and general public will be scheduled. The local options tax is a tax relief program for citizens. The funds could be used for capital improvements and economic development. Essex and Essex Junction are surrounded by towns that already have a 1% sales tax in place.

George Tyler gave tentative support of the concept until reviewing the terms of the contract (time line, time horizon, nullification by one or both parties, and such). There is concern about the impact of the large home center store. Additional tax revenue could be directed toward improving the business environment in the community. The Board concurred. Deb Billado spoke in support of gathering and presenting information on the tax to the taxpayers and supporting what the taxpayers decide. People should have the opportunity to see the benefits of a local options tax, stated Trustee Billado.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

December 9, 2008 – Regular Meeting

December 18, 2008 – Budget Work Session

January 13, 2009 – Regular Meeting

January 27, 2009 – Regular Meeting

2. Update on Pearl Street Improvements

A meeting with VTrans was held to discuss paving on Pearl Street as part of the Pearl Street Improvement Project. VTrans will entertain a change order to their paving plan. The Village Engineer will communicate with VTrans on this matter. The process of the Village taking over Pearl Street from the state was briefly reviewed. Once Pearl Street is under Village jurisdiction the lane layout can be redone as desired. George Tyler suggested VTrans meet with the Trustees in January to discuss the project.

3. CCMPO Meeting with the TAC

The Village requested \$60,000 for the Pearl Street study and to better define the ideas presented in the Pearl Street initiative. The Village was awarded \$50,000 by the TAC.

4. Federal Stimulus Package

The Board was urged to authorize the Village Manager to contact the staff of the Congressional delegation regarding the stimulus package. A simple formula based on population and unemployment by county should be applied and the money should go directly to local government, not state government. The funds should be spent to create jobs and to get work under contract by a date certain. Larry Yandow mentioned there has been suggestion of eliminating the local match requirement. By consensus the Board supported having Dave Crawford contact the staff of the Congressional delegation to discuss the stimulus program and apply a simple formula that sends the money directly to local government.

5. Meeting with Central Street Residents

Concerns from residents on Central Street were heard by the police and Village staff. The citizens are interested in initiatives.

6. Local Business Group

The Local Business Group is interested in developing local advertising. A radio ad has been drafted to inform people of what Essex Junction has to offer and urge them to visit. George Tyler suggested the effort be coordinated with information on the Village website.

7. Fire Dept. Responses

Responses continue to be up by the volunteer firefighters. Expenses for manpower have correspondingly increased.

8. Meeting with South Burlington Legislators

Problems of mutual interest were discussed with the legislators from South Burlington. The Trustees will review the Village's legislative priorities at the 12/9/08 meeting.

VII. TRUSTEES COMMENTS & CONCERNS

- Larry Yandow mentioned it appears Papa John's Pizza on Main Street is closed.
- There is pressure on Essex and Essex Junction by surrounding towns that already have a local options tax (Burlington, South Burlington, Williston, Colchester).

VIII. CONSENT AGENDA & READING FILE

MOTION by Peter Gustafson, SECOND by Deb Billado, to approve the consent agenda with the following items:

1. Minutes of 11/10/08 approved with the following amendments:
 - Add the following text under item I.: "They went into executive session regarding a real estate matter at 6:17 p.m. and returned to open session at 6:35 p.m. No action was taken."
 - Correct spelling of Mr. Melone's name.
2. Approval of Minutes of 11/18/08 meeting as presented.

3. **Approval of Warrants**
4. **Acceptance of Reading List (letters/correspondence)**
 - **CCRPC Meeting Agenda and Minutes**
 - **Legal Ads Policy**
 - **Letter from Dubois & King, Inc. re: Second Stimulus Package**
 - **Planning Commission Minutes (11/20/08)**

VOTING: 4 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by Larry Yandow, **SECOND** by George Tyler, to convene Executive Session to discuss legal, contractual, and/or personnel issues, and to invite the Village Manager to attend. **VOTING: 4 ayes; motion carried.**

Executive Session was convened at 7:40 p.m.

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

Executive Session was adjourned at 9:43 p.m.

X. ADJOURNMENT

MOTION by Peter Gustafson, **SECOND** by Deb Billado, to adjourn the meeting. **VOTING: 4 ayes; motion carried.**

The meeting was adjourned at 9:45 p.m.

RScty: MRiordan