

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
January 13, 2009**

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

ADMINISTRATION: Dave Crawford, Village Manager.

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

MOTION by John Lajza, **SECOND** by George Tyler, to appoint Trustee Deb Billado to assume the duties of chairperson in the absence of Village President, Larry Yandow. **VOTING:** 4 ayes; motion carried.

Deb Billado called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance. Best wishes were extended to Larry Yandow who is in the hospital.

II. AGENDA ADDITIONS/CHANGES

Add to consent agenda:

- Approval to authorize Village Manager to enter into agreement with Hoyle, Tanner, and Associates for the development of the multi-year Capital Improvement and Operation and Maintenance Plan for the sewer collection system.

III. GUESTS/PRESENTATIONS

1. Comments from Public on Items not on Agenda

George Dunbar, III, village resident, submitted a letter citing his concern about matters discussed by the Board of Trustees in Executive Sessions being appropriate for Executive Session. Mr. Dunbar said it appears the Board holds many Executive Sessions. George Tyler explained bids, contracts, and legal matters are appropriate to discuss in Executive Session to avoid the municipality being at a competitive disadvantage. Deb Billado assured Mr. Dunbar that the Board is trying to stay within the guidelines for Executive Session and thanked him for bringing the matter to the attention of the Board.

2. Presentation by Chris LaBerge of VLCT Safety and Health Promotion Division
Chris LaBerge, VLCT, thanked Susan Hill, Village Clerk, for serving as the incentive coordinator and her efforts with the wellness program. Employees and their families were also commended for their participation in the program. Mr. LaBerge presented a check for \$2,988 to the Village of Essex Junction. A check for \$192.39 was also presented for participation in the pilot program on worker's compensation leadership. Deb Billado thanked Mr. LaBerge for offering the programs to communities. The Board thanked Susan Hill for her efforts in coordinating the program.

3. Presentation by Trevor Lashua of VLCT Public Policy and Advocacy Dept.
Trevor Lashua, VLCT, provided to the Board the VLCT legislative priorities brochure. Priorities are set by the VLCT Board of Directors. John Lajza asked about the shifting of

funds for policing. Mr. Lashua stated tasks and associated costs handled by the Sheriff's Department in the past, such as transport of offenders or public inebriation cases, will shift to local police departments. The study on policing in Vermont will show what to do with communities who use the State Police, dispatching, and the Sheriff's Department for their community police service. A regional policing entity and the idea that a town with a population of 3,000 or more is mandated to have a police department will be brought before the legislature. George Tyler asked about payment in lieu of taxes or a local options tax. Mr. Lashua stated there is support for a local options tax. Funding in the PILOT pool is local options money. Dave Crawford pointed out a community without a local options tax that participates in PILOT is the beneficiary. Mr. Lashua agreed.

Peter Gustafson mentioned state and federal funding for infrastructure projects and the funds going directly to the communities. Mr. Lashua said VLCT has worked hard to have a list of projects ready to go when the stimulus dollars are received. VLCT wants the funds to flow to the local level. Dave Crawford noted the Board of Trustees sent letters to the Congressional delegation urging transportation monies be directed to the local communities, but a response as yet has not been received. There is concern that if the money goes to a state agency, local communities will not receive it, at least not in a timely manner. Municipalities in other states have similar concerns. There is up to \$500 million (one half billion) in infrastructure projects of which \$225 million is for transportation. Deb Billado asked how projects are prioritized for funding. Mr. Lashua said a process is being developed. It was noted the Transportation Fund has a deficit of \$10.5 million of which \$600,000 is the cost of storm events last summer. There is a proposal to replace Amtrak service from Rutland to Albany with bus service to save money. There are \$3 million in cuts which include \$1.8 million in town highway aid, \$700,000 in Class 2 roads, and \$330,000 in structure programs. The Senate Transportation Committee passed a resolution to release dollars for January less half the August proposed cuts (\$925,000 or \$3,500 statewide per average per town) with the understanding the amount could change with the stimulus package or other factors.

John Lajza asked about priority of tax exemptions. Mr. Lashua stated there is no set strategy. There are cases where municipal services are being used without payment.

4. Discussion of Legislative Priorities with Reps. Tim Jerman and Linda Waite-Simpson. Tim Jerman, state representative for Village of Essex Junction, gave kudos to VLCT and Trevor Lashua in particular for being the go-to people for information. The legislature appreciates their dedication. Regarding the budget, Rep. Jerman there is a projected deficit in 2014 of \$769 million which presents many daunting challenges even with the stimulus package (Medicaid, transportation, and other programs). No programs will be immune from cuts. There was mention of the practice of borrowing from other funds for the General Fund. George Tyler asked if any action is planned on healthcare reform. Rep. Jerman said the legislature will wait to see the federal stimulus.

The Village's list of legislative priorities was reviewed. The list includes the circumferential highway, Pearl Street right-of-way, West Street state owned property, the federal economic stimulus package, village center designation, state aid, an integrated

library system, transportation, tax fairness, education funding, reappraisal, housing, Vermont neighborhoods, downtown incentives, home rule, and water quality. Dave Crawford briefly the requests put forth to VTrans relative to the Pearl Street project. The requests need to be chaperoned through the legislative process. Rep. Jerman stated he will follow the West Street state owned property initiative. The matter of the soccer fields at the Tree Farm is on hold. There was discussion of the process for local businesses to pay the local use tax to the state and if there is any way to make the process easier (i.e., on a schedule electronically withdraw the money from escrow accounts). Rep. Jerman agreed there are problems, including compliance. There was mention of the tax prebate system. Rep. Linda Waite-Simpson pointed out that taxpayers must connect the prebate to their tax bill. It is also important to ensure contracts between the school district and the municipality reflects fair payment for the work the clerks are doing. Dave Crawford mentioned tax assessment for large businesses, noting the Town of Essex is discussing how the law is interpreted. The tax department is taking a different view of assessments. Mr. Crawford expressed concern about the expense associated with storm water regulations, especially impaired water ways. John Lajza noted another concern is the rate for power for the state's largest employer (IBM). Rep. Waite-Simpson stated the rates are being negotiated. Rep. Jerman added the economic impact study will look at all alternatives and energy will be included. George Tyler suggested IBM be included in the discussion.

IV. OLD BUSINESS

1. Review and Adopt 2009 Legislative Priorities

MOTION by George Tyler, SECOND by John Lajza, to adopt the 2009 Legislative Priorities as presented. VOTING: 4 ayes; motion carried.

V. NEW BUSINESS

1. Review and Discuss FY10 Budgets (including Capital Programs)

Dave Crawford reported the number for worker's compensation and property insurance have been firmed up, lead paint abatement on the library's exterior trim is included in the budget, and there are changes to health insurance costs. The wholesale water rate is impacted by IBM's decrease volume of use. The tax rate increase is anticipated to be \$1.88 (9% increase) which equates to approximately \$50 more for the average household. The increased cost to the average household for use of water, sewer, and sanitation is estimated at \$92. The Village is trying to address the minimum user. Tax and utilities combined shows an increase of \$142 for an average household. Dave Crawford mentioned the Village Business Promotion Committee with a current budget of \$5,000 and the request by the group for \$15,000 in next year's budget. An additional \$5,000 will be raised from businesses (total budget for the group to be \$20,000). The village gardens will be funded at \$3,000.

Rick Hamlin, Village Engineer, and Lauren Morrisseau, Village Finance Director, reviewed the capital plan. The numbers for projects in the plan are updated with a 5% escalation per year. Projects in FY10 include Fairview storm water pond, Algonquin Ave. engineering for reconstruction, Orchard Terrace sidewalk engineering, South Summit Street sidewalk engineering and water line construction. Projects in FY11 include

sidewalk on Algonquin Ave. and Orchard Terrace, South Summit Street work, and the firehouse siding and gutters. In FY12, projects include windows in Lincoln Hall and Abnaki Avenue reconstruction. In FY13, the firehouse roof will be replaced, engineering for the Densmore Drive culvert reconstruction will be done as well as the engineering for the Briar Lane and Woods End reconstruction. In FY14 the work on Densmore Drive, Briar Lane, and Woods End Drive will be done. Funding in FY10 includes \$159,600 for the Fairview storm water project, money from CVE for the Pearl St. project, grant money and regular transfers. Additional funding could come from the local sales tax if that is approved. Extra funds will be needed in FY11 to meet all the goals. Dave Crawford noted the strategy is to do the engineering the year before construction as a means of decreasing self-imposed sticker shock on the entire project cost. There was discussion of determining if these are the projects desired to be addressed at this time. John Lajza pointed out the projects are subject to dollar availability. Dave Crawford added the one percent sales tax is incorporated as a funding source; the project plan and budget falls apart without it. Deb Billado stressed making it clear to the villagers that this is a plan and susceptible to change should something unforeseen come up. The plan is flexible. Priorities may change and shift. George Tyler pointed out the plan allows the Village to be proactive and not wait until a street falls apart to do the work.

Rick Hamlin explained how the information in the capital project binder was compiled. Thirty six separate project listings are identified with cost estimates which were brought up to current 2009 value and equivalent unit price comparisons across projects. Costs were also projected into the future. There is a summary page of work for each project and known assumptions that impact cost. Costs are broken down relative to roadway, water line, sidewalk, and such. There is a schematic for each project. There is a unit price breakdown for each component of work. The final cost estimate contains a 20% contingency in addition to the cost for design/engineering services and bidding. Dave Crawford noted if stimulus money is received there is a list of projects with costs of \$10,000 or less. Larger projects are included in the capital priorities and bids will be compiled for work next summer. Rick Hamlin stated headway has been made into the conceptual process for the projects as a result of compiling the information in the book. The top priority is the water pipe on South Summit Street which is old, cast iron, and has experienced multiple fixes. The road is sloped and if the pipe breaks the water could cause severe damage which could result in closing a major road link. The work on South Summit Street will begin once the school year ends.

MOTION by John Lajza, SECOND by George Tyler, to approve the five year capitol project plan as configured with a footnote that this is a plan and subject to change.

DISCUSSION: George Tyler commented the book is very impressive. The Board concurred.

VOTING: 4 ayes; motion carried.

MOTION by George Tyler, SECOND by Peter Gustafson, to authorize the Village Engineer and the Village Manager to start planning the South Summit Street

project in accordance with the parameters in the capital plan. VOTING: 4 ayes; motion carried.

Lauren Morrisseau pointed out part of the funding for the water line work on So. Summit Street is in the FY09 water capital reserve so the work and engineering will be done this fiscal year. Roadway construction will occur in FY10. Dave Crawford stated staff will have to reflect on how much money will be generated with a local options tax and whether the village is going to commit to borrowing a revenue anticipation note to cover the next two or three years. Staff wants to avoid doing one portion of the project, such as paving, and then having to tear that up the next year to do another portion of the project.

Lauren Morrisseau stated the water capital plan includes the Briar Lane and Algonquin Ave. projects.

MOTION by John Lajza, SECOND by George Tyler, to approve the Water Fund Capital Reserve budget for Years 10, 11, and 12 as presented. VOTING: 4 ayes; motion carried.

Dave Crawford reviewed the results of the meeting of the Tri-Town Sewer Committee and the five items of concern that were raised. Mr. Crawford mentioned the Town of Essex is not interested at this time in purchasing 50,000 gallons of available capacity from Essex Junction. Williston is interested and wants to negotiate the price. The Board will discuss the waste water capital fund and the concerns raised by the Tri-Town Sewer Committee at the next meeting. There was discussion of the Sanitation Capital Reserve Fund. Dave Crawford briefly reviewed plans to identify issues at the treatment plant.

MOTION by John Lajza, SECOND by George Tyler, that the Sanitation Capital Repair Summary budget be adopted as presented. VOTING: 4 ayes; motion carried.

The Rolling Stock Plan was reviewed. The plan includes purchase of a pumper and ladder truck in FY12.

MOTION by John Lajza, SECOND by George Tyler, to approve the Rolling Stock Capital Fund for the initial five years subject to change related to need. VOTING: 4 ayes; motion carried.

2. Approval of Budget Changes

Elaine Sopchak, Village Business Promotion Committee, reported on recent promotional activities, including a Valentine's Day effort for 2009. Seed money (\$5,000) for an ad campaign was supplied by the Village. Local businesses have also been asked to contribute. The group is requesting an additional \$10,000 in next year's budget (for a total budget of \$15,000 from the Village) with the anticipation another \$5,000 will be provided by the business community. George Tyler mentioned several local business owners are very opposed to the proposed local options tax, preferring that the budget be further scrutinized instead of adding a tax onto local businesses. Elaine Sopchak stated

the purpose of the group is to educate the villagers and residents of Chittenden County about buying locally and keeping money in the community. The group wants to invest in a relationship between the village and the local businesses which will be mutually beneficial for the long term. There was discussion of rebranding the village to be a destination spot and addressing misperceptions, prudent spending of tax dollars, and prioritizing spending. Ms. Sopchak said members of the marketing team (task force) will serve as a liaison to municipal government to help meet the needs of business owners. Information on the business community will be compiled. A survey may be done of village residents to pinpoint what types of businesses are desired in the community. The task force of dedicated people has been formed and the first meeting is 1/29/09 at the Brownell Library (6:30 p.m.). Work assignments will be distributed and discussion of rebranding the village will be held. Elaine Sopchak said there will be a column in the *Essex Reporter* to inform the readership of what the group is doing.

John Lajza noted the Village should get a discount for ads on CCTA buses since the budget includes payment to CCTA for bus service. Ms. Sopchak will investigate the matter further. At this time ads on buses are not definite.

Deb Billado cautioned against asking the taxpayers to pay the bulk of the cost for the marketing effort without participation by the business community. Ms. Sopchak stated the task force will track each business that contributes an ad or donates in-kind. The information will be shared with other businesses as incentive to participate. The team will also follow-up with businesses to determine the result of their ads. Deb Billado suggested having a short survey at the counter of participating businesses asking customers how they heard about the business. There could be a small gift as a thank you for completing the survey.

Dave Crawford urged allowing the initiative to progress before deciding if the group becomes a part of the development department or remains an independent entity. The task force should provide periodic updates to the Board at responsible points, and the Board should outline expectations before releasing another portion of the budgeted funds. Peter Gustafson suggested quarterly updates to the Village Manager who then reports the information to the Board of Trustees. Funds could be released in increments (monthly, quarterly) if results are shown. Ms. Sopchak mentioned there are times when no funds will be spent and other times when a larger amount is needed for an event (i.e. village block party). Dave Crawford spoke in support of quarterly reporting and outlining expectations for the next quarter so the Trustees know the amount of funding needed to be released. The Board concurred. Deb Billado suggested a plan and budget for the advertising campaign be developed by the task force. John Lajza stated eventually the business community should be a full partner in the funding of the marketing effort since the business community will benefit. The Board could hear ideas from local businesses at the quarterly updates.

Ms. Sopchak will present projections of expected results and how benchmarks were met in a quarterly report to the Board. A decision will be needed within the next year as to whether the group will become part of the development department or stand alone as a

501(c)3 organization which will take time and paperwork to establish. In summary, the budget request will allow the group to do the following:

- Form the marketing team (task force) to serve as a liaison to municipal government to help meet the needs of business owners, track each business that contributes an ad or donates in-kind and share this information with other businesses as incentive to participate.
- Follow-up with businesses to determine the result of their ads.
- Compile information on the business community.
- Do a survey of village residents to pinpoint what types of businesses are desired in the community.
- Regularly provide information for a column in the *Essex Reporter* to inform the readership of what the group is doing.
- Present projections of expected results and how benchmarks were met in a quarterly report to the Board of Trustees.
- In the quarterly reports outline expectations before release of another portion of budgeted funds.
- Develop a plan and budget for the advertising campaign.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

January 14 at 7:30 PM ó Public Information Meeting re: Local Option Taxes

January 27 at 6:30 PM ó Regular Trustees Meeting, CVE

February 9 at 7:30 PM ó Public Information Meeting re: Local Option Taxes

February 10 from 3 PM to 5 PM ó Employee Recognition Event

February 10 at 6:00 PM ó Board of Abatement Meeting

February 10 at 6:30 PM ó Regular Trustees Meeting

February 24 at 6:30 PM ó Regular Trustees Meeting

March 2 at 7:30 PM ó Annual Town Meeting

March 3 from 7 AM to 7 PM ó Voting by Australian Ballot (Town of Essex)

March 10 at 6:30 PM ó Regular Trustees Meeting

March 24 at 6:30 PM ó Regular Trustees Meeting

April 1 at 7:00 PM ó Annual Village Meeting

April 14 from 7 AM to 7 PM ó Voting by Australian Ballot (Essex Junction)

April 14 at 6:30 PM ó Regular Trustees Meeting

April 28 at 6:30 PM ó Regular Trustees Meeting

2. Local Option Tax

Information has been provided to the Board of Trustees.

3. Meeting with Charles Baker, Regional Planning

Regional Planning will see significant budget cuts.

4. Economic Stimulus plan

A list of projects is in place for the funding.

5. Circumferential Highway

A letter to towns has been drafted and includes dates.

6. Waste Water Treatment Plant Capacity Study

Response from the Town of Williston is anticipated.

VII. TRUSTEES COMMENTS/CONCERNS**1. Board Member Comments/Concerns**

John Lajza asked about the engineering specifications to be used for the extension of Taft Street, noting it appears the same techniques for the rebuild of Taft Street will not be used. Dave Crawford will investigate the matter.

Deb Billado thanked the New England Theological Seminary for its voluntary contribution to the community.

Deb Billado asked about the sale of the fire truck. Dave Crawford said the Board needs to authorize the Village to accept the offer of \$22,000 from Londonderry or accept payments with interest over time. Deb Billado commented positively on the impressive amount of time served in the volunteer firefighters in the Fire Department.

VIII. CONSENT AGENDA & READING FILE

MOTION by Peter Gustafson, SECOND by John Lajza, to approve the consent agenda as follows:

- 1. Approval of Minutes (12/2/08, 12/9/08, 12/18/08)**
- 2. Approval of Warrants**
- 3. Approval of WWTF Septage, Leachate & Surplus Capacity Revenue Policy**
- 4. Approval of Fire Truck Sale**
- 5. Approval of Revised Volunteer Firefighters Rules and Benefits**
- 6. Reading list acceptance (letters/communications)**
 - **Planning Commission Minutes of 12/4/08 and 12/18/08**
 - **Essex Junction Fire Department Years of Service**
 - **Letter to Vermont Division of Property Valuation & Review**
 - **Letter from Champlain Water District General Manager – FY10 Budget Increase**
 - **Notice of Martin Luther King Day Dinner, 1/19/09, 6 p.m.**
 - **Payment in lieu of taxes and Donation to Park Maintenance Fund**
 - **Letters to U.S. Congressional Delegation re: Federal Stimulus Package**
 - **EBPA Winter Newsletter**
 - **Article in January, 2009, Champlain Business Journal**
 - **Six Year Capital Plan of Sewer System Improvements (Memo from Jim Jutras, dated 1/12/09)**

VOTING: 4 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by Deb Billado, SECOND by John Lajza, that the Board of Trustees go into Executive Session to consider pending contract negotiations and personnel matters where premature general public knowledge would clearly place the Village at a substantial disadvantage, and to permit staff to be present for this session.

VOTING: 4 ayes; motion carried.

The Board entered Executive Session at 9:40 p.m.

MOTION by John Lajza, SECOND by George Tyler, to adjourn Executive Session.

VOTING: 4 ayes; motion carried.

Executive Session was adjourned at 11:14 p.m.

X. ADJOURNMENT

MOTION by John Lajza, SECOND by George Tyler, to adjourn the meeting.

VOTING: 4 ayes; motion carried.

The meeting was adjourned at 11:15 p.m.

RScty: M.E.Riordan