

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
March 10, 2009**

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

Additions to the reading file in the Consent Agenda include an update on the dog park and a comment on Front Porch Forum. An email on the CVE noise issue will be included on a future agenda.

III. GUESTS/PRESENTATIONS

1. Comments from Public on Items not on Agenda

There were no comments from the public at this time.

2. Public Hearing: Proposed Charter Changes

The public hearing on the proposed charter changes relative to election of the Village President and Vice President was opened at 6:35 p.m.

George Dunbar, village resident and former Village President for 12 years, spoke against the change in the way the Village President is elected. Mr. Dunbar stated it is the right of every voter, the people who pay the bills, to be able to elect the Village President. Democracy is better demonstrated by the voters rather than three or four people on a board. Mr. Dunbar contended it is a selfish act and wrong if the change is being made because a trustee is afraid of losing their seat on the board if they want to be Village President. The individual needs to be serious about pursuing the presidency and willing to take the risk. Also, if individuals have served on the Board of Trustees for a while then being Village President if the position is chosen by the board members becomes a pass around job. Mr. Dunbar spoke with pride of his five terms of service as Village President and being elected by the people. Mr. Dunbar spoke in support of electing a Village Vice President.

George Dunbar, III, village resident, polled the Trustees for their position on the positions of Village President and Vice President:

John Lajza spoke in support of both positions and having the Board of Trustees appoint individuals from the board to the positions which is the standard through the country and proven to work well. Trustee Lajza felt the position of Village President would not be 'passed around' on the board because all the trustees take their position and work very seriously. Mr. Lajza stated one reason to appoint the

position is the concern for continuity of projects overseen by the board and to have a better liaison between the Village Manager and Village President. There are always two trustee positions that are open each year so the voters have the opportunity to express their will. If the Village President had more power than the trustees on the board then the position should be elected by the voters, but the position does not hold more power than the trustee seats, stated Mr. Lajza.

Larry Yandow spoke against the change, noting he ran for Village President because the Board of Trustees wanted to appoint the Fire Chief and members to the library boards at the time. It takes democracy away from the voters when a position elected by the people is taken away from the vote by people, said Mr. Yandow. There is also the concern about the 'old boys club' issue to arise. Mr. Yandow spoke in support of having a Village Vice President position.

Deb Billado recognized the break in tradition, but clarified the process change is to assure the village taxpayers that the most competent person is at the helm. The duties of Village President are not much different from the duties of the rest of the board though the Village President does attend some additional meetings. Ms. Billado explained it is most comfortable for the board to have the person they feel is most qualified lead the village. Taxpayers vote the trustees in, but do not always know who is the most capable. The Village Board of Trustees is the only board in the state that does not appoint the president. Regarding passing around the position, generally the individual with longevity on the board is selected so the position will not likely be passed around. Ms. Billado felt the change is in the best interest of the village and how the board operates with village government and the taxpayers at large.

George Tyler said he has no issue with current or past Village Presidents and was concerned the proposal would be viewed as such. There is also the matter of tradition. Other town and school boards have rotating chairmanships. There are very few contested races for positions on boards in the community so there is the concern that a current member of the Board of Trustees doing a good job and understanding the budget who wants to run for the presidency would have to abandon the seat on the board. The vacancy may not be filled by a person with the same depth of knowledge and experience. Mr. Tyler spoke in support of the Vice President position.

Peter Gustafson echoed the comments of the other trustees in support of the change, noting the value of seniority on the board that is lost under the current election method. There is much turnover on the town board, observed Mr. Gustafson.

George Dunbar, III, read a statement in support of not changing the charter and continuing to elect the position of Village President by public vote. Mr. Dunbar said he supports having a Vice President position. Mr. Dunbar mentioned the minutes show no public discussion on the matter and there is question about going into Executive Session

to discuss the charter change. It must be answered what problem or shortcoming the proposed charter change affects on the governance of the village and what the residents gain, summarized Mr. Dunbar.

There were no further comments. The public hearing was closed at 6:55 p.m.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Appoint 3rd and 4th Alternates to CCMPO

MOTION by Larry Yandow, SECOND by John Lajza, to appoint Robin Pierce as 3rd alternate and Dave Crawford as 4th alternate to the CCMPO. VOTING: 5 ayes; motion carried.

2. Discussion and Preparation for Village Annual Meeting

Dave Crawford announced on 3/18/09 at 6 p.m. there is a live broadcast on Channel 17 on the village budget as warned and how the budget if reduced impacts services and projects. The budget includes the one cent increase (one cent raises \$100,000) to cover what was reduced last year and one or two cents to catch up in FY10. The proposed budget is a two cent increase, approximately 9%, over last year's budget. Possible areas for reduction include \$25,000 slated for the land acquisition fund, exposure for the retirement fund (staff will postpone setting aside the retirement money as recommended by the auditors), capital funds for capital projects, and money into the rolling stock fund. Other potential areas are items in the general administration budget, the library budget, and/or the public works budget.

There was discussion of the presentation of information to the public at the annual meeting. Regarding the two cent (9%) increase, John Lajza pointed out the minutes from last year's annual meeting includes a statement saying a two cent tax increase is built into next year's budget. Last year's budget was tight as is this year's budget, continued Trustee Lajza. There is no 'fat'. Mr. Lajza cautioned that anything pared down in capital items adds risk that could end up as over runs in the future. Another potential area mentioned for reducing the budget is providing fewer services so people could end up clearing the snow from their sidewalks themselves. The public needs to participate in the process of identifying where cuts are desired, said Mr. Lajza. Larry Yandow agreed with giving the voters an idea of what is being considered to manage expenses and keep the tax rate low. George Tyler concurred with presenting information to the public and setting the tone that the proposed budget is necessary to sustain what the public now receives. If some streetlights are shut off as a cost savings measure, people will question paying for these services if the lights are being shut off. Also, a nine percent increase on a \$2.8 million budget is much less than the same increase on a \$20 million budget which is what the school department is proposing, stated Mr. Tyler. Deb Billado encouraged offering the voters choices for cuts if they feel they cannot bear another cent on the tax rate. The village tax rate (\$.21 for a full service community) is low compared to other communities (Burlington is \$.67, Essex is \$.32, Colchester is \$.73). Peter Gustafson

pointed out the village is small enough that the citizenry knows most of the village workers by name. Many of the workers have over 20 years of service. An employee recognition event was recently held. Mr. Gustafson urged the public to revisit the local options tax matter where nearly \$1 million annually could be shared between the town and village. Perhaps if the public at the annual meeting for the town could have known the impact of a \$400,000 across the board reduction in the budget they would not have been so quick to vote, stated Mr. Gustafson, so it is good to show the villagers the ramifications of suggested reductions so choices can be made.

John Lajza observed the capital investment to do the work on So. Summit Street will provide work to businesses in the community and that is the direction the government should be moving. Dave Crawford stated the \$170,000 So. Summit Street project could be deferred this year though the water line is ready to break and there is potential for significant damage. The line could be stabilized and the work done next year if the voters want to make that choice. The public could decide the budget as presented is valid and no changes are needed, observed Mr. Crawford. There was further discussion of presenting possible choices for reduction of the budget. George Tyler asked about the degree of liability if a capital project is deferred and property damage occurs. Dave Crawford said with a water pipe there is no way to tell when the pipe will break so nothing can be done until this happens. With a bridge, though, the weight limit can be lowered and eventually the bridge can be closed.

Dave Crawford suggested the Trustees may want to consider bringing up the local options tax issue under Other Business at the end of the annual meeting. There could also be a presentation on the crescent connector road and improvements planned for Pearl Street. George Tyler agreed with informing the voters again about the local options tax because there is tremendous misunderstanding and misinformation about the tax, such as there being a requirement to reach a target amount or pay the tax yourself (this is not true). Deb Billado said she would like to ask permission of the people in attendance at the annual meeting to continue to explore the local options tax to come to a conclusion after thoughtful and thorough investigation before making a final decision.

There was continued discussion of how to present the budget, possible areas and ramifications of cuts, local options tax, and progress of projects that are underway. John Lajza stated the budget is prudent and right on target, even a little less than what was predicted at last year's annual meeting. Dave Crawford assured the General Fund and enterprise funds have been scrutinized carefully. Reserves in the WWTF budget have been used and there is a \$200,000 deficit as a result of tight budgets for the past years and having an expensive digester issue to address.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

March 24 at 6:30 PM – Regular Trustees Meeting

March 31 – Potential Special Meeting to Prepare for Annual Meeting

April 1 at 7:00 PM – Annual Village Meeting

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

April 14 at 6:30 PM – Regular Trustees Meeting
April 28 at 6:30 PM – Regular Trustees Meeting
Week of May 4 - Manager on vacation
May 12 at 6:30 PM – Regular Trustees Meeting
May 26 at 6:30 PM – Regular Trustees Meeting
June 9 at 6:30 PM – Regular Trustees Meeting
June 23 at 6:30 PM – Regular Trustees Meeting

2. Manager's Meetings/Activities:

- Attended conference on the Recovery Act and spoke to federal and state staffers about projects. Governor Douglas will have some discretion with stimulus funds so the initiative to direct money to communities was timely. CCMPO asked for prioritization of projects. Earmarked funds and stimulus funds cannot be used on the same project. The effort to waive the match requirement continues.
- Held rail initiative meeting with Rail America/New England Central Railroad. The rail company is interested in collaboration with the Village. The railroad and the Village will jointly present the multi-use path idea.
- CCMPO is trying to get VTrans to continue support of the initiative by the Village to take over Pearl Street and to do the proposed paving.
- The cost of the CVE initiative on Pearl Street, Willey's Court to Five Corners, is \$6 million and the 20% match is difficult. Staff is lobbying for Willey's Court through the shopping centers at a cost of \$2.2 million. Village share would be \$300,000 paid with a five year note at \$52,000 per year. CVE would contribute \$80,000. Earmark funds would contribute \$450,000 and stimulus money would contribute \$1,350,000. John Lajza urged sharing the long term vision for growth in the community at the annual meeting and getting a feel for public opinion. There was discussion of pursuing the enhanced project (\$3.5 million) because the opportunity for such federal funding will likely not be available again. It was acknowledged the \$2.2 million project is more reasonable. Dave Crawford will send the email as drafted to Sen. Leahy's Office.
- The Village is involved in a cost reduction program through Worker's Compensation.
- A meeting date is still to be scheduled for the circumferential highway committee.
- It is recommended Jim Jutras be the designated representative to discuss stimulus package projects relative to public works projects.

MOTION by Peter Gustafson, SECOND by Deb Billado, to designate the department head who should be the focus of a project using stimulus funds as the contact.

DISCUSSION: John Lajza stated it is the Village Manager's decision to designate the appropriate department head.

VOTING: 5 ayes; motion carried.

VII. TRUSTEES COMMENTS/CONCERNS

1. Board Member Comments/Concerns

Positive comment was made on the poles being installed at Five Corners.

Larry Yandow thanked the board and staff for all the support through his recent illness.

VIII. CONSENT AGENDA & READING FILE

MOTION by Peter Gustafson, **SECOND** by John Lajza, to approve the consent agenda as follows and with the additions to the reading file of correspondence relative to the Neighborhood Forum and the CVE agreements:

1. Approval of Minutes (2/24/09)
2. Approval of Warrants
3. Reading list acceptance (letters/communications)
 - Lincoln Hall on Aquarius Landscape Sprinklers Flyer
 - Letter and Check from CVE for Pearl Street Enhancement
 - Letter to Town Managers of Essex, Williston, and Colchester re: Circ Highway Advocacy Committee

VOTING: 5 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by George Tyler, **SECOND** by Peter Gustafson, that the Board of Trustees go into Executive Session to consider pending contract negotiations and personnel matters, and potential budget changes related to personnel issues 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: 5 ayes; motion carried.**

The Board entered Executive Session at 8:40 p.m.

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

Executive Session was adjourned at 10:29 p.m.

X. ADJOURNMENT

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

The meeting was adjourned at 10:30 p.m.

RScty: M.E.Riordan