

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
May 26, 2009**

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

There were no changes to the agenda.

III. GUESTS/PRESENTATIONS

1. Comments from Public on Items not on Agenda

Chris Chiquoine, resident, asked when the list of concerts at the fairgrounds will be available and the process for dealing with noise complaints when an event is not monitored. Dave Crawford stated the list of concerts will be available in the next couple of weeks and the village will be contacted when a noise complaint is received. Noise will be measured with the village monitor and CVE's monitor to determine if there is a problem. The issue is to get the noise level down if it is too high. Work continues on developing a protocol that will work for everyone. There was discussion of the interaction between the police department and CVE. The police will not enforce the noise ordinance as it relates to the CVE agreement. The police are at the fairgrounds to observe and document the situation. The police do not have a noise monitor.

IV. OLD BUSINESS

1. Update on Recovery Act Applications

Dave Crawford reported the situation with stimulus funding from the state continues to be in flux. Nine applications for highway funds have been submitted to VTrans. The priorities are Pearl Street from Mac's Market to Five Corners (lighting, sidewalks, and cold planning) and Five Corners to the Indian Brook Bridge. There is no guarantee the projects will get funded. The work is in the public right-of-way. If funding is not received an explanation will be pursued because there are five state highways that come together in the village. The blower and sewer pipe lining projects are out to bid. The official applications will be submitted to the Agency of Natural Resources for funding. Match money has already been set aside. Staff is working with the municipal bond bank to handle borrowing and to find out what is entailed. Funding for the proposed stimulus projects and earmarks is significant.

2. Update on Pearl Street Streetscape Project

Dave Crawford reported VTrans has had a delay in getting the cooperative agreement to Essex Junction. Contracts and Audit are discussing the language in the agreement. It is

hoped to receive the document by June 15th. Money may have to be spent on engineering due to the delay (the plan was to do the engineering work when the funding was received; the work may still have to advance). CVE is moving forward on release of the temporary construction easement.

3. Update on FY10 Budget Reductions

The list of potential adjustments in the FY10 General Fund Budget totals \$117,488. Deb Billado asked about the path fence. Dave Crawford explained replacement of the fence along the bike path in Fairview will be deferred. Regarding needed paint work at the library, the Brownell Trustees will determine where cuts are made in the library budget. The library trustees are aware the village trustees want the paint work done to preserve the building. The budget reductions are posted on the village website. Public comments will be taken at the 6/9/09 Trustees meeting and action taken on the cuts at the 6/30/09 meeting. Trustee Tyler clarified the discussion is of \$117,488 in cuts from the original budget presented at the annual meeting.

4. Local Options Tax Discussion

There was discussion of forming a local options tax study committee of seven members including two Trustees. A report from the study committee will be presented to the full Board of Trustees. George Tyler said he is on the fence about the local options tax, noting there is merit to both sides of the argument. Deb Billado stated the study committee will help educate everyone as to what the local options tax means to the commercial component of the community and the community at large. Dave Crawford urged inviting members of the business community to share their comments and concerns. The study committee will be established by the end of June.

V. NEW BUSINESS

1. Annual Financial Plan – Town Highways

MOTION by Deb Billado, SECOND by George Tyler, to approve the annual financial plan for town highways for a grand total of \$4,181,461 as presented.

DISCUSSION: VTrans will total the dollar amounts for highway projects and determine what should be given to local communities. The final decision is made by the legislature. Dave Crawford stated municipal managers across the state are frustrated with the legislature. Many unfunded costs are being put on municipalities and the property tax by legislation that was passed. The legislature needs to be made aware of the impact of their legislative action on towns. John Lajza commented it appears there will be no choice but to make cuts. There were no further comments.

VOTING: 4 ayes [Peter Gustafson not present for vote]; motion carried.

The Board signed the document.

2. Preparation for Special Village Meeting on 6/15/09 at Essex High School

Information will be presented on the projects (repaving, treatment plant, sewer mains) so the public fully understands the need to borrow money. The financial process with ANR is not set as yet. John Lajza suggested itemizing the size of the borrowing if a particular

project gets approved. Information should be posted at the library and other key places (village website, Front Porch Forum, and such). Library staff could be provided with basic information to be able to answer general questions. George Tyler suggested giving concrete examples of other projects that were handled in the same manner, such as renovation of Maple Street Park done with a bond of \$2 million. The public needs to be shown the benefit of the improvements to justify the increase in taxes. Dave Crawford outlined the improvements are sidewalks, streetlights, curbs, trees, and paving. The work needs to be done. The Village is not paying 100% of the cost and will save money in the future because the improvements will not require the Village taxpayer to pay the full cost. Curbs, sidewalks, and lighting improve safety. The WWTF projects were already planned and user rates will not increase due to the stimulus funding. There was discussion of the stringent criteria for projects to qualify for selection by the state to receive stimulus funding.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

June 9 at 6:30 PM – Regular Trustees Meeting

June 15 at 7 PM – Special Meeting (information to be prepared on the borrowing vote and budget reductions)

Week of June 22 – Manager on vacation

June 30 at 6:30 PM – Regular Trustees Meeting

July 14 at 6:30 PM – Regular Trustees Meeting

Week of July 19 – Manager on vacation

July 28 at 6:30 PM – Regular Trustees Meeting

August 11 at 6:30 PM – Regular Trustees Meeting

August 25 at 6:30 PM – Regular Trustees Meeting

September 8 at 6:30 PM – Regular Trustees Meeting

September 22 at 6:30 PM – Regular Trustees Meeting

Negotiations with the Association will continue on 6/1/09. The tri-town wastewater facility committee will meet on 6/4/09. The Central Street Forum will meet on 6/17/09 at 6:30 p.m. in the high school cafeteria to discuss what is desired in the area in the short and long term. Trustees and Planning Commission members are asked to attend and guide the conversation. Invitees include business owners, landlords, residents, students, and the public at large.

2. John O’Kane’s Point of View

John O’Kane will share his perspective of the legislative process this year at the 6/30/09 Trustees meeting. The Essex Selectboard and state representatives will be invited to attend the meeting.

3. Budget

Over expenditure of the budget of up to \$90,000 is anticipated at this juncture due to engineering for capital projects (stimulus projects), winter maintenance over time and salt use, attorney bills for CVE and zoning issues.

4. Rail Connector Project

Effort continues to secure earmarked funds (\$30 million for the western corridor) for the rail line from Burlington north. The railroad, Winooski, Burlington, and St. Albans all support the effort. The push has typically been for rail south of Burlington because the state owns the rail bed. The railroad is willing to provide the 20% match for the project which is not the case if the money is spent on line from Burlington south. The proposal has been presented to the state rail infrastructure subcommittee. Work continues on the railroad right-of-way for the multi-use path. New England Central Railroad supports the safety argument.

5. Manager's Meeting

Discussion covered the cost of legislation and how communities are handling budget reductions.

6. Paving Program

Bids are out for the general paving program.

7. Pearl Street Financing

The Village does not pay the 20% match for the \$400,000 earmark, but does pay the match on the \$1.8 million earmark.

8. Mary Gauthier

Mary Gauthier's service on various village boards (Trustees, Planning Commission, Zoning Board) since 1976 was recognized.

9. Clarification of Borrowing

The special meeting is to get authorization to borrow funds, not for a bond vote.

VII. TRUSTEES COMMENTS/CONCERNS

1. Board Member Comments/Concerns

Deb Billado observed many signs along the road in the core of the village are blocked by trees. The issue of signs should be periodically reviewed to determine if there is a better format (i.e. grouping versus staggering signs). Public Works will trim trees as necessary. There are federal standards that require certain signage. The Planning Commission will discuss sandwich (A-frame) signs when the village plan is updated. There is a state program that will review signs in a community and provide recommendations. Deb Billado commented street signs on the new lamp posts distract from the fixtures.

Larry Yandow mentioned the impact on village roads by trucks going to the transfer station in Williston and suggested CSWD be asked if the Village can receive an impact fee payment like the Town of Williston. John Lajza will mention the matter to Tom Moreau. Dave Crawford said a letter was sent to CSWD about Jake brakes and speed of vehicles through the village. CSWD will ask haulers to cooperate.

Larry Yandow announced his wife and Peter Gustafson's wife have volunteered to facilitate the Memorial Day Parade next year. More volunteers are needed.

VIII. CONSENT AGENDA & READING FILE

MOTION by Deb Billado, **SECOND** by John Lajza, to approve the consent agenda as follows:

1. Approval of Minutes (5/12/09)
2. Approval of Warrants
3. Reappointment to CCMPO Transportation Advisory Committee (TAC)
4. Reading list acceptance (letters/communications)
 - Planning Commission Minutes (4/16/09 & 5/7/09)
 - Zoning Board Minutes (5/19/09)
 - VLCT 2009 Town Fair Notice
 - VLCT 2010 Legislative Policy Development
 - Openings on Boards and Commissions

VOTING: 4 ayes [Peter Gustafson not present for vote]; motion carried.

IX. EXECUTIVE SESSION

MOTION by Peter Gustafson, **SECOND** by George Tyler, that the Board of Trustees go into Executive Session to consider legal matters, 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 p.m.

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

VOTING: 5 ayes; motion carried.

Executive Session was adjourned at 10:04 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 10:05 p.m.

RScty: M.E.Riordan