

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

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

ADMINISTRATION: Dave Crawford, Village Manager.

EXECUTIVE SESSION

MOTION by Deb Billado, SECOND by George Tyler, to go into Executive Session to discuss legal matters. VOTING: 3 ayes [Peter Gustafson not present for vote]; motion carried.

Executive Session was convened at 5:53 p.m.

MOTION by George Tyler, SECOND by Deb Billado, to adjourn Executive Session. VOTING: 4 ayes; motion carried.

Executive Session was adjourned at 6:25 p.m.

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, Larry Yandow, called the regular 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 AND PRESENTATIONS

1. Comments from Public on Items Not on Agenda

There were no comments from the public at this time.

IV. OLD BUSINESS

1. Update on Recovery Act Projects

Dave Crawford reported the application submitted by the Village has been received and is under consideration by the Agency of Natural Resources. A lengthy description of how to request payment and complete the appropriate form(s) was sent out by ANR. There may be more money available so grant amounts may be increased.

Dave Crawford reported the Town of Essex is holding a special meeting to seek money for storm water work.

2. Update on Railroad Upgrade Project

Dave Crawford reported CVE declined to support the railroad project at this time. CVE Board of Directors will discuss the matter at their meeting in January. Some of the board members had questions about the resolution of support and funding from the earmark.

There is considerable support for the project around the region, but work must continue on soliciting support from the legislature. George Tyler expressed disappointment at the lack of support by CVE, noting the project will be advantageous to them. Larry Yandow stated according to Matt Stevens if the statement about the earmark was not included in the resolution the CVE board would likely have voted in support. Matt Stevens feels the CVE board will support the resolution in January. Dave Crawford said if the state receives stimulus money then the pressure on funding for railroad projects will decrease.

Larry Yandow mentioned positive comments from Matt Stevens on the relationship between CVE and the Village Administration. Larry Yandow observed there has been a significant change in the relationship between the two entities from 20 years ago, and though the CVE board is diverse there is optimism that a positive working relationship can be maintained between CVE and the Village Administration.

3. Update on Local Option Tax Committee

Deb Billado reported the meeting on 10/8/09 with local economist, Dick Heaps, was very enlightening. Mr. Heaps spoke about his work in Middlebury to establish a local options tax for a bridge in the town. The next meeting of the committee is 10/22/09.

4. Update on Railroad Ave. Revitalization Project

George Tyler stated at the last meeting Noelle McKay with Smart Growth Vermont discussed what has been done in other communities and resources available to move the Railroad Ave. revitalization project forward. The steering committee is working with the Brownell Library on graphic and audio displays of ongoing and proposed projects. The video of the train ride from Essex Junction to Brattleboro has been very popular. Assignments have been given to try to get train displays in window space in the downtown businesses, and to organize events on Railroad Ave. such as a farmers market. Sue McCormack is looking for volunteers to work on a website and to paint the train station. Deb Billado noted local building owners will be contacted to see if empty store fronts can be decorated with a train theme for the holiday season.

Larry Yandow mentioned the Village of Essex Junction declaring an official color as part of its identity. George Tyler suggested business owners in the downtown area could be encouraged to make the downtown look like an Irish or Scandinavian village. According to a psychologist, said Mr. Tyler, particular colors and color schemes can help minimize the occurrence of vandalism.

5. Update on Memorial Day Parade

Peter Gustafson reported attendance was very disappointing at the meeting in September for volunteers to facilitate the Memorial Day Parade (only one person attended the meeting). Information from the past facilitators of the parade is compiled on a DVD and available for use. The bulk of the work on the parade occurs in March, April, and May. There will be one more public meeting for the parade and if the response is poor then the parade will not occur next year. Volunteers are needed and urged to attend. The meeting is Monday, November 9, 2009 at 7 p.m. at the Village Office. Larry Yandow commented the Memorial Day Parade is the best parade in the state. Everyone in the village has an

obligation to give back to the community and volunteering to help with the parade is one way of doing this. Deb Billado suggested a collaborate effort with the recreation department or CVE or other organizations, such as the VFW.

6. Amend Policy on Board Meetings/Adopt Statement re: Citizen Requests

Dave Crawford reviewed the suggested response statement to citizen requests which basically says the request is heard and the Village Office should be contacted to have the item put on the agenda for discussion by the full board if that is desired. Mr. Crawford also reviewed amendments to the Trustees Meeting Policy to include language that conforms to state law relative to special and/or emergency meeting notices. Wording about requests from citizen to add an item to the agenda is included in the Trustees Meeting Policy.

George Tyler suggested the second sentence in Trustees Meeting Policy, Section 2.b, relative to adding an item to the agenda be amended to read: "...will refer that person's request to the Village Manager's office for consideration by the Village Manager, the Village President, and if necessary, the other trustees for placement on the board's agenda." It was also noted reference to the Village Vice President should be added to the second sentence in Section 5.a to read: "In the absence of the Village President, the Vice President shall be elected chairperson for the meeting involved and be vested with all of the same powers and duties as the Village President." The Board concurred.

MOTION by Peter Gustafson, SECOND by Deb Billado, to amend the Trustees Meeting Policy as follows:

Section 2.b, 2nd sentence to read: "...will refer that person's request to the Village Manager's office for consideration by the Village Manager, the Village President, and if necessary, the other trustees for placement on the board's agenda."

Section 5.a, 2nd sentence to read: "In the absence of the Village President, the Vice President shall be elected chairperson for the meeting involved and be vested with all of the same powers and duties as the Village President."

VOTING: 4 ayes; motion carried.

V. NEW BUSINESS

1. Approve Design Engineer for Pearl Street Improvement Projects

Dave Crawford reviewed the committee's recommendation for the design engineer from the seven RFQ submittals. Ande DeForge with VTrans was publicly commended for his expertise, dedication, good sense of humor, and passion to get the project done well. Mr. DeForge provided information and helped the Village stay within the parameters of the earmark requirements.

MOTION by George Tyler, SECOND by Deb Billado, to approve Lamoureux and Dickinson of Essex as the engineering and architectural firm for the Pearl Street Improvement Project STP 5300(11&12) for a not-to-exceed contract price of \$186,380, and to authorize the Village Manager to sign all appropriate documents.

DISCUSSION: Peter Gustafson asked to see the other bids. Dave Crawford explained this is not allowed under federal and state mandates for RFQ submittals. With RFQs a firm is chosen based on qualifications. There was further discussion of the bid process.

CALL THE QUESTION by Peter Gustafson. Discussion ceased.

VOTING: 4 ayes; motion carried.

Dave Crawford briefly reviewed some of the reasons the firm of Lamoureux and Dickenson was recommended by the review committee, including that it is a local firm familiar with the area, has knowledge of state and federal regulations, and can start work immediately. Letters will be sent to local businesses on Pearl Street about survey work which will begin now. All work will be done in the public right-of-way.

Larry Yandow mentioned reducing the number of driveways (curb cuts) if possible at some point in time.

George Tyler asked if the architect will reviewed the preliminary drawings. Dave Crawford confirmed this, adding a presentation will be given to the Trustees. The Trustees will have final approval.

Dave Crawford reviewed preliminary cost estimates for the Pearl Street project. The projected budget total is \$2,560,000. Two earmarks total \$2,200,000. CVE agreed to contribute \$200,000 and the Village is contributing \$160,000. Estimated construction contingency (including design engineering, project management and inspection) is 14% or \$360,000. No taxpayer dollars will be spent outside the 66' right-of-way.

Regarding paving on Pearl Street, the line markings are nearly done.

2. Establish FY11 Budget Goals

The memo from the Finance Director, dated 10/9/09, mentioning items for consideration when drafting the FY11 budgets was reviewed. Dave Crawford stated the budget is supporting only necessary services. Department heads will have to justify any increases beyond inflationary costs.

MOTION by Peter Gustafson, **SECOND** by George Tyler, to support the budget strategy outlined in the memo from the Finance Director, dated 10/9/09.

DISCUSSION: Dave Crawford said the proposed increase (3% to 3.5%) includes wages, benefits, and inflationary costs. Current costs are reviewed along with the impact of inflation to see what will work in the budget. "People" costs make up 50% of the budget. The village taxpayers want the same level of services. Larry Yandow commented positively on the number of employees and amount of work done in the village in comparison to other towns that have more employees and produce less output. George Tyler commented it always has to be kept in mind that constituents are paying taxes to two municipal governments.

CALL THE QUESTION by Peter Gustafson. Discussion ceased.

VOTING: 4 ayes; motion carried.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- Oct. 27 @ 6:30 – Regular Trustees Meeting
- Nov. 10 @ 6:30 – Regular Trustees Meeting
- Nov. 17 @ 6:30 – Possible Alternate Meeting Date to Nov. 24th (Thanksgiving week)
- Dec. 8 @ 6:30 – Regular Trustees Meeting
- Dec. 14 – Budget Meeting and Possible Alternate Meeting Date to Dec. 22nd (Christmas week)

2. Warner Ave. Culvert

Staff recommended awarding the contract to RJ Weston at a cost not to exceed \$26,870 (item included in Consent Agenda).

3. Window Bid for Lincoln Hall

The consent agenda includes award of the bid for windows in Lincoln Hall.

4. Byway Project Grant

The Village is pursuing a byway project grant.

5. Fire Rating

Essex Junction's fire rating went from Class 4 to Class 5. Effort is underway to regain the former rating.

6. Overtures by the Town of Essex

Invitations have been received to attend joint meetings with the Town of Essex related to the update of the Town Plan and economic development. Dates will be publicized.

7. Town of Williston Sidewalk

The Village expressed support to Williston for the sidewalk application.

8. Circumferential Highway Status

According to Jeff Munger environmental impacts by the highway project are currently being debated by the Corp. of Engineers and the EPA.

9. Prudential Committee Joint Meeting

Possible meeting date is November 16, 2009.

10. Church Craft Shows

Staff is suggesting next year possibly combining craft shows in the area into a broader event.

11. Tree Farm

There was a meeting with state officials about the tree farm property. A letter listing alternatives is anticipated from the state. The item will be on a future Trustees agenda.

12. Tour with Jeff Munger, Sen. Sanders Office

Discussion covered economic development and the proposed railroad project.

13. Essex Post Office Closing

The Post Office at Lang Farm in the Town of Essex will close and the building will be sold. There was no opportunity for input by local governments. A letter from the Federal Postal Service to the municipalities is anticipated at some point in time. George Tyler spoke against the closing of any post offices in the state.

14. Administrative Meeting with CVE re: Noise Reports

All noise reports will be reviewed and a summary packet presented at the next Trustees meeting. Chris Chiquoine has requested copies of the report when available. The process is working with CVE. Significant adjustments have been made.

VII. TRUSTEES COMMENTS/CONCERNS

- Deb Billado requested a study to determine the amount of public building space in the village, town, and school system be added to the Village Manager's list of "Items Without a Target Date".
- Deb Billado mentioned the state owned West Street property and requested the Trustees support the Village Manager sending a memo to appropriate parties regarding the property. Dave Crawford said the latest information is that the report on the property has been signed off. The Village was not involved even though this was requested. It is not clear exactly what is going on with the property.
- Larry Yandow mentioned the service provided by VLCT to help municipalities reduce liability exposure.

VIII. CONSENT AGENDA & READING FILE

MOTION by George Tyler, SECOND by Deb Billado, to accept the consent agenda as follows:

- 1. Approve Minutes of 9/22/09 Meeting**
- 2. Approve Warrants**
- 3. Lincoln Hall Windows Bid Award**
- 4. Lake Champlain Byway Projects**
- 5. Approve Warner Street Culvert (requires emergency repair)**
- 6. Reading List Acceptance (Letters & Communications)**
 - **Planning Commission Minutes of 9/17/09**
 - **Trustees Posting on Front Porch Forum**
 - **Letter from ISO re: Public Protection Classification**
 - **Letter to Town of Essex Planning Commission**
 - **Letter of Support to Town of Williston for Sidewalk Application**
 - **Equipment For Sale Bid Opening Results 10/1/09**
 - **Essex Youth Football Parking Plan**

VOTING: 4 ayes; 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 (i.e. Village Manager and intern, Sawyer Joecks) to be present for the session. **VOTING: 4 ayes; motion carried.**

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

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

Executive Session was adjourned at 9:29 p.m.

X. ADJOURNMENT

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

The meeting was adjourned at 9:30 p.m.

RScty: M.E.Riordan