

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

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

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Pending the arrival of Larry Yandow, Trustee Deb Billado 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 AND PRESENTATIONS

1. Comments from Public on Items Not on Agenda

George Dunbar, III, village resident, addressed the following:

1. The flag in front on Lincoln Hall is not illuminated as it should be at night.
2. Meeting in November with CVE per the noise indemnification agreement and who will attend - Mr. Dunbar urged that the meeting be held in public session.
3. Holding Executive Session to discuss delinquent taxes which are public record is a concern. Dave Crawford explained negotiation of a settlement will be discussed in Executive Session. Mr. Dunbar countered all village residents are required to pay their taxes in full so the Board is arguing a concession of taxes by the village. The Board needs to identify which of the nine criteria justifies the Executive Session otherwise discussion should be in public session, stressed Mr. Dunbar. Deb Billado stated the discussion in Executive Session is more of a contract negotiation. The Board is sensitive to individuals and businesses in the village, but the Trustees cannot abate taxes. John Lajza assured any action will be taken in public session.

2. Ann Gray and Dennis Hill of the Lions Club re: Veterans Memorial Park

Dennis Hill reviewed the letter to Dave Crawford, dated 10/30/09, regarding Veterans Memorial Park at Five Corners. A brief history of the project was given. The Lions Club has been involved in the development of the park since 1996. It has been three years since the dedication ceremony. At this point in time it is felt the Trustees should consider setting policy regarding the future of the park. There have been requests and money received for an additional bench in the park (there are six already). Pavers are continuing to be sold. There is space remaining for 200 pavers. The park is the village's and the people should work with the Trustees, said Mr. Hill, adding the Lions Club will direct all inquiries to the Trustees. There are flag sponsorships that can be sold, unfinished memorials to be done and dedication of plaques.

Larry Yandow stated wonderful comments have been heard about the park which adds to and improves the center of the village. The Lions Club is commended for the project.

George Tyler asked if the Lions Club should be included in decisions on changes to the park or if existing memorials needs repair or replacement. Dennis Hill stated the public as a whole should be involved. If there is a major or drastic change in the park then the Lions Club likely would have an opinion.

John Lajza asked how information on the brick pavers is verified. Ann Gray stated the information is accepted as presented by the individual purchasing the paver. The purchaser signs the proof of the scribing as correct. Dennis Hill stated for the monuments it is verified that the person was a member of the community.

Deb Billado asked about unfunded work at the park. Ann Gray stated the Afghanistan monument designed by Dick Munsell is not done.

The Board thanked the Lions Club members for their dedication and hard work on the project which is a phenomenal asset to the Village of Essex Junction. Dave Crawford asked that information on ideas, sketches, and plans be submitted to the village.

MOTION by Peter Gustafson, SECOND by John Lajza, that the Village of Essex Junction accepts the offer by the Lions Club Veterans Memorial Park Steering Committee to take over Veterans Memorial Park with thanks and appreciation for all the hard work that has been done. VOTING: 5 ayes; motion carried.

3. Meeting with Village Planning Commission

Planning Commissioners present: Liza Kilcoyne (Chair), Diane Clemens, Andrew Boutin, Aaron Martin, Dan Kerin. John Alden was absent.

There was discussion of the update of the Land Development Code and setting a work program. The Trustees want a quality product and concur with having staff (Robin Pierce) take the lead on updating the Code. Larry Yandow asked if there have been requests for changes from the public with regard to zoning and planning. Diane Clemens stated there have been requests for rezoning in the Central Street/Railroad Street area and North Street/Grove Street area. Business owners have requested review of the sign regulations. There have been requests to rezone neighborhoods to allow more flexibility for development.

Deb Billado asked if there is any effort to dovetail with the town planning process. There was agreement both the village and town would benefit. There is a joint meeting with the Essex Planning Commission on 11/16/09. The Village did respond to the Town's economic study questions. It was suggested the Trustees and Planning Commission each draft responses to the questions as well. Input can be offered on the Town's comprehensive plan at the meeting on December 17, 2009. John Lajza said he would like to be rid of the cannibalization of one area by another and focus on developing an area cohesively to the benefit of the entire community. Lang Farm and Susie Wilson Road

areas should be businesses while the center of the village is better suited for governmental offices, professional business offices (attorneys, dentists, doctors), restaurants and boutiques.

Dan Kerin stated one item the Planning Commission contemplated was research of historic properties in the village. The information would be used in review of projects. A definition of “historic” is needed as well as how to interpret the definition in practice. Dave Crawford stated the issue leads to design control to maintain the appropriate character within the historic district. Aaron Martin pointed out a decision on design control cannot be made without the historic district in place. The Planning Commission will need help with defining the historic district (perhaps hire a consultant). Information from the Town’s economic study will also be helpful. There was further discussion of development in the village and looking at the bigger picture while holding onto “jewels” in the village. Applications before the Planning Commission include a conceptual plan for a hotel on the Ming property by Five Corners (developer doing further research and investigation before proceeding), condominiums on Park Terrace (hinged with the hotel and development on the Park Street School property), and condominiums on Lincoln Street (Handy application). Future applications could include CVE buildings and the Lincoln Inn property as well as the crescent road connector. Andrew Boutin mentioned the pizza shop and property on Railroad Ave. that remains a blight. The Trustees are encouraging the property owners, but the property is privately owned. Dan Kerin asked about plans for the railroad station. Deb Billado stated the property is under discussion and is part of the village forum on February 10, 2010. Andrew Boutin asked about incentives to attract businesses to the community. Typically a tax break is the offered incentive, but other ideas can be discussed. There has been significant investment in the streetscape and improvements to the downtown area. The current economy is having an impact on businesses, but once momentum gets going businesses will follow suit. Deb Billado mentioned the owners of the Pearl Street shopping center carefully select tenants to make the area a one stop shop experience, and this combined with the village effort on the streetscape is keeping the area viable. Larry Yandow mentioned restaurants in the village seem to be full no matter the time of day which is not the experience in many other towns.

Dave Crawford announced applications are being accepted for the current vacancy on the Planning Commission.

George Tyler suggested the Planning Commission apply for a grant to hire a consultant to move forward with the historic district matter. There may be nonprofit organizations in the state that could help or graduate students working on a thesis pertaining to historic preservation. Regarding the Code update, there may be assistance from regional planning, nonprofit organizations, colleges and grants. Planning staff should draft a recommended timeline for the update of the Code. It is recognized that staff time is stretched. It may be possible to have the Town’s planning staff help with the endeavor.

There was mention of holding quarterly meetings with the Trustees or at least drafting a monthly update.

IV. OLD BUSINESS**1. Update on Pearl Street Streetscape Project**

Dave Crawford reported the Pearl Street project is going well and on schedule. The revised graphic for the pedestrian gate to the fairgrounds shows a ticket booth, entry gate, and a small covered waiting area. The Planning Commission will review the plans on 12/3/09 and the Zoning Board will review the plans on 12/15/09. There is a special Trustees meeting on the design scheduled on 12/15/09. Regarding the Pearl Street takeover from the state, VTrans Right-of-Way Division is working on the survey. Information from VTrans is needed on the traffic light then an agreement will be drafted for the turnover of the road at the end of December/beginning of January. A finalized survey and repairs to the traffic light must be done before the transfer can take place.

2. Update on Recovery Act Projects

Dave Crawford reported paperwork on the sewer grant has been received and the amounts are what were anticipated.

3. Update on Railroad Upgrade Project

Dave Crawford reported there was a meeting with Jeff Munger regarding the earmark for the right-of-way.

4. Memorial Day Parade Committee

Peter Gustafson reported there were 14 attendees at the 11/9/09 meeting on the Memorial Day Parade. Representatives from the VFW, Lions Club, and Essex Parks & Recreation were in attendance. The parade in 2010 will mark its 25th year. The next meeting is at 7 p.m. on 12/14/09 at the Recreation Office on Maple Street.

5. Update on Local Option Tax Committee

Deb Billado reported a very productive work session with John O’Kane from IBM was held on 11/5/09. Mr. O’Kane explained what drives the sales tax at IBM. The cafeteria at the IBM facility is operated by a vendor separate from IBM. Mr. O’Kane made suggestions which will be brought forth to the voters.

6. Update on Railroad Ave. Revitalization Project

George Tyler reported in January there will be space in the Kolvoord Room at the Library to display ongoing and perspective projects in the village in categories (economic development, beautification, Railroad Ave. events, communication and collaboration). Deb Billado commented the group’s energy should be brought to the forum in February. The forum will provide opportunity for input from the community and help determine if the public is on board with the ideas proposed for the area. Staff time and potential investment of tax money may be necessary to bring some ideas to fruition.

V. NEW BUSINESS**1. Review/Approve Initiatives, Projects, and Tasks List**

The list of projects, initiatives, and tasks was reviewed. Dave Crawford suggested staff review the list and assignments to provide feedback. The list should be reviewed

quarterly. The Board can provide assistance with items such as preparing a legislative position. The Colchester tree farm, historic district and design control in the village were added to the list.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- Nov. 17 @ 6:30 – Alternate Meeting Date to Nov. 24th (Thanksgiving week)
- Dec. 8 @ 6:30 – Regular Trustees Meeting
- Dec. 15 @ 2:00 – FY11 Budget Review with Department Heads
- Dec. 15 @ 6:30 – Public Hearing: Pearl Street Project
- Jan. 12 @ 6:30 – Regular Trustees Meeting
- Jan. 26 @ 6:30 – Regular Trustees Meeting
- Feb. 6 @ 6:30 – Regular Trustee Meeting

Special Meetings:

- Nov. 12 @ 4:30 – Tour of ANR West Street Property
- Nov. 16 @ 4:00 – Essex Town Economic Development Study Meeting
- Nov. 17 @ 4:00 – Pearl Street Multi-Modal Study Public Work Session
- Nov. 18 @ 6:30 – Special Meeting with Prudential Committee
- Dec. 2 @ 6:00 – Lighting the Village Celebration
- Dec. 17 @ 6:30 – Essex Planning Commission Public Hearing re: Town Plan
- Feb. 10 @ 5:00 – Public Forum on Railroad Ave. Revitalization Project

2. ANR Letter re: West Street Property

There was discussion of the letter from ANR, dated 11/10/09 regarding input on the future of the property and the plan set by the state. The state is clear there are no plans to release the property. The legislature has not commented on the plan for the property. John Lajza suggested making it clear to the legislature that there is a better use of the property for the community at large including the state. The Board concurred. The property is integrated in the multimodal study by CCMPO (for a park-and-ride). The vision for the property becomes more valuable as improvements along the rail corridor progress. John Lajza suggested the plans for the property be included in the regional plan. A well defined plan for the property and support of that plan by the legislators is needed, stated George Tyler. Trustee Billado will attend the 11/12/09 meeting on the ANR property on West Street.

3. Budget Day

A timeline for the budget day was provided to the Trustees.

4. Safety Path along Railroad Tracks

A graphic of the proposed safety path along the railroad tracks was shown. An earmark is being sought for the project.

5. Quarterly Review of Financials

Dave Crawford reported the budget remains tight based on review of the financial information.

6. H1N1 Plan

Staff is planning for anticipated sickness from the swine flu.

7. Agreements for Displays

There is a signed lease agreement for 10 Main Street for a railroad themed display. Village insurance covers volunteers working on a village sanctioned project.

VII. TRUSTEES COMMENTS/CONCERNS

- Peter Gustafson mentioned the long delay at the traffic light on Park/South Street. Dave Crawford will have staff check the controller box.
- Deb Billado asked when the next newsletter will be sent to residents. Dave Crawford said the newsletter will be sent out in February before the forum meeting.
- Ms. Billado asked about the drastic increase in water bills (rate increase of 26%). Dave Crawford explained the increase is due to costs passed on to users by Champlain Water District to cover chemical and electricity costs as well as the decrease in usage (several 100,000 gallons per day) by IBM due to decreased production at the IBM facility. Operating and capital costs continue regardless of the water volume and these costs are covered by all users. Sewer bills also increased due to the \$100,000 deficit at the waste water treatment facility.
- Ms. Billado asked for a copy of the CVE noise report.
- John Lajza said he heard positive comment from a citizen on the lane configurations on Pearl Street.

VIII. CONSENT AGENDA & READING FILE

MOTION by Peter Gustafson, SECOND by George Tyler, to accept the consent agenda as follows:

- 1. Approval of Minutes of 10/27/09 and 10/29/09**
- 2. Approval of Warrants**
- 3. Sign Resolution Supporting National Incident Management System**
- 4. Approval of New Health Insurance Option**
- 5. Reading List Acceptance (Letters & Communications)**
 - **Minutes of Special Planning Commission Meeting 10/28/09**
 - **Advertisements for Planning Commission Vacancy**

VOTING: 5 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by Peter Gustafson, SECOND by Deb Billado, 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 invite the Village Manager to attend. VOTING: 5 ayes; motion carried.

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

MOTION by Deb Billado, SECOND by George Tyler, to adjourn Executive Session and reconvene the regular meeting. VOTING: 5 ayes; motion carried.

Executive Session was adjourned at 10:59 p.m.

X. ADJOURNMENT

MOTION by George Tyler, SECOND by Peter Gustafson, to adjourn the meeting. VOTING: 5 ayes; motion carried.

The meeting was adjourned at 11 p.m.

RScty: M.E.Riordan